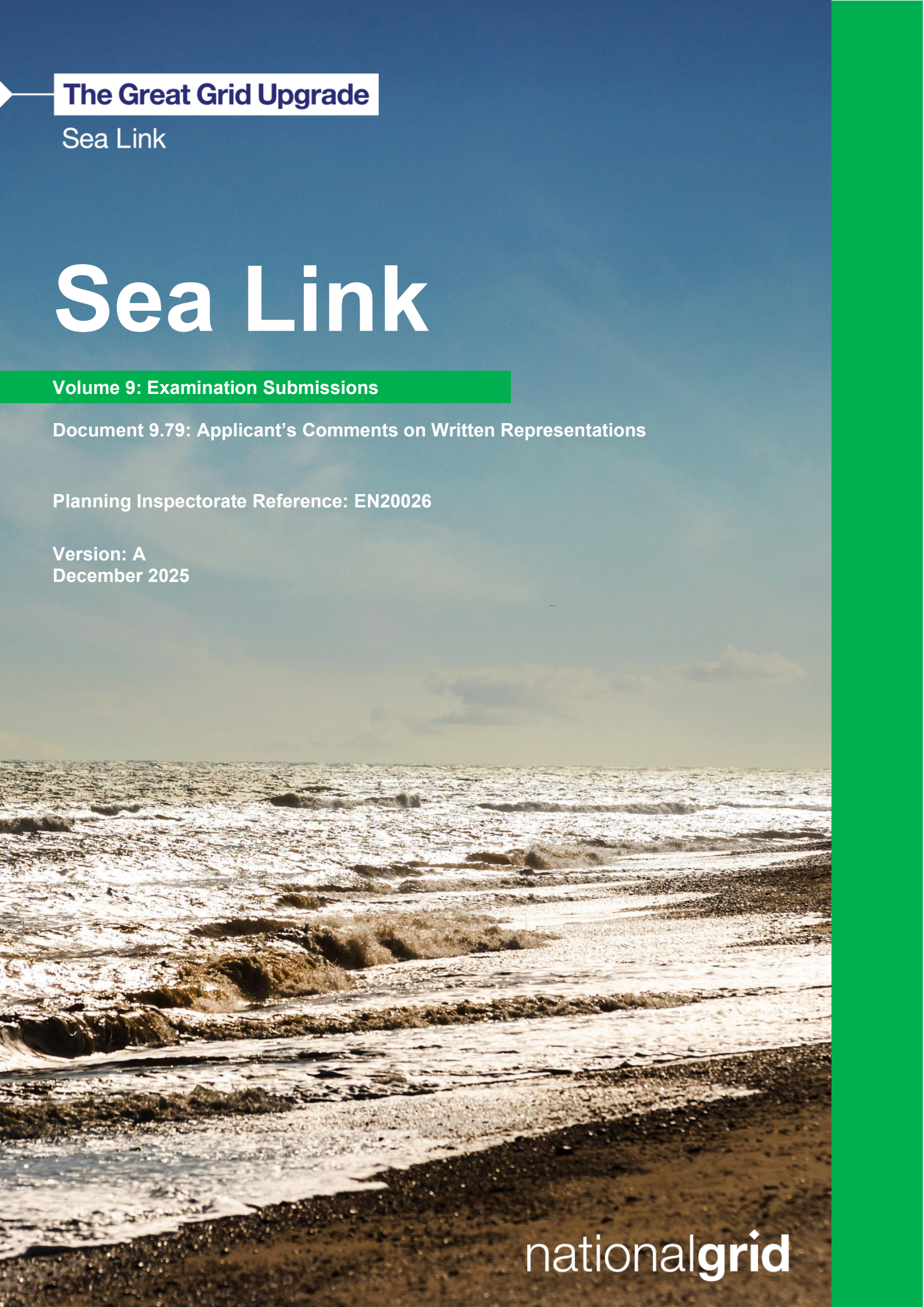




The Great Grid Upgrade

Sea Link

Sea Link

Volume 9: Examination Submissions

Document 9.79: Applicant's Comments on Written Representations

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1. About this Document

1.1 Purpose of this Document

- 1.1.1 This document provides National Grid Electricity Transmission plc's (the Applicant's) comments on Written Representations (WRs) submitted by Interested Parties (IPs) and Affected Persons (APs) in response to the application for development consent for the Sea Link Project (the Proposed Project). These WRs were submitted to the Planning Inspectorate and published from 21 November 2025.
- 1.1.2 All WRs submitted at Deadline 1 and Deadline 1A have been reviewed in full. In some cases, IPs and APs submitted more than one WR (for example, including summaries or appendices). In most cases, the Applicant has chosen not to respond to summaries or executive summaries and instead has provided responses to detail comments. Where relevant, multiple WR reference numbers are listed in the table header for the relevant IP or AP.
- 1.1.3 The order in which WRs appear in this document follows the reference numbering used in the Examination Library wherever possible. The 'Reference' column in the response tables refers to paragraph or section numbers used within the WRs, where applicable.
- 1.1.4 Section 2 of this document contains the Applicant's responses to WRs submitted by organisations, including prescribed consultees.
- 1.1.5 Section 3 contains responses to WRs submitted by individuals, including Affected Persons.

1.2 Approach and methodology

- 1.2.1 The Applicant has reviewed all Written Representations submitted into Examination. This document provides Applicant's comments on new matters or matters which have been expanded upon within Interested Parties or Affected Persons Written Representations.
- 1.2.2 In the interest of avoiding duplication, the Applicant has not commented in this document on matters if they have been previously raised by IPs or APs in their Relevant Representation or in their Written Summary of Oral Submission made at the hearings held w/c 3 and w/c 10 November 2025.

2. Written Representations from Organisations

2.1 London Gateway Port [REP 1-142]

Table 2.1 London Gateway Port [REP 1-142]

Reference	Matter	Points Raised	Applicant's Comments
1.1	Introduction	London Gateway Port Limited (LGPL), LG Park Freehold Limited and LG Park Leasehold Limited (collectively DPWLG) are the owners and operators of DP World London Gateway Port (the Port) and DP World London Gateway Logistics Park (the Logistics Park) on the north bank of the Thames Estuary in Stanford-le Hope, Essex LGPL has no objection in principle to the Sea Link project, but has concerns in relation to the impact of the offshore elements of the project on access for vessels to and from the Port.	This is noted by the Applicant.
1.2		LGPL has no objection in principle to the Sea Link project, but has concerns in relation to the impact of the offshore elements of the project on access for vessels to and from the Port.	This is noted by the Applicant.
2.1	Background	The Port is nationally significant and makes a significant contribution to the national economy ¹ being the UK's most advanced container port. Its highly productive deep water berths are built to handle the world's largest vessels and its state-of-the-art technology means that it can do this in the safest, most reliable and efficient way. Advanced automated technology provides market leading turnaround times for maximum efficiency, as does onsite inspection facilities with clearance taking just three days on average. The Port currently comprises four berths giving 1667m of quayside using quay cranes that are among the largest in the world. It offers the UK's best tidal access, largest port rail terminal, and easily accessible road connections across the country.	This is noted by the Applicant.
2.2		A reasonable estimate of UK container throughput in 2025 is 9.1m TEU and the Port presently handles 3.1m TEU of that – representing just over a third. Once fully developed, the Port will comprise six deep sea shipping berths. As a result the Port's container throughput will grow materially, increasing UK container throughput as a whole.	This is noted by the Applicant.
2.3		Moreover, 54% of the UK's refrigerated container imports arrive in the UK via the Port. Refrigerated container imports are amongst the most time critical and their supply chains are the most adversely affected by any delay. The Port is strategically important to all the major GB supermarket supply chains.	This is noted by the Applicant.

¹ Paragraph 3.3.6 of National Policy Statement for Ports recognises the essential contribution to the national economy that international and domestic trade makes through the UK's Ports.

Reference	Matter	Points Raised	Applicant's Comments
2.4		Works to construct the fifth berth are currently underway and due to complete in July 2027. Further berths are already consented under the HEO, but each remaining berth would in themselves comprise a Nationally Significant Infrastructure Project under s. 24 of the Planning Act 2008 if they were to be consented today.	This is noted by the Applicant.
2.5		LGPL is, by virtue of art. 8 of the London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261) (the HEO), the statutory harbour authority for London Gateway Port. It has a defined area of jurisdiction, and has additional powers outside that jurisdiction in relation to dredging of the approaches to the Thames estuary (as detailed further below). Further, its harbour master enjoys certain powers outside that area of jurisdiction under the Harbours, Docks and Piers Clauses Act 1847. LGPL has various powers and associated obligations in relation to the good order and regulation of the Port and its availability to port users under the open access duty under s.33 of the 1847 Act (subject to the terms and conditions applicable at the Port).	This is noted by the Applicant.
2.6		Alongside the Port, the Logistics Park forms part of the Thames Freeport and will provide up to approximately 740,000sq.m of vital commercial floorspace and, notably, is of a scale that would be considered to be of national significance and importance on any call in by the Secretary of State.	This is noted by the Applicant.
2.7	Navigation to the Port	The Deep Water Routes into the Thames Estuary – comprising the Sunk and Trinity which lead to Black Deep (referred to as the DWRs) are the only approaches available for larger vessels to access the Port. The DWRs are currently both used for entry into and exit into the Port but in the future, as vessels get bigger, it may be necessary for one DWR route to be used for entry and one for exit. Both the Sunk and Trinity are shown on Figure 6.4.4.7.A.2 of the ES Marine Navigational Risk Assessment Part 1 of 2 [APP-283]. The Sunk also serves as the main access for other ports on the Thames, such as the Port of Tilbury as well as the main access for larger vessels to the Harwich Haven ports.	This is noted by the Applicant.
2.8		Pilotage is compulsory for large vessels within the London Pilotage District.	This is noted by the Applicant.
2.9		Deep-draught vessels are required to arrive at specific points along the route to and from the Port within defined time windows, which can be as short as 30 minutes. This is necessary to ensure that there is sufficient water depth to allow for safe passage and, as a result, precise timing is critical for the safe navigation of such vessels.	This is noted by the Applicant.
2.10	The Sunk	Vessels bound to and from the Port transit either via the Sunk or Trinity. The Sunk also includes the main pilot station used by vessels accessing the Port due to the depth of water available.	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
2.11		LGPL enjoys specific statutory powers under the HEO (art. 13 and Schedule 13) to dredge the channel all the way from its quayside along the Yantlet Channel, The Oaze, the Knock John Channel and parts of the Black Deep through to the Sunk, as well as to provide a deep-water anchorage at Zulu 3, 0.54 nautical miles from Shoebury Beacon. The grant of such extensive powers in the HEO reflected the importance and significance of the channel in providing deep water access to the Port. In particular, LGPL may dredge (and maintain dredged) areas of the Sunk down to a depth of 17.5m below Chart Datum (CD).	This is noted by the Applicant. The Applicant has requested that London Gateway Port provide further detail on the geographic extent of their dredging powers, via a map figure, to enable the Applicant to have full understanding of how this may relate to Sea Link cable route.
2.12		Vessels berthing at the Port all need to take on board a pilot for the passage into it. The pilot stations used are either the Sunk or North East Spit Pilot areas. The station used depends on vessel characteristics (in particular vessel draught) and routing. If a vessel has an available berth the Pilot meets the vessel on arrival at the pilot station or if a berth is not available, the vessels wait in the area until berth is available and then take a pilot.	This is noted by the Applicant.
2.13	North East Spit & Long Sand Head	To the South, vessels with shallower draughts entering or exiting the Thames Estuary can take a pilot at the North East Spit and avoid travelling up to the Sunk pilot station. The North East Spit pilot station is shown on Figure 6.4.4.7.A.2 of the ES Marine Navigational Risk Assessment Part 1 of 2 [APP-283]. This flexibility is particularly important during periods of disruption to the 10-107734701-2\340049-21 3 Sunk routes, either due to adverse weather closing the Sunk pilot station or due to construction and maintenance activities of various planned cables. For vessels transiting up the English Channel, the North East Spit offers safe pilotage with little or no deviation.	This is noted by the Applicant.
2.14		Vessels bound for the Port regularly use the North East Spit pilot station with vessels transiting from the pilot station via Prices Channel or the DWRs. For these routes to remain viable, a depth of -12.5m CD must be maintained.	This is noted by the Applicant. The Applicant has been in ongoing discussions with ports including the Port of London Authority and London Gateway Port regarding water depth safeguarding requirements in this area. Further information on this matter is provided in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
2.15		The Long Sand Head Two-Way Route is a designated shipping route forming part of the approach to the Port from the North East Spit pilot station via the Deep-Water Routes hence a depth of -12.5m CD must be maintained in this area.	This is noted by the Applicant. This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
2.16	Future Vessels	The current accepted trend is that vessel size will increase, as per a study undertaken by the International Transport Forum at the Organisation of Economic Cooperation and Development on the impact of 'mega ships' (OECD/ITF 2015) (see extract at Appendix 1). Larger vessels are likely to use the Sunk routeing measures increasing access to local ports within the operational lifespan of the proposed development.	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
2.17		It is generally accepted within the industry and by other DCO applications that the maximum draft container vessels are likely to get to, is -20m. LGPL already has customers requesting for port infrastructure to be able to handle vessels of around 17.5m draft. The maximum draught of 20m is defined by the likely scale of future 'Malaccamax' vessels. The world's largest vessels operate on the Far East to Europe routes and they have to transit via the Strait of Malacca. The geology of that strait allows a maximum draught depth of around 20m when allowing for under keel clearance (UKC), and any major increase in the depth of that Strait is unlikely. The Strait becomes the limiting factor on a voyage from the Far East to Europe, hence the -20m maximum draft of future container vessel. When taking into the required UKC of 10% a dredged depth of -22m CD is required	This is noted by the Applicant.
2.18		Other recent development consent applications affecting the Sunk area have, after consultation, concluded that it was the general consensus that 20m vessel draught was a reasonable assumption in terms of increased vessel size over the lifetime of the project, and that an additional 10% was required to ensure suitable UKC for vessels (see for example, paragraph 249 of Chapter 15 (Shipping and Navigation) of the North Falls Offshore Wind Farm Environmental Statement (document reference 3.1.17)).	This is noted by the Applicant. This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
2.19	The Works	Both the Sunk and North East Spit are proposed to be subject to Work No. 6 of the draft development consent order (dDCO) [AS-087] under the Order – see Sheet 2 of the Works Plans (Offshore) [APP-023]. Work No. 6 comprises (insofar as material): <i>'Works seaward of MHWS comprising the laying of a marine electric cable, which may include—</i> <i>(a) temporary work areas and laydown areas associated with the installation and pulling of the cables;</i> <i>(b) works to lay marine electric cables and fibre optic cables within the Order limits seaward of MHWS between Work No. 5 and Work No.7 within the area shown on Sheet 6 of the Works Plans – Suffolk, Sheets 1, 2 and 3 of the Works Plans – Offshore and Sheets 3, 4 and 5 of the Works Plans, Kent;</i> <i>[...]</i> <i>(e) temporary work areas for vessels to carry out intrusive and non-intrusive activities; and</i> <i>(f) marine cable protection works'</i> (our emphasis).	This is noted by the Applicant.
2.20		Work No. 6 is also permitted as a licensed activity under the deemed marine licence (DML) in Part 1 of Schedule 16 of the dDCO [AS-087]as part of paragraph 3 to that licence.	This is noted by the Applicant.
2.21		The offshore scheme characteristics are summarised in paragraph 4.4.5 of Chapter 4: Description of the Proposed Project [AS-094]. The	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		marine cable route will contain two HVDC 100-150mm cables (bundled) and one 10-15mm fibre optic cable within the same trench.	
3.1	Energy Policy	The overarching National Policy Statement for Energy (EN-1) (January 2024) with the National Policy Statement for Renewable Energy Infrastructure (EN-3) (January 2024) provide the primary policy for decisions by the Secretary of State on applications for nationally significant renewable energy infrastructure.	This is noted by the Applicant.
3.2		EN-1 sets out national policy for major energy infrastructure. The Applicant's Planning Statement [AS-030] rightly notes that the scheme comprises Critical National Priority (CNP) infrastructure and refers to the policy that relates to CNP infrastructure as set out in paragraph 3.3.63 of EN-1. However, EN-1 provides further guidance on the balancing test to be applied in the context of CNP infrastructure and in this regard, it is worth setting out paragraph 4.1.7 of EN-1 in full, which is not noted in AS-030: <i>4.1.7 Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. [our emphasis]</i>	This is noted by the Applicant.
3.3		The Planning Statement [AS-030] also makes many references to the 'outweighing' nature of CNP Infrastructure set out in paragraph 4.2.15 of EN-1, but again it is worth setting out that paragraph in full: <i>4.2.15 Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or 10-107734701-2\340049-21 5 unacceptable interference offshore to</i>	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		<i>navigation, or onshore to flood and coastal erosion risk. [our emphasis]</i>	
3.4		EN-1 provides at paragraph 4.5 that applicants “must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development” (para 4.5.8). The Secretary of State is required to “have regard to any appropriate marine policy documents when making a decision on an application for a Development Consent Order where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas” (para. 4.5.10).	This is noted by the Applicant.
3.5		Related to this we refer to Policy PS1 of the East Inshore and East Offshore Marine Plan (the Marine Plan) which states: “<u>Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes</u>” (our emphasis). At paragraph 7.7.8 of the ES Chapter on Shipping and Navigation, the Applicant confirms: ‘7.7.8. The Offshore Scheme enters the region of Sunk routing measures at approximately KP 33 and exits at KP 64 (Figure 6.4.4.7.A.2 Ports and navigation). The Offshore Scheme Boundary runs through five IMO routeing measures areas, all associated with the Sunk: • Sunk Inner Precautionary Area (KP 35-38); • Sunk Outer Precautionary Area (KP 38-59); • Sunk Area to be Avoided (KP 45-47); • Sunk Traffic Separation Zone (KP 59.5-60); and • Long Sand Head Two-way Route (KP 60-66). 7.7.9 <u>In addition to this, there are multiple further IMO Routeing Measures within the study area</u>, associated either with Sunk, Northern Approaches to the Thames Estuary or Long Sand Head, as well as The Strait of Dover and Adjacent Waters TSS and an “Area to be Avoided” for the Dover Straits in the southern portion of the study area.’ (our emphasis).	This is noted by the Applicant.
3.6		The Proposed Route therefore runs through IMO designated routes and it is clear from the East Inshore and East Offshore Marine Plan proposals significantly reducing UKC are not permitted. However, the Applicant’s Marine Plan Policy Assessment [APP-298, Table 1.1] states that Policy PS1 is ‘screened in’ but that: “Under-keel clearance also not likely to significantly reduce and has been considered within Application Document 6.2.4.8 Part 4 Marine Chapter 8 Commercial Fisheries.” On the basis that “A risk based burial approach will be used where cables will be buried to a minimum DOL to the top of the cable of 0.5 m (in areas of bedrock), with a target DOL for the Proposed	This is noted by the Applicant. The Applicant is in ongoing discussions with ports including London Gateway Port regarding under-keel clearance and water depth safeguarding requirements. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].

Reference	Matter	Points Raised	Applicant's Comments
		Project of approximately 1 m to 2.5 m, assessing cable protection risk factors such as sediment type, shallow geology, sediment mobility, fishing activity, shipping movements and anchor deployment along the route”, it is concluded that the proposed project is in accordance with the policy objectives of PS1. It is LGPL’s position it is not.	
3.7		We also refer to Policy PS3 of the Marine Plan which provides: <i>‘Proposals should demonstrate, in order of preference:</i> <i>a) that they will not interfere with current activity and future opportunity for expansion of ports and harbours</i> <i>b) how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this</i> <i>c) how, if the interference cannot be minimised, it will be mitigated d) the case for proceeding if it is not possible to minimise or mitigate the interference.’</i>	This is noted by the Applicant.
3.8		For reasons set out below, the dDCO (in its current form) will interfere with current activity and the opportunity to expand the Port. However, the Applicant’s Marine Plan Policy Assessment [APP-298, Table 1.1] states that Policy PS3 is ‘screened in’ but that <u>“Impacts to Shipping and Navigation from the Offshore Scheme are either broadly acceptable or tolerable if as low as reasonably practicable (ALARP). The Proposed Project does not interfere with the expansion of ports and harbours in the Study Area. As such, the risks and therefore any significant effects are considered to be tolerable and ALARP. A detailed assessment is presented in Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.”</u> (our emphasis). On that basis <i>“Timely and efficient communication will be given to sea users in the area via Notices to Mariners (NtM), Kingfisher Bulletins, Navigational Telex (NAVTEX), and Navigational Areas (NAVAREA) warnings.”</i>, and it is concluded that the proposed project is in accordance with the policy objectives of PS3. It is LGPL’s position it is not	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is in ongoing discussions with ports including London Gateway Port regarding concerns surrounding potential impacts to shipping and navigation, in particular, surrounding safeguarding water depth and future access to ports. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].
3.9		We also refer to Policy DD1 of the Marine Plan states: <i>‘Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference:</i> <i>a) that they will not adversely impact dredging and disposal activities</i> <i>b) how, if there are adverse impacts on dredging and disposal, they will minimise these</i> <i>c) how, if the adverse impacts cannot be minimised they will be mitigated</i> <i>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts’</i>	This is noted by the Applicant.
3.10		The Applicant’s Marine Plan Policy Assessment [APP-298, Table 1.1] again states that Policy DD1 is ‘screened in’ and considers:	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		<i>'A detailed Shipping and Navigation assessment is presented in Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation. Several navigational dredging sites have been identified in the Study Area (10 km of Order Limits), including Harwich Haven navigation channel, Pegwell Bay, North West Shipwash dredging site, the London Gateway Port navigation channel, the Inner Gabbard dredging area, Greater Gabbard dredging area and Project 8 Windserver dredging area. Several licensed disposal sites have also been identified in the study area, including the Inner Gabbard, Inner Gabbard East disposal site, EA One Route EC-3 disposal area, and Harwich Haven disposal site. A number of closed and disused disposal sites have also been identified within the Study Area. <u>Any disturbance from the physical presence of vessels will be temporary, with any restrictions to commercial operations short term and representing only a very slight change from baseline conditions.</u>'</i>	
3.11		On that basis, again the Applicant considers: 'Timely and efficient communication will be given to sea users in the area via Notices to Mariners (NtM), Kingfisher Bulletins, Navigational Telex (NAVTEX), and Navigational Areas (NAVAREA) warnings.', and it is concluded the proposed project is in accordance with DD1. However, as explained in detail below the mitigation proposed by the Applicant is currently insufficient and has not been adequately secured and for those reasons, it is LGPL's position the current form of the dDCO does not comply with Policy DD1.	This is noted by the Applicant. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].
3.12		EN-3 covers, amongst other things, offshore transmission infrastructure projects and this can include interconnectors. It states at paragraph 2.8.5 in relation to offshore wind that "this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure"	This is noted by the Applicant.
3.13		In relation to offshore wind impacts: navigation and shipping it is stated: (a) "it is inevitable that there will be an impact on navigation in and around the area of the site" (para. 2.8.178); (b) applicants "should reduce risks to navigational safety to as low as reasonably practicable" (para. 2.8.179); (c) "Impacts on navigation can arise from the wind farm or other infrastructure and equipment creating a physical barrier during construction and operation" (para. 2.8.182); and (d) "Engagement should seek solutions that allow offshore wind farms, offshore transmission, and navigation and shipping users of the sea to co-exist successfully" (para. 2.8.185).	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
3.14		In relation to Secretary of State decision making, EN-3 goes on to state (our emphasis): (a) “The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries, with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea.” (para. 2.8.328); (b) “Where after carrying out a site selection, a proposed development is likely adversely to affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making” (para. 2.8.329); (c) “The Secretary of State should be satisfied that risk to navigational safety is as low as reasonably practicable (ALARP). It is government policy that wind farms and all types of offshore transmission should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted” (para. 2.8.331); and (d) “The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent” (para. 2.8.335).	This is noted by the Applicant.
3.15		A consultation on revised Energy National Policy Statements EN-1, EN-3 and EN-5 took place in the Spring of 2025. It is understood that as Sea Link was accepted for examination before the energy NPS's have been amended, the current suite of energy NPS's, published in 2024 should have effect. However, as set out in the consultation document <i>“any emerging draft NPSs (or those amended by not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each development consent order application.”</i> The Government has indicated on 13 November 2025 that it intends to proceed to designate 10-107734701-2\340049-21 8 the consultation versions. Notably, the paragraphs to which we have drawn attention above remain in the new versions.	This is noted by the Applicant.
3.16	Ports Policy	The National Policy Statement for Ports (January 2012) sets out the essential role of ports in the UK economy – with ports in England and Wales handling 95% of the total volume of UK trade and 75% of its value (para 3.1.3). The NPS recognises that <i>“shipping will continue to provide the only effective way to move the vast majority of freight in and out of the UK, and the provision of sufficient sea port capacity will remain an essential element in ensuring sustainable growth in the UK economy”</i> (see para 3.1.4). The promotion of successful major port	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		developments is encouraged because they are recognised as being essential for trade and economic growth long-term.	
3.17		The Ports NPS is quite dated and a consultation was undertaken between 4 June 2025 and 29 July 2025 on the proposals for a revised NPS-Ports. The 2025 consultation version of the Ports NPS “stresses that ports are critical to the Government’s economic growth mission due the UK’s reliance on imports” (para 1.2.1) and notes that “shipping will continue to provide the only effective way to move most freight in and out of the UK, and the provision of sufficient sea port capacity will remain an essential element in ensuring sustainable growth in the UK economy.” (para 2.1.6).	This is noted by the Applicant.
3.18		Notably, it is provided that: “It is the Government’s policy, in view of the critical role of ports in the wider supply chain and national freight network, to encourage sustainable port development to enable long-term forecast growth in volumes of imports and exports by sea with a competitive and efficient port industry capable of meeting the needs of importers and exporters cost effectively and in a timely manner, thus contributing to long-term economic growth and prosperity;..” (para 2.2.1). In LGPL’s view, such growth and the ability to remain competitive must encompass an ability for ports such as the Port to adapt and meet the demands of larger vessel sizes.	This is noted by the Applicant.
4.1	LGPL CONCERNS Consultation	The Applicant was required, pursuant to Section 42(1) of the Planning Act 2008 and Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, to consult with all relevant statutory undertakers. Despite this obligation, the Applicant failed to consult LGPL, notwithstanding that LGPL is a relevant statutory undertaker by virtue of its function as harbour authority (see section 8(1)(a)(ii) of the Acquisition of Land Act 1981) and its powers in the Sunk area. LGPL is concerned that the application, in its current form, does not address matters which would have been raised by LGPL had it been properly consulted as part of the statutory process.	This is noted by the Applicant. The Applicant can confirm that it has received Relevant Representations from London Gateway Port, responses to which were submitted at Deadline 1. The Applicant can confirm that London Gateway Port was specifically engaged early on at the start of the project but that the port falls outside of the Sea Link 10 NM shipping and navigation study area, however, we have and will continue to seek to engage further with London Gateway Port.
4.2	LGPL CONCERNS The Sunk - reduction in under-keel clearance	The route of Work No. 6 passes close to the Sunk pilot diamond (approximately 2km at the closest point at KP37) as shown on figure 6.4.4.7.A.2 of the ES Marine Navigational Risk Assessment Part 1 of 2 [APP-283]. This area is critical for entry and exit of deeper draught vessels into/from the Port of London with the boarding and landing of pilots taking place in the vicinity of the Sunk Pilot Diamond rather than at the specific point shown on figure 6.4.4.7.A.2. The actual location for pilot boarding will be based on a number of factors, including traffic density, wind strength and direction and tidal conditions.	A response to this comment can be found in Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116] .
4.3		The depth of the cables in the vicinity of the Sunk Pilot Diamond; the approach to cable laying and repair; cable protection and cable crossings are all critical in this area. Consistent with other cable schemes in the area, LGPL requires future access for vessels with a draught of 20m and, accounting for 10% UKC, this means that a future water depth of 22m below CD must not be precluded by Sea Link in	This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .

Reference	Matter	Points Raised	Applicant's Comments
		the vicinity of the Sunk Pilot Diamond. This has been accepted by applicants on the North Falls and Five Estuaries DCOs. The ability to maintain this depth is required regardless of existing water depths. Figure 1 below shows the cables in red and an indicative area in green where a water depth of 22m below CD must be protected to allow the boarding and landing of deeper draught vessels to take place unconstrained at the Sunk	
4.4		If water depths of -22m CD are not safeguarded then this will significantly reduce the area within which the boarding and landing of deeper draught vessels can take place and may severely restrict their access in and out of the port. Essentially, deeper draught vessels will be precluded from accessing the Port / any ports within the Thames estuary. There would be an increased risk of collision for very large vessels if they are required to manoeuvre for boarding and landing within a more restricted area	This is noted by the Applicant. A response to this comment raised by other port authorities can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].
4.5		Safeguarding of neighbouring areas of the Sunk and Trinity Channels has been secured in relation to the Five Estuaries and North Falls DCOs. Failure to adopt the same safeguarding measures in relation to the proposed development would undermine the decisions made in respect of both the North Falls and Five Estuaries projects, effectively rendering those decisions meaningless.	A response to this comment can be found in Application Document 9.37 Applicant's Responses to Supplementary Agenda Additional Questions for Issue Specific Hearing 1 [REP1A-033] in response to ISH1.01. The Applicant can confirm the Sea Link cable route does not overlap with the Sunk Deep Water Route or Trinity Deep Water Route as the cable was rerouted to avoid these features.
4.6		Continuing south, the depth of the Sea Link cables where they cross the Long Sand Head Two Way Route; the approach to cable laying and repair; cable protection and cable crossings are all critical in this area. A water depth of 12.5m below CD must be maintained by Sea Link in the area indicatively shown in green on Figure 2 in order for vessels that use this route to continue operating without additional constraint to those already in existence around the Long Sand Head.	This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
4.7	LGPL CONCERNS North East Spit – reduction in keel-clearance	Continuing further south again, the Proposed Route passes through the North East Spit. Within this area the Tongue pilot diamond is located approximately 80 m to the east of the offshore scheme at KP 90 and the North East Spit pilot diamond is located 3.9 km to the west at KP 97. As outlined above, boarding and landing of pilots takes place in the general vicinity of these pilot diamonds and not at the specific points shown on the plans. The depth of the cables at the North East Spit; the approach to cable laying and repair; cable protection and cable crossings are all critical in this area. Figure 3 below indicatively shows in green an area where a water depth of 12.5m below CD must be protected.	This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .

Reference	Matter	Points Raised	Applicant's Comments
4.8		Similarly to the position with the Sunk, Work No. 6 must not be laid at a depth that would preclude future dredging to -12.5m CD (regardless of existing water depths). If future water depths of -12.5m CD are not safeguarded then this will significantly impact the area where the boarding and landing of vessels can take place and may ultimately prohibit some vessels from using the North East Spit for boarding and landing.	This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
4.9	LGPL CONCERNS Cable Crossings	As shown on page 5 of ES Figures Marine Other Sea Users [APP-286] there are a number of existing and proposed cables in the vicinity of Sea Link. These include Five Estuaries, North Falls, Neuconnect, BritNed, GridLink and Nemo Link. In addition, ES Figures Marine Descriptions of Other Projects [APP-288] identifies Nautilus (expected to be submitted 2028) and Lion Link (expected to be submitted Q4 2025) as having the potential to be located within the offshore scheme boundary. Chapter 4 Description of the Proposed Project [AS-094] also identifies Mercator, Cronos, Tarchon and Q&E North (tables 4.18 and 4.19). LGPL is concerned that there should be no cable crossings within the Sunk, Long Sand or North East Spit areas due to the location of Work No. 6.	Cable crossings and under-keel clearance are discussed in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. Regarding the requirement for no cable crossings within the three PLA Areas of Safeguarded Depth which have been agreed with ports (“<i>Sunk Pilot Boarding area</i>”, “<i>Long Sand Head Two-Way Route Crossing area</i>”, and “<i>North East Spit area</i>”), the Applicant can confirm that there are no cable crossings planned within the “<i>Sunk Pilot Boarding area</i>”, or the “<i>Long Sand Head Two-Way Route Crossing area</i>”. However, there are two known cable crossings foreseen within the “<i>North East Spit area</i>” (please see Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]). The Applicant has committed in principle to safeguarding depth in the PLA’s “<i>North East Spit area</i>” to 12.5 m, however this additional requirement from London Gateway Port does not specify a further required water depth that should be preserved within this area of interest. If further water depth requirements exist within this “<i>North East Spit area</i>”, the Applicant requests that London Gateway Port provides these. The Applicant will seek to engage further with London Gateway Port on this matter.
4.10		Chapter 4 Description of the Proposed Project [AS-094] sets out in table 4.20 that the crossing height could be up to 1.5m. The Shipping and Navigation Chapter of the ES states at para 7.9.80 “ <i>Similarly, anticipated reductions in water depth greater than 5%, especially near areas like cable crossings, shorelines, key navigation routes, or areas where ships have limited room to maneuver, will be discussed with relevant stakeholders (like Statutory Harbour Authorities (SHA), Competent Harbour Authorities (CHA), and the MCA.</i> ”	This is noted by the Applicant. Cable crossings and under-keel clearance are discussed in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
4.11		Table 11.6 of Chapter 11 (Inter-Project Cumulative Effects) [APP-084] summarises stages 1 and 2 of the Inter-Project CEA – North Falls Offshore Windfarm and notes crossings between the offshore scheme and North Falls are expected within the Sunk TSS and confirms the Applicant will enter into crossing and/or proximity agreements with third party asset owners. The same consideration is given to NeuConnect	This is noted by the Applicant. Note that Application Document 6.2.4.11 Part 4 Marine Chapter 11 Inter-Project Cumulative Effects has been updated [REP1A-011 and REP1A-012].

Reference	Matter	Points Raised	Applicant's Comments
		and Five Estuaries Offshore Windfarm at Tables 11.4 and 11.11 respectively.	
4.12		LGPL's position is that there can be no reduction in water depth in the Sunk, Long Sand or North East Spit and no cable crossings.	Cable crossings and under-keel clearance are discussed in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. Regarding the requirement for no cable crossings within the three PLA Areas of Safeguarded Depth which have been agreed with ports ("<i>Sunk Pilot Boarding area</i>", "<i>Long Sand Head Two-Way Route Crossing area</i>", and "<i>North East Spit area</i>"), the Applicant can confirm that there are no cable crossings planned within the "<i>Sunk Pilot Boarding area</i>", or the "<i>Long Sand Head Two-Way Route Crossing area</i>". However, there are two known cable crossings foreseen within the "<i>North East Spit area</i>" (please see Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]). The Applicant has committed in principle to safeguarding depth in the PLA's "<i>North East Spit area</i>" to 12.5m, however this additional requirement from London Gateway Port does not specify a further required water depth that should be preserved within this area of interest. If further water depth requirements exist within this "<i>North East Spit area</i>", the Applicant requests that London Gateway Port provides these. The Applicant will seek to engage further with London Gateway Port on this matter.
4.13	Assessment Shortcomings	LGPL is concerned that the application for the dDCO has not adequately considered the ramifications of the above impacts. In particular, Chapter 7 of the Environmental Statement on Shipping and Navigation (document reference 6.2.4.7) [APP-080] at paragraph 7.9.69 purports 10-107734701-2\340049-21 12 to consider potential reduction in UKC, however, it only does so in the context of grounding following rock berm or other protection features, i.e. a navigational safety perspective, but does not assess the impact of vessels being precluded, now or in the future, from using the navigation channels into the Thames ports (as we describe further below). This is a significant omission in the consideration of navigational transport impacts and socio-economic impacts.	This is noted by the Applicant. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059] to address this.
4.14		Mitigations are set out in para 7.9.81 [APP-080] and they include notifying mariners and marine authorities and marking subsurface hazards. The document goes on to identify addition mitigation and enhancement measures at section 7.10 which include " <i>Avoiding disruption to the Sunk anchorage area Sunk pilot boarding station, Tongue anchorages and Tongue pilot station during operation by considering appropriate cable burial depth and protection measures.</i> "	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		<u>and aiming for minimal reduction in under keel clearance, as well as carefully considering the location of cable joints"</u>	
4.15		In addition, Chapter 9 (Other Sea Users) of the Environmental Statement [APP-082] at paragraph 9.9.20 refers to crossing cable infrastructure it suggests crossing agreements will be agreed with asset owners prior to construction and that crossing designs will be in line with industry standards and techniques agreed with cable owners	This is noted by the Applicant.
4.16		We also note Table 1.4 of Appendix B to the CEMP (Register of Environmental Actions and Commitments (REAC)) [APP-342] lists proposed measures to address potential disturbance to other sea users, vessels, the Sunk and shipping and navigation during the construction phase including: (a) A risk based approach where cables will be buried to a minimum DOL on top of the cable of 0.5m (in areas of bedrock) with a target DOL of approximately 1m to 2.5m and assessing cable protection risk factors; (b) Communicating relevant information to sea users via Notices to Mariners, Radio Navigation Warnings Navigational Telex and/or broadcast warnings; (c) Temporary aids to navigation and production of a compass deviation report prior to installation; (d) Communication plans and protocols to ensure effective communication between all relevant shipping and navigation stakeholders, includes statutory harbour authorities. Such will maintain ongoing awareness and coordination of Offshore Scheme installation fleet activities. Special attention will be given to the routeing of the installation operation through the Sunk TSS and when in proximity to the Sunk Deep Water anchorage area and the Sunk pilot station as well as when routeing in proximity to the Tongue anchorages and pilot station. Communication plans will include Harwich Haven and Sandwich Haven authorities, in particular on the topic of any expected change in under keel-clearance or anticipated introduction of seabed hazards; (e) Coordination of planned operations within the Sunk region to avoid concurrent Restricted Ability to Manoeuvre (RAM) operations (such as cable lay and burial) with other projects in the Sunk area where possible, in particular North Falls and Five Estuaries Wind Farm projects..	This is noted by the Applicant.
4.17		During the post-construction phases, the following measures are proposed in the REAC [APP342]: (a) UKHO Temporary/Preliminary Notices to be issued to ports, harbours and pilots prior to post-lay/as-built survey such that the basic positions of the cable are established and awareness among mariners can be raised immediately; (b)	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		(b) Avoiding disruption to the Sunk anchorage area and Sunk pilot boarding area during construction by minimising time spent in this region during construction and avoiding cable joints in this area where possible; (c) Avoiding disruption to the Sunk anchorage area Sunk pilot boarding station, Tongue anchorages and Tongue pilot station during operation by considering appropriate cable burial depth and protection measures, and aiming for minimal reduction in UKC, as well as carefully considering the location of cable joints; (d) Anticipated reductions in water depth greater than 5% will be discussed with the MCA and other relevant stakeholders such as SHAs and CHAs; (e) As per the 'Relevant Representation of NGET in respect of the North Falls Offshore Windfarm DCO', the Proposed Project agrees that 'The parties will continue to engage during pre-construction and construction with other cable installation projects in the vicinity of the Sunk pilot boarding station. The purpose of this engagement will be to coordinate as far as practicable marine activities which may overlap in time, in order to minimise the impact on shipping and the North Falls construction programme and the construction programme for Five Estuaries Offshore Wind Farm and Sea Link. This will also include, where appropriate, joint engagement with relevant stakeholders (HHA, PLA, Sunk VTS) to help inform and plan construction activities;	
4.19		It is also significant that Chapter 10 of the Environmental Statement (Socio-Economics, Recreation and Tourism) does not address the offshore impacts on shipping and navigation but concentrates only on on-shore impacts.	The Applicant assumes that this comment related to Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-005]. This chapter forms part of the DCO application focusing on the onshore scheme. As such it only focuses on impacts associated with the onshore scheme. With regard to the offshore scheme, socio-economic effects are considered for individual sectors as part of the wider assessment of impacts on that industry. For example, for the offshore scheme, potential effects on the fisheries industry are assessed in detail in Application Document 6.2.4.8 (B) Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009] and potential effects on shipping and navigation are assessed in Application Document 6.2.4.7 (B) Shipping and Navigation [REP1-059]. Potential effects on other sea users including marine recreation and tourism activities are considered in Application Document 6.2.4.9 (B) Part 4 Marine Chapter 9 Other Sea Users [REP1-061].
5.1	LGPL'S ASKS	LGPL is of the view that a Requirement must be added to the dDCO [AS-087] to secure the necessary UKCs and safeguard pilotage activity.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is working with London Gateway Port and other ports to secure commitments in Protective Provisions.

Reference	Matter	Points Raised	Applicant's Comments
5.2		The Requirement should ensure: (a) that the passage of vessels with draughts of up to 20m within the Sunk should not be precluded by the authorised development and, for that purpose, to secure that the seabed within the DWRs (and traffic lanes into the Sunk) can be dredged to a depth of at least 22 metres below Chart Datum (CD); 10-107734701-2\340049-21 14 (b) that the dredging of Long Sand Head and North East Spit to a depth of at least 12.5 metres below CD should not be precluded by the authorised development; (c) that there may be no cable crossings due to Work No. 6 within the Sunk, North East Spit or Long Sand Head; (d) that cables laid within the Sunk, Long Sand Head and North East Spit must be buried by a trench method (as shown on Offshore Illustrative Drawing of HVDC Bundled Cable Profile / Configuration Regulation 5(2)) [APP-037] and no berm, mattress or similar above seabed protection may be deployed; and (e) that no boulders or unexploded ordnance should be displaced into the Sunk, Long Sand Head or North East Spit as a result of the carrying out of the authorised works.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. Further detail regarding cable crossings, under-keel clearance and cable protection can be found in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
5.3		It is appropriate that these matters be secured by a Requirement as they should be seen as a fundamental parameter to, or restriction on the carrying out of the authorised development – it is in a sense akin to an upwards limit of deviation. It is for the Order itself to specify such a restriction – this is in accordance with the Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project [Paragraph 003, Reference ID 04-003- 20240430 and Paragraph 008, Reference ID 04-008-20240430] and would follow accepted practice across other development consent orders and harbour orders under the Harbours Act 1964.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is working with London Gateway Port and other ports to secure commitments in Protective Provisions.
5.4		In terms of providing protection for LGPL in relation to impacts arising out of the carrying out of the cable laying works or their future maintenance, LGPL request adequate approval rights of the plans and documents that will govern this activity. Accordingly protective provisions should be included for the benefit of LGPL, or alternatively, provision should be included in the deemed marine licence, to secure that LGPL approves: • the final cable specification and installation plan document in respect of Works No.6 to the extent relevant in relation to the DWRs and North East Spit; • the detailed cable protection plan in respect of Works No.6 to the extent as relevant as regards the DWRs and North East Spit; and • the relevant stages of the navigation installation plan affecting the DWRs and North East Spit; and	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is continuing to work with London Gateway Port and other ports to secure commitments in Protective Provisions.

Reference	Matter	Points Raised	Applicant's Comments
		such other plans to be submitted under conditions to the draft marine licence that would control the carrying out of maintenance activities under the provisions of the dDCO.	
6.1	Conclusion	LGPL has recently had productive discussions with the Applicant. However, the current dDCO does not adequately secure the necessary protections for navigational safety and future port expansion, particularly in the Sunk and North East Spit areas. Inclusion of the requested requirements and approval rights is essential to ensure compliance with national policy, safeguard the Port's strategic role, and support the coexistence of critical infrastructure projects. LGPL is hopeful that these issues can be resolved through further dialogue and appropriate amendments to the dDCO.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.

2.2 Addleshaw Goddard LLP on behalf of Network Rail Infrastructure Limited [REP1-144]

Table 2.2 Addleshaw Goddard LLP on behalf of Network Rail Infrastructure Limited [REP1-144]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Compulsory Powers	The Application includes provisions which would, if granted, authorise the Promoter to carry out works on and in close proximity to operational railway land in the control of Network Rail, to use such land temporarily and to acquire permanent interests in such land, and disapply railway legislation which allows NR to carry out its statutory undertaking in respect of the region. This DCO also has potential to impact both bridges and level crossings. As set out in Network Rail's earlier relevant representation, the Book of Reference identifies 34 plots in Kent and 3 in Sussex (Plots) of land over which Network Rail have rights or land is owned or occupied by Network Rail, in respect of which compulsory acquisition powers are sought. These include land forming part of (or adjacent to) the operational railway - the East Suffolk Line, Ashford to Ramsgate Line and Kent Coast Line. The Promoter has identified in the Book of Reference that the rights sought to be compulsorily acquired from NR fall within both Class 1 and 2, and without the adequate protective provisions in place, the acquisition of these rights could have a detrimental impact on the safe and efficient running of railway. The Promoter is seeking, through compulsory purchase (Compulsory Powers), the permanent acquisition of rights over the Plots (including rights of access to land adjoining the Railway and rights to install overhead lines over the railway) in accordance with the class rights above. The Promoter has provided Network Rail with the Table of Interests in the Book of Reference (Part 1 – Categories 1 and 2) which detail the proposed works and the nature of the powers sought over the Plots. NR objects to the use of Compulsory Powers and the	The Applicants thank Network Rail Infrastructure Limited (Network Rail) for its written representation. The Applicants note and acknowledge Network Rail's role as a statutory undertaker, its statutory and regulatory obligations, the nature of its operational railway infrastructure and its land interest. The Applicants thank Network Rail for their continued engagement. The Applicants note Network Rail's position and concerns in relation to the powers sought under the draft Development Consent Order. The Applicant is negotiating protective provisions for the benefit of Network Rail. These provisions restrict the Applicants from exercising its powers of compulsory acquisition in respect of railway property without Network Rail's consent.

Reference	Matter	Points Raised	Applicant's Comments
		exercise of the class rights over the Plots to deliver the development to be authorised by the DCO on the ground that the proposed works will interfere with the safe and efficient operation of the railway and give rise to impacts on NR's railway and associated infrastructure. The exercise of class rights are a particular cause for concern for NR due to the impacts that they will have, and the exercise of these on NR property without the necessary provisions in place would be at the detriment of public safety. Network Rail are aware that the development may also have an impact on various bridges and level crossings and are, at the time of writing currently assessing what these impacts are. Network Rail will provide a further update in respect of the same to the Inspectorate once such implications have been determined.	
N/A	Impacts on NR/Protective Provisions	Updated draft Protective Provisions have been received from the Promoter and are being reviewed by Network Rail. These take a restrictive line on the protections offered to NR and the operational railway 10-107458679-1\43283-4473 and are broadly aligned with a general position currently under negotiation between NR and the Promoter. As matters stand, agreement has not been reached on the points of principle in those general discussions and as such the particular amendments cannot be accepted by Network Rail. A revised draft will shortly be provided to the Promoter for their review. Network Rail's position remains that their standard set of Protective Provisions should appear on the face of the Order, with any negotiated set appended to a Framework Agreement, a draft of which is being provided to the Promoter.	The Applicant acknowledges the comment raised and awaits the receipt of the revised draft of the Protective Provisions for review.
N/A	Asset Protection Input	There are currently discussions taking place with the Promoter in relation to interfaces with the railway in Kent. There is a Memorandum of Understanding with Network Rail Kent, and a Basic Asset Protection Agreement has been signed to allow for ongoing discussions. Clearances have also been issued. The Memorandum of Understanding deals with the 2 overhead lines crossing the railway south of Minster and the upgrade of a level crossing (Cricket Private Level Crossing) in the same location for haul road use. We understand that discussions on the detail of the proposals continue and the position will require to be finalised before Network Rail can withdraw their objection to the Scheme. Updates on these discussions will be provided to the Examination when available. Separate discussions are also progressing on works required to Benhall Bridge, outwith the ambit of the DCO.	The Applicant acknowledges the comment raised and continues to engage with Network Rail in relation to all points raised.
N/A	Traffic Routing	The application (via the Outline Construction Traffic Management Plans – one for Suffolk 7.5.1.1, one for Kent 7.5.1.2) describes the proposed routes by which vehicles (including HGVs) will provide access to, and egress from, the Applicant's proposed development. These Routes interact with the East Suffolk Line, Ashford to Ramsgate Line and Kent Coast Line (Railway) and potentially impact on 2 bridges and 2 level crossings in Suffolk and 2 bridges and 2 level crossings in Kent: Suffolk: • Level Crossing –	The Applicant acknowledges the comment raised and will continue to work with Network Rail throughout the life of the project as updates are provided to the OCTMP and in preparation of the CTMP.

Reference	Matter	Points Raised	Applicant's Comments
		Leiston Tmog (on the B1122) (abnormal loads only) • Level Crossing – Middleton Road (on the B1122) (abnormal loads only) • Bridge - Rose Hill (A1094) Overline Bridge (84t limit) • Bridge – Saxmundham (B1211) Underline Bridge (described as having tight geometry) Kent: • Level Crossing - Marsh Farm Road, Minster • Level Crossing - 900m southeast of Minster (this is the Level Crossing which is intended to be upgraded by the Promoter) • Goss Hall Underline Bridge (BME2) Network Rail wishes to ensure that the Scheme will not have a detrimental impact on the Bridges, the Crossings or the operation of the Railway and that the safety of the Railway is maintained during the construction, operational and decommissioning phases of the Scheme. The Outline Construction Traffic Management Plans for the Order describes an increase in total vehicle movements: • For Suffolk - 638 vehicle movements per day at peak of construction activities. The daily peak for HGVs will be 346 movements • For Kent – 508 vehicle movements per day at peak construction. The daily peak for HGVs will be 216 movements 10-107458679-1\43283-4473 While these vehicle movements are intended to be shared across various routes, their impact requires to be assessed by Network Rail. There is no information currently provided in the Outline CTMPs in relation to any decommissioning phases. Network Rail wishes to ensure that the vehicle and HGV movements on, under or near the Bridges and the Crossing are undertaken safely at all times. Network Rail must be able to exercise adequate control over the use of the Bridges and the Crossing by the Applicant and its contractors to ensure that vehicle and HGV movements are properly regulated. The detail of the Outline Construction Traffic Management Plans is therefore being fully reviewed by its engineers to allow a more detailed response to be made and discussions undertaken with the Promoter.	
N/A	Conclusion	As set out above, Network Rail continues to investigate the extent of the risk to its assets from the construction and operation of the Scheme and is liaising with the Promoter in relation to any mitigation required. It is anticipated that this dialogue will continue during the examination process. Until agreement has been reached with the Promoter on all matters to its satisfaction, including confirmation that the attached Protective Provisions will be included on the face of the DCO, Network Rail will not be in a position to withdraw its remaining objections to the making of the DCO. Network Rail reserves the right to be heard at an appropriate hearing to explain in detail the impacts of the scheme on its operations and also reserves the right to supplement these representations once further determinations have been made in respect of the interference of Network Rail rights.	The Applicant acknowledges the comment raised and looks forward to continuing the dialog with Network Rail.

2.3 CPRE [REP1-148]

Table 2.3 CPRE [REP1-148]

Reference	Matter	Points Raised	Applicant's Comments
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.	Comment noted. The project rationale is not to export power to the continent. The need for the Proposed Project is set out clearly in Application Document 7.2 Strategic Options Back Check Report [APP-320]. The Applicant (NGET) has (under Section 9 of the Electricity Act 1989) a statutory duty to maintain 'an efficient, co-ordinated and economical' system of electricity transmission. It is also our job to ensure electricity supplies are sufficiently reliable and meet minimum standards of quality in terms of voltage and frequency. NGET is prohibited by its licence from generating or selling electricity. The Applicant view is that Section 104 (2) of the Planning Act identifies a series of considerations that the relevant Secretary of State must have regard to in deciding NSIP Applications. Section 104 (3) then confirms that the Secretary of State 'must decide the application in accordance with any relevant national policy statement' except to the extent that one or more of subsections (4) to (8) apply. The Applicant has already provided a substantial explanation for the need case for the Proposed Project in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The Proposed Project represents a coordinated approach to solving various transmission capacity shortfalls across the network.

Reference	Matter	Points Raised	Applicant's Comments
		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.	Whilst it is acknowledged that the landfall at Pegwell Bay directly interacts with national and international protected sites such as the Thanet Coast and Sandwich Bay SPA and Ramsar site. The various alternatives that were considered and the measures proposed to mitigate and control impacts on these designations are set out in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].
		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.	Notwithstanding that Paragraph 4.3.9 of NPS EN-1 specifically confirms that: <i>'this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective'</i> the Applicant has set out the details of the various alternatives that were considered as part of the evolution of the Proposed Project are set out in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].
		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 National Grids Our Approach to Consenting (April 2022) options appraisal is carried out to determine a preferred option or options that are then be consulted on. In Kent the options appraisal process only identified one preferred option as documented in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which was consulted on as part of the 2022 non-statutory consultation. Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which described all the other options considered and the reasons for the selection of the emerging preference formed part of the non-statutory consultation materials.
		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 orevidence-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.	A response to this comment can be found in Application Document 9.34.4 Applicant's Responses to Relevant Representations from Other Developers [REP1-114]. Furthermore, as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search, with all potential landfall locations resulting in varying degrees of interaction with these designations. These included four areas along the north Kent coast, one area between Margate and Broadstairs and one area in Pegwell Bay. The needs case for the Proposed Project, which includes the need to connect into the existing network no further west than Canterbury North substation, is set out in detail in Application Document 7.2 Strategic Options Back Check Report [APP-320].

Reference	Matter	Points Raised	Applicant's Comments
		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.	A response to this comment can be found in Application Document 9.34.4 Applicant's Responses to Relevant Representations from Other Developers [REP1-114]. Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] sets out in detail why alternative landfalls were not progressed, and the approach to site selection. The mitigation hierarchy has been applied, and the Applicant has avoided significant impacts on designated sites through the commitment to using trenchless techniques to make landfall, thereby avoiding the majority of habitat in designated sites by crossing under rather than through them.
		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.	The Applicant has already provided a substantial explanation for the need case for the Proposed Project in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The need for the Proposed Project is not reliant on the location of the Nautilus Connector. The Sea Link project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East.
		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.	As set out in Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116], the evidence shows that the offshore grid approach does not result in less onshore infrastructure, nor does this approach represent a feasible solution to the network reinforcement that the Proposed Project is seeking to provide. Sea Link is already an offshore project. The need for Sea Link is anchored in strengthening the onshore transmission system and so necessitates connecting into the onshore networks in the South East and East Anglia. Other than the onshore works necessary to do this, the majority of the Sea Link project (approx. 122 km) is offshore. Although not directly relevant to the Sea Link needs case, the concept of an 'offshore grid' generally relates to multiple offshore windfarms connecting together offshore to reduce the amount of onshore infrastructure.
		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, this has already been considered by the NESO in its Holistic Network Design (HND) exercise in 2022. The outcome of the HND was a network design that combined coordinated and radial windfarm connections in the optimal way. This is being implemented, and Sea Link is identified by the ESO, via its Network Options Appraisal (NOA) process, as critical to delivering the HND network design. Regarding brownfield sites as Grain, Bradwell or the Thames Gateway, these are in the wrong part of the network to deliver the needs case.
		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.	

Reference	Matter	Points Raised	Applicant's Comments
		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.	The need for the Proposed Project is set out clearly in Application Document 7.2 Strategic Options Back Check Report [APP-320]. This sets out why the Proposed Project needs to connect no further west than Canterbury North substation, namely to reinforce against a scenario whereby there is a fault on the existing network between Canterbury and Kemsley.
		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 NemoLink 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.	The cumulative effects of the Proposed Project with various projects in Kent have been considered and reported in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073]. In siting the converter station and substation in Kent the Applicant sought where possible to avoid locations close to communities and to keep such development close to similar development to avoid the spread of energy related infrastructure. Please see Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368] for further information.
		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.	As context, it should be noted that Nemo Link was not developed by National Grid Electricity Transmission. It was developed by National Grid Ventures (NGV) and the Belgian Elia group. NGV is a different business to National Grid Electricity Transmission. These businesses are legally separate, with each business having no control, influence, or special insight into the activities of the other. Indeed, business separation is a requirement of the licence under which National Grid Electricity Transmission operates. Nonetheless, National Grid Electricity Transmission has coordinated and engaged with Nemo Link to gather insights into their project (notwithstanding that the Nemo Link project was developed and consented over 12 years ago). This has informed the understanding summarised below. Publicly available planning documentation indicates that Nemo Link did not confirm its final cable installation methodology in its application. The 'worst case' assumed for ES purposes comprised an open cut methodology through the saltmarsh, although the Marine Management Licence (MMO) licence ref: L/2013/00373, dated 23 December 2013, listed open trench and backfill, jetting, skidded plough and horizontal directional drilling as licenced activities. The Nemo Link project (including cable installation technique) was proposed on this basis, assessed, and considered acceptable by Thanet and Dover District Councils and the Marine Management Organisation in 2013.

Reference	Matter	Points Raised	Applicant's Comments
			It should also be noted that the route and technical requirements of the Nemo Link project were different to those of the Proposed Project. For example, the Nemo Link cable approached the landfall from a different angle, was routed towards a different end point (the separate converter station at Richborough Energy Park), and interacted with constraints and ground conditions (including a former landfill site within Pegwell Bay Country Park) differently.
		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.	In line with the requirements of Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) and the requirements set out in NPS EN-1 Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] includes a description of the reasonable alternatives studied by the applicant (as relevant to the proposed development and its specific characteristics), and an indication of the main reasons given for the option chosen, taking into account the effects of the development on the environment. Application Document 7.1 (C) Planning Statement [AS-057] also provides an assessment of the Proposed Project's compliance with relevant planning policy and statutory requirements.
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.	Refer to Applicant’s response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE. With regard to bird survey effort, two years of non-breeding bird survey is the normal survey requirement and was agreed with Natural England who have accepted the HRA as it relates to bird-strike and impact on golden plover through loss of functionally-linked land. A single season of vantage point survey (supplementing the multiple seasons of wintering and breeding bird survey) is sufficient and appropriate for an overhead powerline, given that wind turbines which can have a much greater impact on birds, require two seasons of survey.
		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.	Refer to the Applicant’s response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE. the mitigation hierarchy was rigorously applied, as part of the approach to consenting set out in Application document 7.3 Design Development Report [APP-321] and as part of the iterative process of EIA. The avoidance of environmental designations and other environmental constraints is an important factor which informs the Applicant’s site selection process. The approach to project design, which embeds the mitigation hierarchy, is set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369], Application Document 7.3 Design Development Report [APP-321], and Application Document 6.2.1.3 Par 1 Introduction Chapter 3 Main Alternatives Considered [APP-044].
		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	Refer to the Applicant’s response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.

Reference	Matter	Points Raised	Applicant's Comments
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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 20 17. 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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.

Reference	Matter	Points Raised	Applicant's Comments
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.
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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.
		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	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE.

Reference	Matter	Points Raised	Applicant's Comments
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
		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.	Refer to the Applicant's response in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] , specifically the Relevant Representation of CPRE.
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.	On balance the overhead line option was identified, as it avoids the need to site a permanent cable sealing end compound within Flood Zones 2 and 3, technical constraints associated with construction, impacts on non-designated heritage assets and a greater amount of permanent habitat loss. The potential for greater landscape and visual, setting and bird collision risk from the overhead line option are recognised and have been, and will continue to be, considered and reduced as much as possible through the development of the design of the Proposed Project and the inclusion of mitigation such as bird diverters where required.

Reference	Matter	Points Raised	Applicant's Comments
		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	The amount of overhead line incorporated into the Proposed Project is only a relatively small length of the connection provided. Where overhead lines are proposed alternative options have been extensively considered. Details of this are set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. Refer to Applicant's response to all these points in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically the Relevant Representation of CPRE (see Table 6.17). The Applicant's response to the specific point on why HVAC connection in Kent has been proposed as opposed to underground cable is presented in response 6.17.69 in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] and is explained in further detail in Application Document 7.3 Design Development Report [APP-321]. As stated in our response to CPRE Relevant Representation, the potential for greater landscape and visual impacts and bird collision risks that could result from the overhead line option was recognised by the Applicant and it was sought to minimise these risks through the development of the design. This accords with paragraph 2.9.20 of NPS EN-5 that "<i>overhead lines should be the strong starting presumption for electricity networks developments in general</i>" in areas that are not nationally designated for their landscape value (National Parks, National Landscapes or The Broads). It is also made clear in paragraph 2.9.7 of NPS EN-5 that the development of new OHLs is not incompatible with applicants' statutory duties under Schedule 9 of the Electricity Act.

Reference	Matter	Points Raised	Applicant's Comments
		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.	Details of this are set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] .
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.	Refer to Applicant's response to these points in Table 6.17 in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. The potential for impacts on the setting of the scheduled Richborough Roman Fort was assessed in Paragraphs 3.9.63-3.9.72 of Application Document 6.2.3.3 Part 3 Kent Chapter 3 Cultural Heritage [APP-063]. This concluded that the magnitude of impact would be negligible. On an asset of high value this would result in a minor adverse effect which is not considered significant. Further illustrative visualisations have now been provided in Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 2 of 2 [REP1-297], and these further demonstrate that the Kent Onshore Scheme will not result in significant impacts on the setting of Richborough Fort.
		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.	Refer to Applicant's response to these points in Table 6.17 in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. In addition to the above response, the Applicant refutes the claim that the HVAC overhead line would be highly visible from Pegwell Bay significantly diminishing the users' visual amenity. Representative Viewpoint 2 is taken from Pegwell Bay Country Park and the visual assessment contained in Application Document 6.3.3.1.D ES Appendix 3.1.D Visual Amenity Baseline and Assessment [APP-146] confirms that the HVAC overhead line is not considered to be perceptible due to intervening vegetation and built form. Views from Thorne Hill are represented by Viewpoint 11 and reported in Application Document 6.3.3.1.D ES Appendix 3.1.D Visual Amenity Baseline and Assessment [APP-146] which notes that the HVAC overhead line and towers would be visible within the view, but would not appear dissimilar to the existing wirescape created by the existing overhead line and consequently the composition of the view would remain largely unchanged. The Applicant acknowledges that the residual effects from this location are assessed as significant, however, this is primarily due to the introduction of the Minster Converter Station and Substation in the middle distance of the view, rather than the HVAC overhead line.

Reference	Matter	Points Raised	Applicant's Comments
			Views from the Saxon Shore Way are represented by Viewpoint 3 and 10 and are discussed in Table 6.17, Reference 6.17.85 of Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] .
		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.	A response to this comment can be found in Table 6.17 in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. The Applicant acknowledges that the Kent Onshore Scheme would have a negative (but not significant) local impact on landscape character. Although the proposed planting would not screen the Minster Converter Station and Substation, it would soften their appearance in views and help to distinguish the site from the wider former marshland and Wantsum Channel landscape to the west. This planting would contribute to maintaining the overall sense of identity and distinctiveness of the wider former marshland and Wantsum Channel landscape.
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.	Refer to Applicant's response to these points in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. Refer to Applicant's response to these points in Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. Refer to Applicant's response to these points in Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115].
9	Failure to Undertake a Sequential	CPRE Kent remains seriously concerned that the Applicant continues to propose major permanent infrastructure within an area of high er flood risk without adequately demonstrating that sequential or exception tests have been met in	A response to this comment has been provided in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] . However, the Applicant seeks to reiterate that the raising of the converter and

Reference	Matter	Points Raised	Applicant's Comments
	Approach to Flooding	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.	substation platforms is not required to elevate these assets above predicted flood levels but is necessary to create suitable ground conditions for construction.
		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.	A response to this comment has been provided in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] .
		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.	A response to this comment has been provided in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] .
		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.	Noted, no response required.
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.	A response to this comment can be found in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], specifically Table 6.17. The Applicant acknowledges that within the detailed assessment on the Stour Marshes Landscape Character Area (LCA) E1 (within Application Document 6.3.3.1.C ES Appendix 3.1.C Landscape Designation and Landscape Character Assessment [APP-145] that at construction and operation year 1 there would be localised influence on the perceptual aspects of the landscape character. The mapping for dark skies and tranquillity is at a large scale and for the site in question this would be within the context of existing infrastructure including the Weatherlees

Reference	Matter	Points Raised	Applicant's Comments
			Hill Wastewater Treatment Plant, Richborough Energy Park, railway line and A256, which lessens the influence on such perceptual qualities even at the local scale. Converter Station Design Principle N.4 Lighting, in Table 3.1 of Application Document 7.12.2 Design Principles – Kent [APP-367] sets requirements for following a dark skies strategy when designing operational lighting. Design Principle N.4 is secured by draft DCO Schedule 3 Requirement 3. In discharging requirement 3 of the draft DCO [REP1-037] the Applicant can provide a technical statement, as suggested under design principle N.4 in Table 3.1 of APP-366, to demonstrate that operational lighting design for the Converter Station is reduced to the minimum operational requirements, in accordance with the dark skies strategy. As part of discharging DCO requirement 3, details will be submitted to Thanet DC, and also Kent County Council are required to be consulted, to confirm the details are in general accordance with this design principle. Furthermore, commitment B58 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] seeks to minimise disturbance to bats by designing operational lighting to be the minimum required for the safe working in line with best practice guidance from the Bat Conservation Trust and Institute of Lighting Professionals (ILP). The REAC states this is to be secured through the Onshore Construction Environmental Management Plan required under Requirement 6 of the draft DCO [REP1-037].
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.	The Applicant notes the local concerns set out. Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] takes a holistic approach to health and defines health in line with the World Health Organisation (WHO) Europe and the IEMA guidance as a <i>“state of complete physical, mental and social wellbeing not merely the absence of disease or infirmity”</i>. The IEMA guidance outlines that both physical and mental health should be considered <i>“across the analysis of bio-physical, social, behavioural, economic and institutional influences on population health outcomes”</i>, and therefore the assessment considers a wide range of health determinants which are relevant to mental health, quality of life and amenity (for example changes in landscape and visual amenity, noise, access to open space and employment) as well as physical health (for example associated with air pollution and access to healthcare facilities). This complete health and wellbeing assessment has been undertaken and concludes that there are no anticipated significant effects as a result of the Proposed Project. Specifically, the Applicant recognises the importance of local amenity and access to open space and recreation. In response to this concern, Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] assesses the likely significant effects on amenity of residents, businesses, development sites, PRow users, and users of open spaces, and community facilities within 500 m of the Order Limits. The cumulative impact is also assessed in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073] due to community severance, reduced visual amenity, noise disturbance, or physical health outcomes such as levels of physical activity or respiratory health. This

Reference	Matter	Points Raised	Applicant's Comments
			assessment also considers vulnerable groups, such as children, the elderly, and individuals with pre-existing health conditions. In conclusion, the overall inter-project assessment of cumulative effects has been assessed as not significant. A Construction Code of Practice will help control and manage aspects of the development scheme that could affect health and wellbeing Applicant Document 7.5.3.1 Construction Environmental Management Plan Appendix A Outline Code of Construction Practice [APP-341] which is secured through Requirement 6 of Schedule 3 of the Application Document 3.1 draft Development Consent Order [REP1-037].
		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.	The Applicant recognises that the development, construction and operation of major infrastructure projects can cause stress, uncertainty and anxiety that may impact on people's mental health, recognising the impact that other projects may have had upon local residents. The cumulative impact is assessed in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073] which assesses the impact of Sea Link in addition to other Nationally Significant Infrastructure Projects and smaller applications within a Study Area based on the geographic extent of other topics for each environmental aspect of relevance to health and wellbeing. This includes landscape and visual, traffic and transport, air quality, noise and vibration, and socio-economics, recreation, and tourism. The assessments conclude that there are no anticipated significant effects on health and wellbeing as a result of the Proposed Project. Each cumulative scheme has been assessed individually alongside the Proposed Project, followed by a combined assessment of all cumulative schemes together with the Proposed Project. The health and wellbeing CEA anticipates no significant adverse effects on mental health due to community severance, reduced visual amenity, noise disturbance, or physical health outcomes such as levels of physical activity or respiratory health. This assessment also considers vulnerable groups, such as children, the elderly, and individuals with pre-existing health conditions. In conclusion, the overall inter-project assessment of cumulative effects has been assessed as not significant. The conclusion, that no significant adverse cumulative effects on health and wellbeing are anticipated, is based on a comprehensive, receptor-focused evaluation across all relevant determinants. The assessment takes into account overlapping construction or operational phases of other NSIPs, ensuring that any potential cumulative mental health burden has been robustly considered and the conclusion of 'not significant' remains valid, proportionate, and precautionary.

2.4 East Suffolk Water Management Board [REP1-149]

Table 2.4 East Suffolk Water Management Board [REP1-149]

Reference	Matter	Points Raised	Applicant's Comments
1.4	Wording of Application Document 3.1 draft Development Consent Order	The Board does not agree with certain sections of wording in the application documents. The Board submitted a Relevant Representation to the Planning Inspectorate in June 2025, which highlighted concerns about the wording within Article 20 of Part 4 of the draft Development Consent Order (APP-007). This article relates to discharge of water. Our understanding is that these concerns have not been addressed, which is why the Board raised them at the Open Floor Hearing 1 on 6th November 2025.	The Applicant welcomes the East Suffolk Water Management Board's (ESWMB) engagement with the Proposed Project.
2.1	Wording of Application Document 3.1 draft Development Consent Order	Re-wording of Paragraph 7 of Article 20 of Part 4 of the draft DCO (Examination Library reference: AS-087) is required to ensure clarity that the DCO does not override the requirement for consent under Section 23 of the Land Drainage Act 1991, or for consent under byelaws made pursuant to Section 66 of the Land Drainage Act 1991. [Part 4 of the draft DCO relates to Supplemental Powers; Article 20 relates to Discharge of Water and is found on pages 19 and 20 of the draft DCO version D, (AS-087)]. We suggest the insertion of suitable wording (which we included in our relevant representation, and have set out in italics below) into this Paragraph, as follows: <i>“Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016(a) nor the requirement for consent under Section 23 of the Land Drainage Act 1991 or any byelaws made pursuant to Section 66 of the Land Drainage Act 1991.”</i>	A response to this comment can be found in Application Document 9.34.2 Applicants Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.2	Wording of Application Document 3.1 draft Development Consent Order	Secondly, the Board also recommends that Paragraph 12 of Article 20 of Part 4 of the DCO should include clarification that “watercourse” has the meaning as set out in s.72 of the Land Drainage Act 1991:“watercourse” includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.	A response to this comment can be found in Application Document 9.34.2 Applicants Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.3	Wording of Application Document 3.1 draft Development Consent Order	The Board's third concern relates to settlement of any disputes. The draft DCO wording at Part 4, Article 20, paragraph 2 states that <i>“Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) must be determined as if it were a dispute under section 106 (right to communicate with public sewers) of the Water Industry Act 1991.</i> That is, this paragraph appears to suggest the provisions of the Water Industry Act 1991 are appropriate to settle any dispute relating to a proposed discharge of surface water into a watercourse.	A response to this comment can be found in Application Document 9.34.2 Applicants Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .

Reference	Matter	Points Raised	Applicant's Comments
		The Board finds this to be unsatisfactory and contrary to existing provisions for resolution of disputes within the Land Drainage Act and associated byelaws.	
2.4	Wording of Application Document 3.1 draft Development Consent Order	The Board notes that the Applicant's Consents and Agreements Position Statement (APP-010) does not identify Internal Drainage Board byelaws within Table 2.1 Other Consents and Licences. We therefore suggest insertion of the following texts, “; <i>relevant Internal Drainage Board byelaws pursuant to s.66 of the Land Drainage Act 1991</i> ” into column 3, row 3 and into column 3, row 4 of Table 2.1; and insertion of “Land drainage consent” into column 2, row 4 of Table 2.1.	Comment is noted and whilst Application Document 3.5 Consents and Agreements Position Statement [APP-010] does already refer to seeking land drainage consent, it will be updated to refer to the byelaws and submitted at Deadline 3.

2.5 Eastern Inshore Fisheries & Conservation Authority [REP1-150]

Table 2.5 Eastern Inshore Fisheries & Conservation Authority [REP1-150]

Reference	Matter	Points Raised	Applicant's Comments
1.1	Impacts to fishing activity	As the cable route making landfall in Suffolk crosses the Eastern IFCA district, it is of key concern that cable works will impact inshore fishing activities. Activities in this area include potting (crab, lobster and whelk), netting (both set and drift nets for a variety of species including herring and bass), and both bottom and midwater trawling. Activities that occur to a lesser extent include longlining, handlining and shrimp beam trawling. These activities have the potential to be impacted either through displacement during works, damage or loss of gear due to snagging, or indirectly through impacts to important benthic habitats. It is important that these impacts are minimized through early consultation and dialogue with local industry members.	Potential effects on all fisheries identified along the offshore scheme have been assessed in the following document: Application Document 6.2.4.8 (B) Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009]. This document and Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] also provides information on proposed mitigation measures including a commitment to ongoing engagement and dialogue with the fisheries sector.
1.2	Impacts to fishing activity	Many of the fishers operating within the 6nm limit are small (<12m) vessels operating at a local scale with a high level of reliance on local fishing grounds. These vessels may be disproportionately affected by displacement or damage to fishing grounds compared to larger vessels with higher capacity to travel further to avoid cable works. Some of the most commonly deployed gear types in this area of the Eastern IFCA district are static gear types, including pots and static nets. As identified in the applicants Environmental Statement (Part 4, Chapter 8 – Commercial Fisheries), there is greater potential for impact on static gears than mobile ones. This is partially due to static methods relying on more specific fishing grounds based on habitat and suitability, while mobile gears such as trawling have more capacity to adapt the location of their fishing when cable works are occurring. Additionally, static gear needs to be moved away from the area of	Responses are provided to key points which are also raised in the following documents: Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]; and Application Document 9.37 Applicant's Responses to Supplementary Agenda Additional Questions [REP1A-033]. Further clarity on proposed mitigation for static gear fisheries has also been provided in: Application Document 6.2.4.8 (B) Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009].

Reference	Matter	Points Raised	Applicant's Comments
		construction entirely, potentially excluding fishers from their fishing grounds temporarily and increasing costs as fishers may need to make extra trips to move gear or travel further to set gear out of the way of works. The applicant identified moderate likely significant effect to static gear in terms of temporary loss and alteration to fishing grounds and displacement of fishing activity. It is unclear what is being proposed to mitigate this. It is important for the local fishing industry that reasonable mitigations are made to minimise impact on fishing activities. For example, many vessels switch between gear types seasonally, which should be considered when scheduling works. Eastern IFCA can assist with further dialogue with local fishers if required to further understand the location and seasonality of fishing activities.	
1.3	Impacts to fishing activity	The development of a Fisheries Liaison and Coexistence Plan is encouraged. Eastern IFCA can assist with this if necessary, but it is for the fishing industry and the applicant to agree on appropriate and effective mitigation. Notwithstanding this, it may be noteworthy that it has previously been observed that payments of compensation in the past have resulted in fishers using the money to purchase more fishing gear, increasing effort elsewhere. Potential impacts as a result of any increased effort resulting from compensation payments should be assessed as to effects on features of MPAs (if appropriate) and on fishers already operating in those areas.	This is noted by the Applicant. Further information on evidence-based compensation payments will be set out in a Fisheries Liaison and Coexistence Plan (FLCP) which as set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] and Application Document 6.2.4.8 (B) Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009] will be prepared pre-construction in consultation with the fisheries sector. Further details on proposals for the preparation of a FLCP are provided in the following documents: • See sections 2.5 and 2.6 in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]; and • Application Document 9.37 Applicant's Responses to Supplementary Agenda Additional Questions [REP1A-033].
1.4	Impacts to fishing activity	Whilst the impact on benthic ecology has been assessed by the applicant, we would like to emphasise the importance of assessing this in the context of commercial fish stocks and the potential impact on local and small-scale fisheries. The cable route intersects multiple designated sites, negative impacts on these have potential to undermine existing or future management measures placed on fisheries to protect the designated features of these areas.	Responses are provided to key points raised in the following documents: • See section 2.3 for impacts on designated sites and sections 2.5 and 2.6 for impacts on commercial fish stocks in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]; and • Impacts on designated sites are in Application Document 6.2.4.2 (C) Part 4 Marine Chapter 2 Benthic Ecology [REP1-053].
2.1	Issues relating to cables and EMF	Whilst the Applicant has assessed the potential impacts of electro-magnetic fields (EMF), Eastern IFCA maintain that not enough is known about electro-magnetic field impacts on marine fauna, particularly the cumulative effects of multiple cable routes. This position is informed by studies such as Hutchinson et al. 2020. We do not consider this can be addressed by a single developer; instead, there is responsibility for the marine cable industry to investigate and conduct research to better understand impacts	Responses are provided to key points raised on EMF in the following document: • See sections 2.3, 2.5 and 2.6 in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043].

Reference	Matter	Points Raised	Applicant's Comments
		from EMFs on marine organisms. However, we note that for every new electricity cable that is laid, the potential for cumulative impacts increases. This is of particular concern in the southern North Sea which already contains a high number of wind farm cables and electricity interconnector cables that could be impacting marine species, including commercial fish and shellfish.	
3.1	Potential for compensatory measures	Whilst we have not seen compensatory measures (such as use of the Marine Recovery Fund (MRF)) suggested for this project so far, Eastern IFCA wishes to state its position should they be required: <i>- Eastern IFCA will actively engage in exploring opportunities for environmental compensatory measures but will not support measures that will have an overall adverse impact upon fishing activities and opportunities (agreed at the 41st Eastern IFCA Meeting held on 9 September 2020).</i> <i>- Reliance on the MRF implies that the compensatory measures may encompass actions that are not aligned with the Authority's established position.</i> If compensatory measures are required, potential impacts should be considered in terms of their impact on fisheries, including loss of fishing opportunities and adding to spatial squeeze on inshore fishers.	This is noted by the Applicant.

2.6 Kent Wildlife Trust [REP-152]

Table 2.6 Kent Wildlife Trust [REP-152]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Introduction	Kent Wildlife Trust's (KWT) Written Representations expand on the comments made during the Relevant Representations, which were submitted in June 2025. These written representations have been prepared in line with KWT's remit, and therefore primarily focus on impacts to Kent's terrestrial, coastal and marine habitats, and not of the scheme in its entirety. Relevant application documents have been reviewed against relevant legislation and best ecological guidance, of which the primary sources are the National Policy Statements (NPS) for energy (EN-1), NPS for renewable energy infrastructure (EN-3), and NPS for electricity networks infrastructure (EN-5). KWT is the leading conservation charity in Kent, working to protect and restore wildlife and wild places for over 60 years. We manage over 9,000 acres of nature reserves and work across land and sea to tackle the twin crisis of biodiversity loss and climate change. As a wildlife charity, KWT recognises and supports the need to decarbonise the energy sector. However, as the UK accelerates its shift to renewable energy, the	Noted. No response required.

Reference	Matter	Points Raised	Applicant’s Comments
		challenge of achieving net zero without compromising nature becomes ever more critical. Nationally Significant Infrastructure Projects (NSIPs), such as Nemo Link and the newly proposed Sea Link, illustrate how poorly coordinated infrastructure can damage critical habitats –habitats that are, ironically, among our most effective natural carbon sinks, such as wetlands, salt marshes and woodlands. Protecting and restoring these ecosystems is essential not only for wildlife, but also for their irreplaceable role in carbon sequestration, flood regulation and climate resilience. To deliver meaningful climate action, renewable energy developments must not come at the expense of the very natural systems that regulate our climate. Protecting and enhancing biodiversity must sit at the heart of all decarbonisation strategies if we are to achieve a nature-positive, net zero future. KWT are one of several landowners at Sandwich and Pegwell Bay, alongside the National Trust, Thanet District Council and Kent Country Council, with overall management of the National Nature Reserve led by KWT. As such, KWT has responsibilities for the site’s protection and enhancement to ensure the long-term ecological integrity of this important coastal ecosystem. KWT hold a direct land management interest and a specialist ecological understanding of the site and is therefore uniquely placed to assess the potential impacts of the proposed Sea Link project on its sensitive habitats and species. Sandwich and Pegwell Bay is not only one of Kent’s most ecologically important coastal systems, it is also one of the original ‘Rothschild Reserves’. Charles Rothschild founded the Society for the Promotion of Nature Reserves – now known as ‘The Wildlife Trusts’. Between 1912 and 1915, Rothschild undertook the first national survey of its kind, identifying 284 sites “worthy of preservation” for their irreplaceable wildlife and habitat value. Crucially, this pioneering work focused on protecting entire habitats rather than individual species, a principle that underpins modern conservation. Pegwell Bay was recognised in that original list for its complex mosaic of habitats, recognised for more than a century as one of the most important places for wildlife in the UK. For the reasons set out in these Written Representations, KWT strongly objects to the Sea Link project due to its unacceptable environmental risks and its failure to demonstrate compliance with environmental law and relevant national policy.	
1	Habitats Regulations Assessment	KWT has reviewed the Habitats Regulations Assessment (“HRA”) prepared by National Grid (the Applicant) for the Sea Link project (AS-007²), together with the accompanying Environmental Statement (“ES”) documents. The assessment has been reviewed in the context of the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitats Regulations”), Directive (92/43/EEC) (the “Habitats Directive”), and relevant guidance issued by the UK Government and the Planning Inspectorate (“PINS”)³ . On the basis of the information submitted, KWT concludes that the Applicant’s HRA does not demonstrate that the Sea Link Project can be consented in compliance with Regulation 63 of the Habitats Regulations. The various deficiencies with the HRA are set out below.	See responses below.

² 6.6 Habitats Regulations Assessment Report

³ Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments - GOV.UK

Reference	Matter	Points Raised	Applicant’s Comments
		<u>Inadequate HRA Consultation</u> PINS guidance encourages early and meaningful engagement with relevant nature conservation bodies to ensure that all potential effects are properly scoped and addressed before submission. Guidance states: <i>“At the pre-application stage, applicants should get advice from the appropriate nature conservation body, or bodies, (ANCB) as listed in the Habitats Regulations (and other stakeholders if needed), to ensure that all potential effects have been considered and in enough detail before the NSIP application is submitted.”⁴</i> Whilst the Applicant published a HRA Screening Report as part of their Preliminary Environmental Information Report (“PEIR”), KWT were not directly consulted on the HRA and were not invited to contribute to its development, despite KWT being a landowner and manager of some of the affected European sites and having invaluable ecological expertise in relation to their protected features, condition and sensitivities. As a result, key assumptions were carried forward into the screening stage despite relying on incomplete or missing baseline data. This represents a clear procedural deficiency and a failure to ensure that all relevant potential effects were identified and assessed in sufficient detail prior to submission, as expressly required by PINS guidance.	Thematic Meetings were held with Kent Wildlife Trust during pre-application stage where Habitats Regulations Assessment (HRA) matters were discussed. There is no requirement to consult Kent Wildlife Trust on the HRA report. The cited guidance states ‘<i>and other stakeholders if needed</i>’. It is therefore open to the Applicant to determine that further engagement was not required. The Applicant did, however, consult Natural England on the draft HRA report in advance of the application being submitted.
3		<u>Non-compliant HRA Screening</u> The screening stage fails to apply the precautionary approach required under Article 6(3) of the Habitats Directive, as retained in English law through the Habitats Regulations. At the screening stage, the law requires that “<i>if a project is likely to have a significant effect [...] then that competent authority must make an appropriate assessment of the implications of the project for that site</i>”⁵. Reflecting the ruling by the Court of Justice of the European Union (“CJEU”) in Waddenzee (C-127/02)⁶, the PINS guidance makes clear that: <i>“You must take a precautionary approach with your decisions at each stage of the HRA process.</i> <i>For example, if you cannot rule out:</i> <i>• The risk of a proposal having a significant effect on the conservation objectives of a European site at stage 1: screening, you must carry out an appropriate assessment.</i> <i>• All reasonable scientific doubt of an adverse effect on a site’s integrity at stage 2: appropriate assessment, you must refuse the proposal unless an exemption (stage 3: derogation) is justified.”⁷ (Emphasis added)</i>	This is a point of semantics rather than any kind of ‘lower test’ being applied. To say a significant effect is ‘unlikely’ is normal English usage when describing something that is not ‘likely’ (i.e. not a ‘likely significant effect’). Similarly, to state that ‘likely significant effects can be ruled out’ would be understood in normal English usage to mean ‘likely significant effects’ will not arise. To state ‘Thus, there is not anticipated to be an AEoSI’ is also normal English usage for stating that an AEoSI (Adverse Effect on Site Integrity) will not arise. A relevant observation here is that of Sullivan J in R (Hart DC) v SSCLG [2008] EWHC 1204 where he stated that the Habitats Directive is “<i>intended to be an aid to effective environmental decision making, not a legal obstacle course</i>”. With regard to use of terms such as ‘temporary’, ‘localised’ or ‘small in scale’ these are all quantified in the assessments. Any impact assessment or judgment of likely significant effects (or adverse effects on integrity) that took no account of the duration or spatial extent of the impact would be seriously flawed as it would (for example) not discriminate between an impact that lasted two days and one that lasted two years; this is not the case with the assessments undertaken for the Proposed Project.

⁴ Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments - GOV.UK

⁵ Appropriate assessment - GOV.UK

⁶ Waddenzee (C-127/02) [2004] ECR I-7405

⁷ DEFRA, “Guidance: Habitats regulations assessments: protecting a European site”, section “Taking a precautionary approach to decisions”. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#follow-hra-principles>

Reference	Matter	Points Raised	Applicant’s Comments
		In this case, the Applicant has repeatedly applied a lower test and screened out potential effects where impacts were described as “unlikely” or “not anticipated”, rather than these effects being “ruled out”. It has therefore failed to carry out the screening assessment required. It furthermore minimises the significance of likely impacts by using temporal and qualitative descriptors such as “<i>temporary</i>”, “<i>localised</i>”, or “<i>small in scale</i>”⁸ without evidential justification. The Commission’s Article 6 guidance makes clear that: “<i>Assessments that confine themselves to general descriptions and a superficial review of existing data [...] cannot be considered ‘appropriate’ for the purpose of Article 6(3).</i>”⁹	
		<u>Reaching pre-emptive conclusions before obtaining survey data</u> At the time of the Stage 1 screening assessment, no ecological survey data was available to substantiate the Applicant’s conclusions on screening. Additionally, KWT notes that the Applicant previously stated within their Corridor and Preliminary Routeing and Siting Study (October 2022) – prior to completion of the ES or HRA that: <i>“Potential impacts during construction, operation and maintenance within these coastal designations [Thanet Coast and Sandwich Bay SPA/Ramsar/SAC] would be temporary and would not result in any permanent habitat loss.”</i>¹⁰ Such an assertion was made before any assessment of effects had been undertaken and therefore could not be based on objective scientific evidence. The fact that the Applicant made this unequivocal statement in advance of the statutory assessment process demonstrates a predetermination of outcome and a failure to follow due process or to approach the HRA with the required precaution and open mind. The failure to use objective information to rule out likely significant effects on Thanet Coast and Sandwich Bay SPA/Ramsar/SAC, including saltmarsh habitat, renders the screening legally inadequate. A further legal concern arises in relation to the Applicant’s reliance on “control measures” and “embedded mitigation”. The CJEU in Orleans and Other (Joined Cases C-387/15 and C-388/15)¹¹ held that: <i>“The wording of Article 6 of the Habitats Directive contains no reference to any concept of mitigating measure”.</i> Indeed, the CJEU has noted across multiple judgements that Article 6 of the Habitats Directive is “<i>intended to avoid a situation where competent national authorities allow so-called ‘mitigating measures’ – which are in reality compensatory measures – in order to circumvent the specific procedures laid down in Article 6(3) and authorise</i>	The Stage 1 Screening referenced in this comment is that produced for the Preliminary Environmental Impact Report (PEIR). The Stage 1 Screening was subsequently rewritten and reconsidered in light of survey information for resubmission as part of the Development Consent Order (DCO) application, by which time all necessary project surveys had been completed. The queries over reliance at HRA screening on control measures and embedded mitigation regarding water quality protection measures is an argument about where in the HRA report measures can be discussed rather than a point of substance regarding the assessment. There is considerable precedent (including for many DCOs) for taking into account at HRA screening measures that would be legally required to be implemented even if there was no European site involved, since by definition those measures are not being specifically introduced to protect the European site. This is particularly true regarding water pollution since it is illegal to pollute watercourses.

⁸ 6.6 Habitats Regulations Assessment Report, paragraphs 4.3.37, 5.2.11, 6.4.23

⁹ European Commission, Article 6 Guidance, p. 43.

¹⁰ EN020026-000204-8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022), p. 110. para. 7.5.9

¹¹ Orleans and Others (Joined Cases C-387/15 and C-388/15)

Reference	Matter	Points Raised	Applicant’s Comments
		<i>projects which adversely affect the integrity of the site concerned</i>”.¹² This distinction underscores that the primary obligation under Article 6(3) is to avoid adverse effects, not to offset them through compensatory or harm-reducing actions. A ‘mitigating measure’ is better conceived of as a ‘compensatory measure’, i.e. a measure that is applied after the fact (after confirmation of no significant adverse effects on the environment), rather than a circumvention to the procedural requirements of Article 6. This and following case law of the CJEU therefore remains persuasive and consistent with the domestic framework. Taken together, these authorities establish a clear and precautionary sequence: 1. Avoidance must be the first and primary response to potential impacts; 2. Mitigation may be considered only within an Appropriate Assessment, and only where its success is scientifically proven; and 3. Compensation arises, if at all, under Regulations 64 and 68, where adverse effects remain unavoidable and imperative reasons of overriding public interest apply. Where adverse effects cannot be excluded without speculative mitigation, consent cannot lawfully be granted under Regulation 63. A particular issue arises in relation to measures such as spill containment or drilling fluid control. It is unclear whether these constitute mitigation (in the Article 6 sense) or control measures (in the Regulation 63(6) sense). Given this ambiguity, and applying the precautionary principle, such measures should not have been relied upon at screening and should be assessed, on the basis of evidence, within the full appropriate assessment. Crucially, both EU and UK frameworks are aligned in requiring that any mitigation relied upon must be demonstrably effective for the lifetime of the project. The Applicant has provided no evidence demonstrating that the proposed mitigation meets this requirement.	
		<u>Deficiencies in the Appropriate Assessment</u> Under Regulation 63(5) of the Habitats Regulations, “<i>the competent authority may give consent for the project only if it considers it will not adversely affect the integrity of the site</i>”. Government guidance, the Habitats Directive and related EU case law are clear and specific as to the requirements for the integrity test to be met: • Article 6(3) of the Habitats Directive sets the requirement for an Appropriate Assessment, and the CJEU has confirmed in <i>Commission v Italy</i> (C-304/05)¹³ (paragraph 69) that such an assessment must contain “<i>complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed.</i>” • In accordance with the case of <i>Waddenzee</i> (C-127/02), Government guidance on the integrity test makes clear that it must be possible “<i>to rule out all reasonable scientific doubt that the proposal would not have an</i>	See detailed responses below.

¹² Judgment of the Court of 21 July 2016, *Orleans and Others*, C-387/15 and C-388/15, EU:C:2016:583, para. 58; Judgment of the Court of 15 May 2014 in *Briels and Others* (C-521/12), EU:C:2014:330, para. 33

¹³ eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62005CJ0304

Reference	Matter	Points Raised	Applicant’s Comments
		<i>adverse effect on the integrity of the site before you can allow the proposal to go ahead”.</i>¹⁴ • The CJEU in Sweetman (C-258/11) held that “a plan or project that leads to the lasting and irreparable loss of the whole or part of a priority habitat type present on the site adversely affects the integrity of that site.”¹⁵ In Briels (C-521/12), the Advocate General observed that “the ‘integrity of the site’ should be viewed as a whole in the sense that it is its enduring essential character which must be considered...[with] the long-term deterioration of an existing natural habitat [being] something which necessarily concerns enduring essential character rather than insignificant and transient fluctuations”.¹⁶ Government guidance provides an indicative list of the circumstances that will give rise to an adverse effect on the integrity of the site if they could arise from the project’s implementation: “The integrity of the site will be adversely affected if a proposal could, for example: • destroy, damage or significantly change all or part of a designated habitat • significantly disturb the population of a designated species, for example, its breeding birds or hibernating bats • harm the site’s ecological connectivity with the wider landscape, for example, harm a woodland that helps to support the designated species from a nearby European site • harm the site’s ecological function, or its ability to survive damage, and reduce its ability to support a designated species • change the site’s physical environment, for example, by changing the chemical makeup of its soil, increasing the risk of pollution or changing the site’s hydrology • restrict access to resources outside the site that are important to a designated species, for example, food sources or breeding grounds • prevent or disrupt restoration work, or the potential for future restoration, if it undermines the site’s conservation objectives.” If these requirements are not met, the proposal must be refused, unless an exemption is justified.¹⁷ The submitted Appropriate Assessment (“AA”) is inadequately reasoned and fails to apply the integrity test correctly. In particular, the reasoning for concluding an absence	

¹⁴ Waddenzee, C-127/02, paragraph 59, reflected in DEFRA Guidance “Habitats Regulations Assessments: protecting a European Site” (fn 6), section “Test the integrity of the site”

¹⁵ Judgment of the Court of 11 April 2013, Sweetman and Others v An Bord Pleanála (C-258/11), ECLI:EU:C:2013:220, para. 46.

¹⁶ Opinion of Advocate General Sharpston of 27 February 2014, T.C. Briels and Others v Minister van Infrastructuur en Milieu (C-521/12), EU:C:2014:113, para. 41.

¹⁷ S. 64, the Habitats Regulations

Reference	Matter	Points Raised	Applicant’s Comments
		of significant adverse effects falls short of “no reasonable scientific doubt”. The main deficiencies are set out below.	
		Failure to acknowledge lasting habitat loss from open-cut trenching In the context of the Thanet Coast and Sandwich Bay SPA and SAC, open-cut trenching through areas of intertidal mudflats, which is a Priority Habitat, would by definition, result in direct and lasting habitat loss. Even where reinstatement is proposed, such activities irreversibly disrupt the sediment structure, biogeochemical properties, and ecological function of these habitats. Consequently, the use of open-cut trenching within or adjacent to these features must be regarded as constituting an adverse effect on site integrity; and thus, per Regulation 63(5) of the Habitats Regulation, as a cause for refusal of the project (unless an exemption is justified).	Application Document 6.2.4.2 (C) Part 4 Marine Chapter 2 Benthic Ecology [REP1-053] has been updated to provide further clarification on activities proposed at the Kent landfall based on information presented in Application Document 9.13 Pegwell Bay Construction Method Technical Note [REP1-108]. Where open cut trenching is required, this will be limited to installation of the marine cable(s) from the Mean Low Water Springs (MLWS) to the trenchless crossing exit pits which will be located between 105 m and 140 m seaward of the saltmarsh habitat. This is included as a commitment in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].
		The precedent established by the Nemo Link project demonstrates a clear and concerning failure to accurately assess and predict environmental impacts, with direct consequences for designated European sites. Despite National Grid Venture’s ES for Nemo Link concluding that effects on the Thanet Coast and Sandwich Bay SPA, Ramsar and SAC would be “short-term” and “not significant,” the works resulted in lasting and demonstrable damage to these European designated habitats. The use of open-cut trenching through the saltmarsh severed the natural bank separating the brackish lagoon from the tidal system, permanently altering the site’s hydrology and leading to the loss of the lagoon, a freshwater feature critical to the foraging and natural behaviours of numerous bird and invertebrate species. Eight years later, the saltmarsh vegetation has not recovered, the bank has not been reinstated as promised, and the ecological integrity of the site remains compromised.	Open cut trenching in the intertidal mudflats at Pegwell Bay will result in temporary disturbance to the habitat only. There will be no permanent habitat loss. Following trenching between the Horizontal Directional Drilling (HDD) exit point and MLWS the cable will be laid and the trench backfilled. Any evidence on the surface of the mudflat will rapidly disappear, most likely within days, due to water movements from regular tidal cycles and wave action.
		This outcome is in direct conflict with Regulation 63 of the Habitats Regulations, which requires certainty beyond reasonable scientific doubt that no adverse effects on site integrity will occur. It also conflicts with NPS EN-1, which requires applicants to demonstrate that impacts on designated sites are avoided, mitigated, or compensated for in accordance with the Mitigation Hierarchy, and that no significant harm remains. Furthermore, it contravenes the established principle from case law that irreversible and lasting damage causes unacceptable significant adverse effects to site integrity: <i>"measures which involve the permanent destruction of a part of the habitat in relation to whose existence the site was designated", such as the saltmarsh which has still not recovered from the destruction imposed by Nemo Link, are "destined by definition to be categorised as adverse"</i> and, therefore, should be refused.¹⁸ Given this precedent, where an earlier National Grid project caused lasting damage to a European site despite assurances to the contrary, KWT, the Examining Authority, Natural England, and other Interested Parties cannot have confidence in the Applicant’s current assessment of impacts for Sea Link. The failure of the Nemo Link commitments underscores the urgent need for the Examining Authority to apply the precautionary principle rigorously and to require complete, precise, and definitive evidence that the same irreversible harm will not be repeated.	Detailed responses to Relevant Representations relating to activities within Pegwell Bay and potential effects on Priority Habitats are provided in the Application Document 9.34.2 Applicant’s Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant has committed to trenchless installation of the landfall to avoid any interaction with the saltmarsh or lagoon. The commitment is provided in Measure W22 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. The DCO Application does not include an option for the Applicant to install the cables using open cut trench technique to cross the saltmarsh and lagoon even as a fall-back option. Detailed responses to specific questions from the Examining Authority about the Nemo Project are provided in Application Document 9.37 Applicant’s Responses to Supplementary Agenda Additional Questions [REP1A-033].

¹⁸ Opinion of Advocate General Sharpston of 22 November 2012, Sweetman v An Bord Pleanala (C-258/11), EU:C:2012:743, para. 60. This part of the opinion was affirmed in the Court's judgment, see paras. 40-46

Reference	Matter	Points Raised	Applicant’s Comments
		This pattern of inaccurate predictions, unfulfilled mitigation and lasting environmental degradation reflects not merely a project-specific shortcoming but a broader systemic failure in the assessment and governance of NSIPs. Without meaningful reform and accountability, the same flawed approach that damaged Thanet Coast and Sandwich Bay SPA/Ramsar and SAC once before risks doing so again under the banner of Sea Link.	
		Failure to assess effects against site conservation objectives Under the Habitats Regulations, <i>“if a project is likely to have a significant effect [...] then that competent authority must make an appropriate assessment of the implications of the project for that site in view of that site’s conservation objectives”.¹⁹ Relevant EU guidance expands on this by clarifying that “the significance of effects should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site’s conservation objectives and ecological characteristics”²⁰ (emphasis added). This is supported by case law, which makes clear that “the assessment of that risk must be made in the light <i>inter alia</i> of the characteristics and specific environmental conditions of the site concerned by such a plan or project”.²¹</i> Whilst the HRA lists the conservation objectives for each site, it fails to analyse the likely effects against those objectives. It therefore omits a key part of the test for determining integrity. Instead, the assessment relies on generalised statements that impacts are “localised” or “temporary”, without assessing how they may impede the maintenance or restoration of qualifying features to favourable conservation status. In this way, the assessment erroneously conflates “significance” with scale, magnitude and duration when, depending on a site’s ecological condition and its specific conservation objectives, what may superficially seem like a “localised” or “temporary” impact can still be significant. This is a fundamental flaw running through the whole HRA.	The legislation states the appropriate assessment must be made ‘in view of that site’s conservation objectives.’ It does not stipulate how the conservation objectives must be referenced in the report. KWT note that the Applicant does cite the conservation objectives, and therefore it is clear that the Applicant was aware of them when making the appropriate assessment. The impact pathways discussed in the appropriate assessment are directly relatable to the conservation objectives. For example, the Conservation Objectives of Thanet Coast & Sandwich Bay SPA are: “... ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: • the extent and distribution of the habitats of the qualifying features; • the structure and function of the habitats of the qualifying features • the supporting processes on which the habitats of the qualifying features rely; • the populations of each of the qualifying features; and • the distribution of qualifying features within the site.” The HRA report specifically considers impacts on the extent, distribution and function of the habitats of the qualifying features through impact pathways such as habitat loss and temporary physical disturbance to benthic habitats and species, impacts on the supporting process on which the habitats rely are considered through impact pathways such as air quality and pollution, while impacts on the population and distribution of the qualifying species are assessed through impact pathways such as habitat loss and disturbance. Overall, it is clear that the assessment has been made in view of the site’s conservation objectives, in accordance with legislation.
		Insufficient baseline data Assessment of impact on integrity must be based on “<i>complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the</i>	The Applicant disagrees with KWT’s opinion that the level of survey effort is inadequate. There is no requirement in law or guidance for multiple seasons of species surveys to be undertaken and, with the exception of certain bird species, most protected species (including marine mammals) are not interest features of the

¹⁹ S.63(1), Conservation of Habitats and Species Regulations 2017

²⁰ European Commission guidance on Article 6 of the Habitats Directive, p. 41, para. 4.5.2

²¹ Judgment of the Court of 12 April 2018. People Over Wind and Peter Sweetman v Coillte Teoranta (C-323/17), EU:C:2018:244, para. 34. See also the Judgment of the Court of 21 July 2016, Orleans and Others, C-387/15 and C-388/15, EU:C:2016:583, paragraph 45 and the case-law cited

Reference	Matter	Points Raised	Applicant’s Comments
		<i>effects of the works proposed”</i> ²² and enshrined in case law²³. The European Commission guidance on Article 6 of the Habitats Directive also makes clear that, “<i>assessments that confine themselves to general descriptions and a superficial review of existing data on ‘nature’ within the area cannot therefore be considered as ‘appropriate’</i>”.²⁴ Only one season of protected species surveys (two for birds), was carried out, with no dedicated marine mammal or benthic surveys. The reliance on desk-based data and generic assumptions leaves substantial scientific doubt unresolved. This approach is inconsistent with People Over Wind (C-323/17)²⁵, Commission v Belgium (C-538/09)²⁶ and Holohan (C-461/17)²⁷, which require conclusions to be based on objective, site-specific evidence.	European sites at Pegwell Bay. It is standard practice for projects of all scales for a single season of surveys to be undertaken (particularly when most impacts are temporary) except for birds.
		Incorrect approach to assess effects on the integrity of the site from different pathways The wrong approach also appears to have been taken with regard to the assessment in that potential sources of disturbance (construction noise, lighting, traffic, dust, water pollution, water drainage changes etc) have generally been considered separately in terms of whether they could have a significant adverse effect on a particular site. As a result, the HRA’s conclusion is often that the impact falls below the “significant” threshold such that there is no impact on the integrity of the site. However, if the impact pathways were considered together for each site, it is likely that there would have been far more adverse impacts on the integrity of the site.	There is no basis for this assertion. In order to assess the effect of different impacts (noise, loss of functionally-linked land, air quality, pollution) on any receptor it is necessary to consider each one separately against the significance criteria that exist for that impact pathway, such that (if necessary) mitigation measures can then be introduced to address that impact pathway. If mitigation ensures there is no significant loss of functionally-linked land, no significant air quality impact, no significant pollution and no significant noise disturbance there is no basis to assume that summing all those insignificant effects would produce a significant effect. If there is no significant noise disturbance (for example) then that will remain the case irrespective of other impact pathways. The Applicant is not aware of any HRA that does not take present its assessment by impact pathway.
		Unsupported and unsecured mitigation Under Regulations 63(6) of the Habitats Regulations, proposed mitigation of adverse effects must be taking into account as part of the appropriate assessment. Furthermore, Government guidance specifies a series of requirements that mitigation measures must adhere to²⁸: <i>“You should assess what difference the mitigation measures would make to the effects of the proposal site. You must be sure that the mitigation will be effective. To do this, your assessment will need to show:</i> <i>• How many measures would be implemented and monitored, and how long for</i> <i>• How you would enforce the measures if you had to</i> <i>• How certain you are that the measures would work to avoid or reduce effects on the site</i>	Any REAC measures, included as they are in a control document (in this case Document 7.5.3 (B) Outline Onshore Construction Environmental Management Plan [AS-127]) must be substantially in accordance with the outline plans, and this is explicit under Requirement 6 of the draft DCO. This is important to understand and, as such, a copy of the entire draft requirement 6 is reproduced below for the avoidance of doubt: <i>“Construction Management Plans to be Approved</i> <i>6.- (1) No stage of the authorised development may commence until, for that stage, the following plans as relevant to that stage have been submitted to and approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned—</i>

²² European Commission guidance, 'The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC', p. 43. Available at: <https://op.europa.eu/en/publication-detail/-/publication/11e4ee91-2a8a-11e9-8d04-01aa75ed71a1>

²³ See, for example: Judgment of the Court of 20 September 2007, Commission v Italian Republic (C-304/05), EU:C:2007:532, para. 69; Judgment of the Court of 24 November 2011, Commission v Kingdom of Spain (C404/09), EU:C:2011:768, para. 100

²⁴ See Footnote 23: European Commission guidance, 'The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC', p. 43

²⁵ Judgment of the Court of 12 April 2018, People Over Wind (C-323/17), EU:C:2018:244

²⁶ Judgment of the Court of 26 May 2011, Commission v Belgium (C-538/09), EU:C:2011:349, para. 39

²⁷ Court of Justice of the European Union, Holohan and Others v An Bord Pleanála (C-461/17), ECLI:EU:C:2018:883, paras. 33–34, 36

²⁸ DEFRA, “Habitats Regulation Assessments: Protecting a European Site” (fn 6), section “Consider mitigation measures”)

Reference	Matter	Points Raised	Applicant's Comments
		- How long it will take for the measures to take effect - The level of success you expect, or what changes you'd make if monitoring shows the measures may fail." The Applicant's HRA depends on mitigation measures that are not demonstrably effective or secured through enforceable mechanisms, contrary to Regulation 63(6) and the Government guidance. Both the HRA and the Construction Environmental Management Plan ("CEMP") (APP-341²⁹ and APP-342³⁰) fail to explain most of these factors. For example, there is no evaluation of the likely success of the mitigation measures and what changes the Applicant would make if they prove ineffective, no indication as to the Applicant's level of certainty that each measure would reduce the adverse effect it is intended to alleviate, and no information on the length of time it will take for the measures to take effect. Specific concerns include: - The absence of evidence regarding the long-term viability of golden plover mitigation; - The failure to provide binding assurance that trenchless techniques beneath designated habitats will be achieved or enforced under the DCO, despite there being clear precedent for the Applicant reneging on commitment to pursue trenchless techniques and opting instead for open-cut trenching; and - Reliance on generic pollution control commitments without demonstrated efficacy or monitoring.	(a) Onshore Construction Environmental Management Plan (which must be substantially in accordance with the Onshore Outline Construction Environmental Management Plan); 96 (b) Construction Traffic Management and Travel Plan – Suffolk (which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Suffolk); (c) Construction Traffic Management and Travel Plan – Kent (which must be substantially in accordance with the Outline Construction Traffic Management and Travel Plan – Kent); (d) Air Quality Management Plan – Suffolk (which must be substantially in accordance with the Outline Air Quality Management Plan – Suffolk); (e) Air Quality Management Plan – Kent (which must be substantially in accordance with the Outline Air Quality Management Plan – Kent); (f) Landscape and Ecological Management Plan (LEMP) – Suffolk (which must be substantially in accordance with the Outline LEMP – Suffolk) (g) Landscape and Ecological Management Plan (LEMP) – Kent (which must be substantially in accordance with the Outline LEMP – Kent); (h) Construction Noise and Vibration Management Plan (NVMP) – Suffolk (which must be substantially in accordance with the Outline Construction NVMP - Suffolk); (i) Construction Noise and Vibration Management Plan (NVMP) – Kent (which must be substantially in accordance with the Outline NVMP – Kent); (j) Public Rights of Way (PRoW) Management Plan – Suffolk (which must be substantially in accordance with the Outline PRoW - Suffolk) (k) Public Rights of Way (PRoW) Management Plan – Kent (which must be substantially in accordance with the Outline PRoW - Kent); (l) Soil Management Plan – Suffolk (which must be substantially in accordance with the Outline Soil Management Plan - Suffolk); (m) Soil Management Plan – Kent (which must be substantially in accordance with the Outline Soil Management Plan - Kent); (n) Material and Waste Management Plan; (o) Construction Drainage Management Plan; (p) Flood Management Plan (FMP); and (q) Operational Drainage Management Plan. (2) The construction works for each stage of the authorised development and mitigation works to minimise the impact of construction must be carried out in accordance with the relevant stage of the approved plans, schemes and strategies referred to in sub-paragraph (1) or with any amended plans, schemes or strategies that may subsequently be approved by the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned."

²⁹ EN020026-000187-7.5.3.1 CEMP Appendix A Outline Code of Construction Practice.pdf

³⁰ EN020026-000207-7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC).pdf

Reference	Matter	Points Raised	Applicant’s Comments
			All the mitigation measures proposed, such as those to control noise and water quality impacts, or diverters on overhead powerlines, are commonly deployed and recommended by relevant bodies such as Natural England or the Environment Agency. Natural England and the Environment Agency have not raised concerns about the enforceability of the mitigation on which the HRA depends, For many of these measures the likely effectiveness can be quantified (e.g. for noise mitigation a specific reduction in decibels has been allowed for in the modelling, based on guidance). None of the measures are novel. This includes the golden plover mitigation land which includes prescriptions from Natural England based on measures to address functionally linked land that have been implemented elsewhere. As with other mitigation, the amount of habitat required to address loss of functionally-linked land has been quantified based upon calculations presented in the ES chapter and HRA. Therefore, there is a high likelihood of success. Open cut trenching through saltmarsh would not be permitted as part of the DCO and could not therefore be legally undertaken. Regarding what changes the Applicant would make if mitigation measures proved to be ineffective, Sections 7.1 to 7.3 of the Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] set out the process involved in monitoring and, if necessary, rectifying any mitigation. The Applicant has committed to the use of trenchless techniques at the landfall to pass beneath the saltmarsh and lagoon. There are no proposals in the DCO to allow open cut trenching, even as a fall-back position, with the exception of the area required for the limited installation of the marine cable(s) from the Mean Low Water Springs (MLWS) to the trenchless crossing exit pits within the intertidal mudflats. No alternative technique is capable of being used without a formal amendment to the DCO, with a new supporting environmental assessment and HRA.
		Defective cumulative and in-combination assessment The cumulative assessment employs imprecise language such as “no observable effects anticipated” and omits relevant projects that should have been considered under the Government guidance. See section 4. Assessment of Cumulative Impacts for more detail. Further, it dismisses potentially significant impacts as “short to medium term” without defining the duration or analysing whether construction disturbance (typically 1–3 years) could have longer-term displacement effects on qualifying species.	See later responses.

Reference	Matter	Points Raised	Applicant’s Comments
		Incorrect approach regarding qualifying features The Applicant’s HRA fails to apply the integrity test correctly in relation to qualifying features. Even a significant adverse effect on a single qualifying feature, such as golden plover, is sufficient to conclude that a site’s integrity is affected, as set out in European Commission Article 6 guidance.³¹ The Applicant’s repeated dismissal of effect as “minor” or “temporary” without reference to specific conservation objectives is unsound and fails to meet the evidential standard required under Regulation 63. In relation to golden plover, the Applicant fails to acknowledge its status as an on-site protected species under the Wildlife and Countryside Act (WCA) 1981. This omission could result in a failure to avoid or mitigate unlawful disturbance or harm during construction, in breach of the WCA 1981.	See earlier responses on these points. Golden plover is only protected under the Wildlife & Countryside Act from having its nests or eggs damaged or destroyed, or from killing and injury, in line with most wild birds in the UK. This is not an HRA matter since Thanet Coast & Sandwich Bay SPA is designated due to its populations of non-breeding (wintering) golden plover. Avoidance of offences under the WCA for all breeding birds are covered in Application Document 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049].
		Failure to identify Priority Habitats and Species Under Regulation 64 of the Habitats Regulations, the competent authority can approve a project which it considers will adversely affect the integrity of a European site if it is satisfied that, there being no alternative solution, the project must be carried out for imperative reasons of overriding public interest. Where the site hosts Priority Species (listed in Annex II of the Habitats Directive) or Priority Habitats (listed in Annex I of the Habitats Directive), the range of permissible Imperative Reasons of Overriding Public Interest (IROPI) is restricted to grounds of human health, public safety, or benefits of primarily environmental importance. In this case, the Sea Link project does not meet the restricted IROPI criteria. The project is not required for human health or public safety, nor does it deliver benefits of “primary environmental importance” in the meaning of Regulation 64. Furthermore, reasonable alternatives, including alternative landfall locations and less environmentally damaging grid connection solutions, have not been exhausted or properly assessed. As such, the stringent legal tests for IROPI cannot be satisfied, and the project cannot rely on this derogation route. Overall, KWT, is firmly of the opinion that the HRA is not compliant with requirements under the Habitats Regulation. Specifically: • The precautionary principle is not applied correctly at either screening or assessment stage; • Mitigation measures are inadequately defined, evidenced and secured; • Conservation objectives,	Since Derogations are not relied upon for the Proposed Development, this point is not relevant as Regulation 64 is not engaged.

³¹ European Commission guidance, 'The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC', p. 43. Available at: <https://op.europa.eu/en/publication-detail/-/publication/11e4ee91-2a8a-11e9-8d04-01aa75ed71a1>

Reference	Matter	Points Raised	Applicant’s Comments
		qualifying features and priority features are not addressed; • Cumulative and in-combination effects are materially under-assessed; and • The integrity test is not applied correctly, with adverse effects being miscalculated and subsequently ignored. Consequently, the submitted HRA does not provide the “complete, precise and definitive findings” required to remove all reasonable scientific doubt (Commission v Italy, C-304/05)³². Unless these deficiencies are rectified, the Examining Authority cannot lawfully conclude that the Sea Link Project will not adversely affect the integrity of any European site.	
2	Failure to properly consider and consult on alternative options	KWT maintains that the Applicant has failed to demonstrate compliance with its statutory obligations to consider reasonable alternatives to the proposed landfall at Pegwell Bay and the converter station siting at Minster Marshes. The assessment of alternative options presented within the ES and associated documentation falls short of the legal, policy, and evidential standards required under the EIA Regulations and the Habitats Regulations, as well as relevant NPS.	A response to these comments can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations [REP1A-043].
		<u>Failure to Consider Reasonable Alternatives:</u> Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) expressly require that an ES include: <i>“a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment.”</i> Regulation 14(3)(b) of the EIA Regulations sets the evidentiary threshold for an ES as the information reasonably required to reach a reasoned conclusion on the significant effects of a development on the environment. The Applicant has not complied with the requirement as, whilst there are descriptions of the options and some analysis, the options documents fail to clearly analyse the relevant environmental impacts of the different options, and fail to explain why, from an environmental standpoint, the option selected has less environmental impact than the others. This failure also means that the Applicant’s ES does not meet the evidentiary threshold under Regulation 14(3)(b), as it does not provide the information reasonably required to reach a reasoned conclusion as to the effects of the development on the environment. Instead, the DCO	A response to these comments can be found in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] and a summary provided below. <u>Consideration of alternatives in EIA</u> The role of an alternatives chapter in an ES is to report on the process that has been undertaken to consider reasonable alternatives, describing the other options and technologies considered and indicating the main reasons for selecting the chosen option including a comparison of the environmental effects. A description of the reasonable alternatives considered and the main reasons for selecting the chosen option are set out in Application Document 6.2.3.1 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044], which provides a comparison of the environmental effects, as required under Part 2 Schedule 4 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This draws on the information provided in the following Application Documents: • Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] which explains why the Proposed Project is needed and a backcheck of the strategic options considered. • Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368] which explains how the routeing and siting of the Proposed Project was undertaken and the reasons for the selection of the emerging

³² eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62005CJ0304

Reference	Matter	Points Raised	Applicant’s Comments
		documents present a largely retrospective justification for a pre-determined decision to pursue the Pegwell Bay (K1) landfall and Minster Marshes converter station sites. Although six landfall options (K1 – K5 and K1a) and two converter station locations were initially identified, there is no evidence that environmental constraints were systematically or transparently assessed prior to selecting K1. The process adopted appears to have prioritised engineering convenience and cost over environmental sensitivity, contrary to the principles established under the EIA Regulations, NPS, and the National Planning Policy Framework (NPPF 2024). Additionally, the Applicant’s justification for not consulting on alternative landfall locations in Kent is fundamentally flawed. The ES states that only the “feasible” option, Pegwell Bay (K1), was progressed to consultation. However, this approach is inconsistent with the requirements of the EIA Regulations 2017, Regulation 14(2)(d), which mandates that “reasonable alternatives” relevant to the development and its characteristics must be described and assessed. The constraints cited by the Applicant to dismiss other landfall options, principally cost, engineering complexity, and the presence of allocated sites for housing, do not constitute absolute barriers and, crucially, apply equally or more acutely to Pegwell Bay itself, with the aggravated constraint that it lies within multiple internationally and nationally designated conservation sites. The exclusion of other Kent landfall options from public consultation therefore represents a procedural deficiency and a failure to provide stakeholders and decision-makers with a transparent, evidence-based comparison of alternatives. This approach notably breaches the requirement of paragraph 4.3.29 of NPS EN-1, which requires that potential alternatives be identified before applying to the Secretary of State, so as to “<i>allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant.</i>” By pre-determining Pegwell Bay as the only “feasible” option, the Applicant has not demonstrated the balanced, iterative site-selection process required by European legislation and national policy statements. The Applicant’s approach to site selection is also inconsistent with case law. In his review of existing case law on alternative sites in R (Stonehenge) v Secretary of State for Transport, Holgate J confirmed: “Where there are clear planning objectives to development upon a particular site then “it may well be relevant and indeed necessary” to consider whether there is a more appropriate site elsewhere. “This is particularly so where the	preferences, which were consulted upon during non-statutory consultation. • Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369] which explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation. • Application Document 8.3 Strategic Options Report (October 2023) [APP-370] which explains the strategic options considered. • Application Document 7.3 Design Development Report [APP-321] which explains how the design process was conducted and how the design evolved from the selection of the preferred strategic proposal to the Proposed Project as applied for. <u>Selection of landfall</u> As set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search with all potential landfall locations resulting in varying degrees of interaction with these designations. The north Kent coast landfall areas of search were ruled out due to significant technical and environmental constraints on the marine approaches. These included: • Margate and Long Sands Special Area of Conservation (SAC), which due to shipping a navigation constraints and bathymetry would have been unavoidable with a landfall along the north Kent coast. This designation is designated for sandbanks therefore any cable or crossing protection within the designated site would have resulted in permanent habitat loss of the interest features of this site. Natural England expressed concerns regarding the potential impacts of crossing the proposed NeuConnect cable within the Margate and Long Sands SAC as the material required for the crossing could permanently change the protected features in this site. Natural England also advised that their preference was for the project to avoid any cable installation in this protected site. Landfalls at either Pegwell Bay or Broadstairs would avoid this permanent habitat loss. • An area of mobile sandbank off the north Kent coast as illustrated on Figure 7.17 of Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368]. Mobile sediment is considered to be an important consideration as cable spanning or over burial could

Reference	Matter	Points Raised	Applicant’s Comments
		<i>development is bound to have significant adverse effects and where the major argument advanced in support of the application is that the need for the development outweighs the planning disadvantages inherent in it.” Examples of this second situation may include infrastructure projects of national importance”.</i>³³ The Sea Link project clearly fits the description advanced by Holgate J, as an NSIP which is bound to have significant adverse effects on biodiversity and ecology. Holgate J continues that whilst “<i>it may not be necessary to consider alternatives if the environmental impact is relatively slight and the objections not especially strong</i>”, this is clearly not the case with the Sea Link project. Distinguishing itself from Holgate J’s hypothetical proposal with slight environmental impact, the Sea Link project will have significant adverse effects on the environment, and objections to this project are strong (most notably, the objection that the Applicant has failed to comply with numerous legal and policy requirements). In its own Covering Letter to the Examining Authority dated 1 st September 2025, the Applicant states that “<i>over 6,000 Relevant Representations have been received, which to the best of the Applicant’s knowledge is a greater number than have been received on any DCO application to date.</i>”³⁴ This directly demonstrates that objections are not only “especially strong” but unprecedented, further underscoring the necessity of a rigorous alternatives assessment under both the NPS and the Habitats Regulations. Further case law confirms that the Applicant’s lack of consideration of reasonable alternatives is non-compliant with legal requirements. In R (Mead Realisations Ltd) v SSCLG, the court held that alternatives must be examined with sufficient rigour and transparency to allow the decision-maker to understand why one has been selected over another.³⁵ Similarly, in Holohan v An Bord Pleanala (Case C-461/17), the CJEU confirms that Article 5(3)(d) the EIA Directive “<i>must be interpreted as meaning that the developer must supply information in relation to the environmental impact of both the chosen option and of all the main alternatives studied by the developer, together with the reasons for his choice, taking into account at least the environmental effects, even if such an alternative was rejected at an early stage</i>”.³⁶ The Applicant has failed to supply such information, thereby contravening the alternatives assessment required following case law.	result which presents a considerable exposure and engineering risk. Interaction with key anchorage areas offshore of Margate. It should be noted that all marine cable routes making landfall at Broadstairs (K1a) do also interact with areas designated for their nature conservation value. At landfall area (K1a), the Proposed Project would intersect with the Thanet Coast & Sandwich Bay SPA and Ramsar site and would also require interaction with the Thanet Coast SAC, Thanet Coast MCZ, and Thanet Coast SSSI. Taken in isolation the Broadstairs landfall (K1a) would be slightly preferred to the Pegwell Bay landfall from a purely marine routeing perspective, however, there are significant constraints associated with the onward terrestrial corridor from the Broadstairs landfall to both converter station option areas considered, including existing settlements and further proposed developments, (part of which has subsequently been delivered) as illustrated on Figure 8.5 of Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368]. The landfall at Pegwell Bay, was identified as the least constrained technically viable landfall option, with opportunities to avoid permanent habitat loss and impacting the sensitive saltmarsh habitat using trenchless cable technology. The onward terrestrial cable corridor and the converter station and substation sites avoid designated sites altogether. While the AC overhead lines connecting into the existing network oversail a belt of dense trees and scrub which forms part of the Sandwich Bay and Hacklinge Marshes SSSI and continue into the Ash Level and South Richborough Pasture Local Wildlife Site, this is unavoidable recognising the need to connect into the existing network. Consultation on alternatives As set out in National Grid’s Our Approach to Consenting (April 2022), options appraisal is carried out to determine a preferred option or options that are then consulted on. In Kent the options appraisal process only identified one preferred option as documented in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which was consulted on as part of the 2022 non-statutory consultation. Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] described all the other options

³³ R (Save Stonehenge World Heritage Site Ltd) v Secretary of State for Transport [2021] EWHC 2161 (Admin), para. 269; citing Simon Brown J (as he then was) in Trusthouse Forte Hotels Ltd v Secretary of State for the Environment [1986] 53 P&CR, paras. 292, 299-300

³⁴ EN020026-000768-9.10 s89 1st September Covering letter.pdf

³⁵ R (Mead Realisations Ltd) v Secretary of State for Communities and Local Government [2015] EWHC 2317 (Admin)

³⁶ Judgment of the Court of 7 November 2018, Holohan and Others v An Bord Pleanála (C-461/17), EU:C:2018:883, para. 69

Reference	Matter	Points Raised	Applicant’s Comments
			considered and the reasons for the selection of the emerging preference formed part of the non-statutory consultation materials.
		<u>Non-compliance with NPS EN-1 and EN-5</u> Site Selection and Design: NPS EN-5 sets out clear expectations for applicants in relation to siting, routing and design. Paragraphs 2.2.6 to 2.2.10 state that applicants are not exempt from their duty to consider and balance environmental and community factors in route selection, nor from applying good design and avoidance measures. In other words, constraints such as engineering feasibility or cost do not absolve applicants of the responsibility to minimise environmental harm through appropriate siting. Paragraph 2.1.10 of EN-5 explicitly requires that routing and avoidance of environmental impacts “both onshore and offshore” must be considered at an early stage in the development process. This has not occurred. The decision to pursue landfall at Pegwell Bay, a site within the Thanet Coast and Sandwich Bay SPA, Ramsar, SSSI and NNR, represents the most environmentally damaging of all options considered, directly conflicting with this policy requirement. Section 2.2 of EN-5 Factors Influencing Site Selection and Design states that the siting of projects should be determined by: <i>“the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest and do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings, or objects.”</i> The Applicant has paid insufficient attention to this requirement in its selection of proposed sites in Kent. The selection and refinement of the route and landfall options do not evidence a systematic application of these statutory duties, nor do they show that impacts on designated sites, Priority Habitats and Species, or sensitive ecological receptors were avoided where reasonably possible. Instead, the design relies heavily on unproven mitigation rather than early-stage avoidance, directly contrary to the obligations set out in Section 2.2 of NPS EN-5.	In developing the Proposed Project, the mitigation hierarchy has been rigorously applied by the Applicant, as part of the approach to consenting set out in Application Document 7.3 Design Development Report [APP-321] and as part of the iterative process of EIA. The avoidance of environmental designations and other environmental constraints is an important factor which informs the Applicant’s site selection process. This is considered alongside other factors such as engineering feasibility, cost, and other wider environmental and socio-economic matters. In considering these various factors, the Applicant uses reasonable judgement, in the context of the various statutory duties in the Electricity Act 1989 which include the duty to “develop and maintain an efficient coordinated, and economical system of electricity transmission” (which includes reducing costs on behalf of consumers), and also the duty to have regard to the desirability of conserving the environment and doing what can reasonably be done to mitigate effects. These duties are set out in Application Document 7.1 Planning Statement [AS-057] which also assesses compliance of the Proposed Project against policy including NPS EN-1, EN-3 and EN-5.
		<u>The Horlock Rules and the Duty under the Electricity Act 1989</u> Paragraphs 2.9.18 - 2.9.19 of NPS EN-5 require applicants to follow the Horlock Rules, established by National Grid in fulfilment of their Schedule 9 duty under the Electricity Act 1989. These rules state that applicants must: • <i>"consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonable practical minimum;</i>	As set out in section 5 of Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] the Horlock Rules have been used in the absence of any specific siting guidance for converter stations. The Horlock Rules are guidelines. The Proposed Project comprises different components, namely marine HVDC cable, landfalls, terrestrial HVDC cable, converter stations and an Alternating Current (AC) connection to the network connection point. In identifying an overall preferred solution, the appraisals of these individual components are brought together to identify the most appropriate overall design. Therefore, while the Applicant may identify certain areas to be more

Reference	Matter	Points Raised	Applicant's Comments
		• seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections; • protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas; • consider the land use effects of the proposal when planning the siting of substations or extensions”. The Applicant’s proposal demonstrably fails to comply with these principles. The chosen converter and substation sites are located within a floodplain (Flood Zones 2 and 3), immediately adjacent to Sandwich Bay to Hacklinge Marshes SSSI, permanently destroying Functionally Linked Land (“FLL”) to the Thanet Coast and Sandwich Bay SPA/Ramsar, and within a landscape supporting high densities of wintering and migratory birds. Rather than avoiding these constraints, the Applicant seeks to rely on engineered flood defences and “embedded mitigation”, a clear departure from the Horlock Rules’ first principle – to avoid altogether internationally and nationally designates areas. The Applicant has not provided a properly detailed and reasoned explanation as to why the avoidance of such designated sites is not possible. Paragraph 2.11.14 of EN-5 further stipulates that where a statutory consultee identifies risks from electromagnetic fields (EMF) or other technical effects, “<i>the potential impact and siting and design alternatives will need to have been fully considered as part of the application.</i>” KWT wishes to point out that the Maritime and Coastguard Agency (MCA), a statutory consultee, expressly raised concerns regarding “<i>impacts from Electromagnetic Deviation in nearshore areas</i>” within their consultation letter (October 2025).³⁷ This constitutes a clear identification of risk under paragraph 2.11.14, relating to the potential interference of EMF with maritime navigation and compass accuracy. Despite this, the Applicant has provided no evidence that siting and design alternatives were assessed to avoid such effects. The omission further demonstrates a failure to address the full suite of siting and technical design considerations required by policy. Overall, the Applicant’s approach to alternatives and site selection is inconsistent with the statutory duties of the EIA Regulations 2017, the mitigation hierarchy in NPPF, and the principles of NPS EN-1 and EN-5. The Applicant has failed to demonstrate that avoidance was prioritised or that alternative options were properly considered, particularly where these alternatives were assessed as having fewer environmental constraints.	constrained than alternatives based on certain factors, the preferred design represents the overall most appropriate solution, taking all elements into account. Environmental issues have been considered from the earliest project stage as set out in Application Document 7.2 Strategic Options Report Backcheck Report [APP-320]. The converter station and substation sites avoid statutory and non-statutory designated sites, ancient woodland, historic hedgerows altogether. Compliance with the policies in the NPS are set out in Application Document 7.1 (C) Planning Statement [AS-057]. The proposed Minster Converter Station and Substation are not located within Flood Zone 2 and 3. This was a key consideration in identifying the preferred site as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368]. Proposals for mitigation for loss of functionally linked farmland for golden plover have been agreed with Natural England and are secured in the Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. A response to the point raised by the Maritime and Coastguard Agency (MCA) in their Relevant Representation in relation to concerns regarding “<i>impacts from Electromagnetic Deviation in nearshore areas</i>” is provided in Application Document 9.34.2 Applicant’s Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. Regarding the final paragraph of this section of the KWT WR, the applicant strongly refutes this point for all of the reasons set out above.
3	The mitigation hierarchy	The Mitigation Hierarchy is a well-established principle in environmental assessment and is embedded in multiple regulatory frameworks:	The Applicant has responded to the issue of the mitigation hierarchy in its response to Kent Wildlife Trust’s RR, in Application Document 9.34.1 Applicant’s Detailed

³⁷ EN020026-000940-Sealink rule 6 letter response from MCA 17 10 25_Redacted.pdf

Reference	Matter	Points Raised	Applicant's Comments
		- Under the EIA Regulations, developers must provide in the ES “a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment” (Regulation 14(2)(c)). Schedule 4(7) requires that such description addresses the mitigation measures for any identified significant adverse effects and any proposed monitoring arrangement for such mitigation. This description should explain the extent to which significant adverse effects on the environment are “avoided, prevented, reduced or offset”, covering off the construction and operation phases of the proposed project. - The EIA Regulations also require developers to include in the ES “a description of the reasonable alternatives studies [...] and an indication of the main reasons for the option chosen, taking into account the environmental effects” (Regulation 14(2)(c)). Such requirements are rooted in the principle of impact avoidance, which is also reflected in NPS EN-1, where paragraph 5.4.42 states that “development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives.” Paragraphs 5.3.4 and 5.4.35 of NPS EN-1 require applications to demonstrate how significant negative effects would be avoided and mitigated following the Mitigation Hierarchy, which demands the integration of appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In addition, the HRA process demands a strict application of avoidance at the screening and appropriate assessment stages. Regulation 63(5) of the Habitats Regulations states that competent authorities “may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site” (emphasis added). Demonstrating that impacts can be avoided, not merely reduced or offset, is the first and most important step of the Mitigation Hierarchy. Document 6.1 (B) Environmental Statement Non-Technical Summary (AS-016)³⁸ describes that mitigation measures have been categorised as follows: ‘Embedded Measures’ ‘Control and Management Measures’ ‘Additional Mitigation’ The categorised mitigation measures described in document AS-016 broadly align with the principles of the Mitigation Hierarchy. For example, ‘Embedded Measures’, such as routing infrastructure sensitively or siting works to reduce environmental effects, are built into the design from the outset and are presented as corresponding to the first step of the Mitigation Hierarchy – ‘Avoidance’. However, the description provided by the Applicant focuses on these measures being intended “to reduce” effects, which implies minimisation rather than true avoidance. This suggests that the	Responses to the Relevant Representations identified by the ExA [REP1A-043]. Regarding the mitigation land for golden plover, this was identified following consultations with Natural England and includes management prescriptions from Natural England based on measures to address functionally linked land that have been implemented elsewhere. As with other mitigation, the amount of habitat required to address loss of functionally-linked land has been quantified based upon calculations presented in the ES chapter and HRA. Therefore, there is a high likelihood of success. Regarding monitoring and enforcement, Sections 7.1 to 7.3 of Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] set out the process involved in monitoring and, if necessary, rectifying any mitigation. Regarding adoption of the mitigation hierarchy, such as for trenching in the intertidal mudflats at Pegwell Bay, during the installation of the cable from the HDD exit point seawards, this has been addressed in detail in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. Regarding the statement “<i>However, the description provided by the Applicant focuses on these measures being intended “to reduce” effects, which implies minimisation rather than true avoidance. This suggests that the first and most important step of the Mitigation Hierarchy – to avoid impacts entirely – has been under-emphasised or potentially skipped</i>”, it is not standard practice to repeat all the avoidance measures that have been incorporated in each topic chapter of an ES. This is because avoidance measures are typically applied at the routeing and siting stage and, as such, are reported in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044].

³⁸ EN020026-000534-6.1 (B) Environmental Statement Non Technical Summary (Clean).pdf

Reference	Matter	Points Raised	Applicant’s Comments
		first and most important step of the Mitigation Hierarchy – to avoid impacts entirely – has been under-emphasised or potentially skipped. ‘Control and Management Measures’, which include good practice operational controls such as construction management plans, correspond broadly with the second step of the hierarchy – ‘Minimisation’. These measures do not prevent impacts from occurring but instead serve to manage or reduce their severity during implementation. ‘Additional Mitigation’ refers to site- or topic-specific actions applied where embedded or control measures are insufficient. Since the pre-application stage, KWT has consistently maintained that the proposed location of the Sea Link project is unsuitable, a concern underscored by the volume and extent of ‘Additional Mitigation’ measures proposed by the Applicant. These include compensation or offsetting for ecological effects such as the loss of riparian habitat, loss of habitat used by golden plover (a qualifying feature to the SPA) and breeding skylark, increased bird collisions, disturbance to breeding and wintering birds, loss of macroinvertebrate and macrophyte communities, and impacts on noise-sensitive receptors. Whilst these categories collectively represent a tiered approach consistent with the Mitigation Hierarchy, KWT considers that the DCO documents reveal that, in practice, the approach is disproportionately weighted toward minimisation and compensation, rather than avoidance. This reinforces a key concern raised by KWT during the pre-application consultation, that the Applicant has not given adequate consideration to avoidance measures and has instead relied predominantly on mitigation strategies that fall lower in the Mitigation Hierarchy. For example, within Document 7.5.3.1 Register of Environmental Actions and Commitments (APP-342)³⁹ Table 1.3 Register of Environmental Actions and Commitments – Kent Onshore Scheme notes that there will be “<i>loss of habitat within Sandwich Bay to Hacklinge Marshes SSSI, Thanet Coast & Sandwich Bay SPA/Ramsar and Sandwich Bay SAC.</i>” While the installation method proposed for the Kent Landfall includes a trenchless technique, intended to “<i>minimise the loss of habitat</i>” and “<i>avoid any loss of saltmarsh,</i>” this still results in a loss of habitat within these internationally and national designated conservation sites. If it can be demonstrated that there is no viable way to avoid the saltmarsh, KWT will support the use of trenchless techniques, as a mitigation measure to reduce impacts rather than open-cut trenching. However, we consider that insufficient effort has been made to avoid the saltmarsh in the first instance. We further note that there is no definitive guarantee that open-cut trenching across the saltmarsh can be excluded – this is an important lesson from the Nemo project. Likewise, open-cut trenching of other designated habitats, such as Priority Habitat mudflats, demonstrates that the first and most important step of the Mitigation Hierarchy, avoidance, has not been adequately applied. There is also no information on the mechanisms by which mitigation will be implemented, monitored or enforced, nor on what corrective measures would be taken in the event of failure. These deficiencies are apparent in relation to the proposed	

³⁹ EN020026-000207-7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC).pdf

Reference	Matter	Points Raised	Applicant's Comments
		golden plover mitigation, which lacks any detail as to effectiveness, monitoring, or enforcement. This omission constitutes a material flaw in the HRA and ES.	
4	Assessment of cumulative impacts	<u>Inter-Project Cumulative Impacts Assessment</u> Both the EIA Regulations and the Habitats Regulations impose a clear and mandatory duty to assess cumulative impacts comprehensively. Schedule 4(5)(e) of the EIA Regulations explicitly requires an ES prepared under Regulation 14(2) to include: <i>"A description of the likely significant effects of the development on the environment resulting from, inter alia:</i> <i>[...] (e) the cumulation of effects with other existing and/or approved projects..."</i> This requirement is not optional or qualified. It compels the Applicant to assess all existing, approved, and reasonably foreseeable projects whose effects could combine with the proposed development. This necessarily covers: • <u>Existing projects</u>: Already built and operational developments (e.g., Nemo Link); • <u>Approved projects</u>: Those with development consent that are not yet built (e.g., KCC/TH/0041/2024 approved ground mounted solar photovoltaic (PV) array with associated infrastructure); and • <u>Reasonably foreseeable projects</u>: Those that are publicly proposed or in planning, even if not yet consented but where there is enough certainty, that they may proceed (e.g., Statkraft Little South Solar Farm Ash Levels and RBL Solar 2 land adjacent to Richborough Energy Park). Under Regulation 63(1)(a) of the Habitats Regulations, any plan or project that may have a likely significant effect on a European site, either alone or in combination with other plans or projects, must be subject to an HRA. This “in combination” clause is central to the statutory test: • It requires assessing cumulative impacts with other plans or projects, regardless of who is responsible for them. • Projects do not need to be under the same developer or authority. • Past projects, like Nemo Link, and ongoing or proposed developments in the same area must be considered if their effects could overlap spatially or temporally. Crucially, this duty is not confined to the Applicant's own projects. It extends to any other plans or projects capable of contributing to	At all stages the Applicant has provided inter-project cumulative effects assessment information proportionate to the information available to it, and in accordance with the approach set out in guidance provided by PINS, which recognises that cumulative assessment is very much dependent upon the certainty (availability and accuracy) of information for the other projects. Regarding the specific schemes referenced as being in proximity to the golden plover mitigation sites, they are separated by features such as a railway line, the River Stour and a dense wooded belt. They do not separate the mitigation fields from the rest of Ash Level to the west or the SPA to the east and are not considered to impede the ability of the mitigation land to function. With regard to cumulative or in combination effects through habitat loss, Goshall Valley Solar Farm is explicitly discussed in section 8.4 of the HRA on in combination effects, and the assessment presented for the eleven developments discussed in that section regarding in combination loss of functionally linked habitat for golden plovers would apply to any other projects such as RBL2 or planning application 25/00459 when an application is submitted. If those areas support significant populations of wintering golden plover on their own account, it is their responsibility to deliver mitigation. The Proposed Development is only required to mitigate for its own contribution to any ‘in combination’ effect. Note that if a project would have an adverse effect on integrity alone, which has then been mitigated, as is the case for the Proposed Development, no ‘in combination’ assessment is strictly needed. Natural England have made this point in their Relevant Representation. Regarding SW_E2a_2, the only information included in NESO's Beyond 2030 document is that the intended connection point is Richborough; there is no mention of the landfall being at Pegwell Bay. Although there is a plan that shows an illustrative route coming into Pegwell Bay, the plan makes it clear that “<i>all routes and options shown on this map are for illustrative purposes only</i>”. The Applicant has undertaken inter-project cumulative effects assessment in line with the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Planning Inspectorate's own guidance on cumulative effects assessment (Planning Inspectorate, 2024). Neither the EIA Regulations, nor the Planning Inspectorate's guidance suggest in any way that the mere notion of a potential future project should trigger an assessment of its cumulative effects, despite there being absolutely no project information available other than a suggestion of a landfall point.

Reference	Matter	Points Raised	Applicant’s Comments
		cumulative or synergistic environmental effects, whether terrestrial or marine. This approach is reinforced in NPS EN-1 and EN-5, which confirm that the Planning Act 2008 establishes a holistic planning regime requiring that cumulative effects be considered together. Paragraph 4.1.5 of NPS EN-1 is explicit in requiring the Secretary of State to take into account cumulative impacts when considering applications for nationally significant energy infrastructure. Case law further supports this approach. The CJEU in Waddenzee (C-127/02) confirmed that the appropriate assessment must consider a plan or project’s significant effects on a site “either individually or in combination with other plans or projects”, echoing the legislative duty established under Article 6 of the Habitats Directive, and retained under Regulation 63(1)(a) of the Habitats Regulations.⁴⁰ In Commission v Kingdom of Spain (C-404/09), the CJEU confirmed the same position under the EIA Directive (which is part of retained EU law through the EIA Regulations): assessments of environmental impact “must also include an analysis of the cumulative effects on the environment which that project may produce if considered jointly with other projects”.⁴¹ The entire legal and policy rationale is clear: coordinated assessment ensures that infrastructure is planned and consented with full understanding of its total environmental impact, not considered in isolation. Cumulative impacts therefore need to be fully transparently addressed. In this case, the Applicant’s cumulative assessment fails to meet these statutory duties. There is no robust analysis of how other consented or proposed developments within the same ecological landscape will interact with Sea Link’s impacts, particularly in relation to qualifying features of the Thanet Coast and Sandwich Bay SPA. The Applicant’s ES and HRA fail to take into account several relevant projects in proximity to the proposed golden plover mitigation site, including, but not limited to: • Goshall Valley Solar Farm – 84 ha, c. 400m south-west of the mitigation site; • RBL2 Solar Farm – 62 ha, immediately north of the proposed mitigation site; and	Taking, for example, Commission v Kingdom of Spain (C-404/09), the issue at hand was a failure to undertake cumulative effects assessment with projects that either already existed, were consented, or were in the process of being consented. An extract is provided below (our emphasis). <i>“76 It needs to be examined, secondly, whether, in this case the environmental impact assessments carried out in accordance with Directive 85/337 as amended of the ‘Nueva Julia’ and ‘Ladrones’ mining projects are inadequate, as the Commission argues, be-cause they do not include an analysis of the cumulative environmental effects capable of being produced by those projects and other operations, such as open-cast coal mines in operation or the commencement in operation of which is authorised or in the course of authorisation.”</i> The Applicant has undertaken inter-project cumulative effects assessment with all projects that exist, are authorised, or are ‘in the course of authorisation’, which is entirely consistent with the requirements of the EIA Regulations and Habitats Regulations.

⁴⁰ Judgment of the Court of 7 September 2004, Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij (C-127/02), EU:C:2004:482, para. 45

⁴¹ Judgment of the Court of 24 November 2011, Commission v Kingdom of Spain (C-404/09), EU:C:2011:768, para. 80

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		Planning application 25/00459 – a mixed-use development of 356 dwellings and associated infrastructure c. 280m south-east of the site. Together, these developments represent the permanent loss of approximately 160ha of FLL to the Thanet Coast and Sandwich Bay SPA. Despite this, the Applicant provides no evidence of cumulative assessment of the combined effects on habitat suitability, disturbance levels, or the long-term viability of the proposed mitigation land. Treating these developments in isolation, rather than cumulatively, fails to demonstrate compliance with Regulation 63(5) of the Habitats Regulations and Regulation 14(2) of the EIA Regulations. Further concern arises from the National Grid ESO’s “Beyond 2030 Strategy” (March 2024)⁴², which includes routing proposals for a new offshore cable between Scotland and Kent (SW_E2a_2). This proposal identified Pegwell Bay as the preferred connection point. Despite its inclusion in National Grid’s published strategy, the Applicant has refused to consider it within the cumulative assessment, claiming it is too early in development. This is inconsistent with requirements under the Habitats Regulations and the EIA Regulations, as confirmed in case law. For example, the CJEU in <i>Commission v Kingdom of Spain</i> (C-404/09) held that the “[cumulative] assessment be a preliminary to the authorisation of the project” (emphasis added),⁴³ and the High Court in <i>Pearce v SSBEIS v Norfolk Vanguard Limited</i> [2021] EWHC 326 (Admin) quashed the North Vanguard Offshore Wind Farm Order after finding on judicial review that assessment of cumulative effects had unlawfully been postponed in the development process.⁴⁴ The habitats and species at Pegwell Bay have already been affected by the Nemo Link project; Sea Link would represent a second major impact, and SW_E2a_2 a potential third. Repeated large-scale disturbance to the same designated site is unacceptable and is a real threat to the medium/long-term future of the site. It also represents a clear failure to apply the precautionary principle and the cumulative assessment approach enshrined in both domestic and European law.	
		<u>Intra-Project Cumulative Impacts Assessment</u> The wrong approach appears to have also been taken with regard to the impact assessment in that potential sources of disturbance (construction noise, lighting, traffic, dust, water pollution, water drainage changes, etc.) have generally been considered separately in terms of whether they could have a significant adverse effect	With regard to the manner in which intra-project impact pathways have been assessed in the HRA, refer to our earlier response in this document on that matter. The approach to intra-project effects assessment is set out in Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment

⁴² neso energy 'Beyond 2030' A national blueprint for a decarbonised electricity system in Great Britain

⁴³ Judgment of the Court of 24 November 2011, *Commission v Kingdom of Spain* (C-404/09), EU:C:2011:768, para. 83

⁴⁴ *Raymond Stephen Pearce v Secretary of State for Business Energy and Industrial Strategy v Norfolk Vanguard Limited* [2021] EWHC 326 (Admin).

Reference	Matter	Points Raised	Applicant’s Comments
		on a particular site. The resulting conclusion is often that the impact falls below the “significant” threshold such that there is no impact on the integrity of the site. However, this veers towards ignorance of functional interdependence within the Sea Link project, and artificial division of the required cumulative assessment. Case law criticises the "<i>mischievous of "salami-slicing", or "project-splitting"</i>" being resorted to in an attempt to evade the requisite assessment" of impact on integrity under Regulation 63 of the Habitats Regulations.⁴⁵ Whilst not quite 'salami-slicing', the Applicant tends towards an approach of intra-project division within its cumulative assessment, seemingly with the aim of artificially limiting the assessed level of impact by splitting it across separate impact pathways. If these impact pathways were instead considered cumulatively for each individual site, it is likely that far greater adverse impacts on the integrity of the site would have been found. As such, it is KWT's belief that the Applicant adopts a flawed approach to its assessment of cumulative effects, which results in an under-representation of the extent of impact on site integrity. Additionally, the ES offers superficial consideration of transboundary and migratory impacts, despite acknowledging the area’s role within the East Atlantic Flyway. The lack of cumulative assessment for migratory and overwintering species is inconsistent with the expectation of NPS EN-1 and EN-5, which require applicants to identify and evaluate cumulative and cross-boundary ecological effects, including for internationally important species. Finally, the Planning Inspectorate’s HRA Advice Note (2025) reiterates that a Habitats Regulations Assessment must “provide a clear conclusion on whether an adverse effect on the integrity (AEoSI) of a European site can be ruled out, alone or in combination with other plans and projects.” The Applicant’s submission fails to do so. The cumulative risks to the Thanet Coast and Sandwich Bay SPA/Ramsar and associated FLL remain unquantified, the mitigation untested, and the conclusion unsupported by evidence.	Methodologies [APP-091]. It seems that KWT may be referring to the first stage of the methodology, which is to screen out separate effects that were assessed alone as being negligible. This is entirely appropriate as negligible effects as by their nature are barely perceptible and therefore are highly unlikely to be able to contribute to a combined effect to an extent that it is significant. This is a widely adopted approach to intra-project cumulative effects assessment and is adopted not only because it is a proportionate approach, but also because the purpose of EIA as stated in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 is to identify likely significant effects, not every effect, however unlikely or insignificant (see e.g. <i>R (on the application of Blewett) v Derbyshire County Council</i> [2004] Env LR 29 at para. 42). The Applicant has acknowledged the contribution of the English East Coast and its coastal wetlands as being globally important for migratory waterbirds using the East Atlantic Flyway (EAF) which extends from the Arctic to South Africa in the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]. The importance of the English East Coast and these wetland sites is reflected by a series of existing protected nature conservation areas, designated for their international importance, including SPAs and Ramsar sites. Where a potential impact pathway from the Scheme exists, detailed assessments of the relevant component sites which contribute to the East Atlantic Flyway, along with the qualifying migratory bird species, are considered, e.g., Thanet Coast and Sandwich Bay SPA / Ramsar site and its qualifying species. There are no transboundary impact pathways from the Scheme to international sites. See previous response on golden plover regarding the mitigation land for golden plover and ‘in combination’ (or cumulative) impacts. The management prescriptions for the mitigation land and its location were agreed with Natural England as being appropriate and effective. Section 9 of the HRA report provides an explicit conclusion that ‘The Proposed Project will not result in an adverse effect on the integrity of any European Sites either alone or in combination with other plans or projects.
5	Impacts to biodiversity	<u>Habitat Loss to Thanet Coast and Sandwich Bay Designated Sites</u> KWT remains deeply concerned about the real and significant residual risks posed by the Sea Link project to the Thanet Coast and Sandwich Bay SPA/Ramsar, Sandwich Bay SAC, and Sandwich Bay to Hacklinge Marshes SSSI. Of particular concern is the use of horizontal directional drilling (HDD) through this protected area. Whilst the Applicant asserts that the use of HDD will avoid surface impacts to the Thanet Coast and Sandwich Bay designated sites, this assurance is critically undermined by the admission that open-cut trenching may be required should HDD fail. Likewise, the final 45 metres under the intertidal mudflats, a Priority Habitat within the SSSI/SPA/Ramsar/SAC boundary, will require open cut trenching, with the Applicant’s Benthic Ecology Chapter (AS-020)⁴⁶ of the ES stating “impacts during HDD exit and cable pull at the exit point will affect the intertidal zone [mudflats] and cable trenching will affect both intertidal and subtidal habitats.” These intertidal	A response to this comment can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The project has stated that the DCO will not contain any provision for surface trenching through the saltmarsh in Paragraph 7.4.3 of Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]. With regard to the suggestion that a long landfall exiting eastward of MLWS has not been proposed for the Kent landfall, extending the length of the trenchless landfall at Pegwell Bay to exit east of MLWS would require a 2.5 km length landfall. The longest cable landfall in the UK to date is 1.6 km length. The 2.5 km length would represent a very significant (non-linear) increase in risk, programme and cost with

⁴⁵ R (on the application of Together Against Sizewell C Limited) v Secretary of State for Energy Security and Net Zero Sizewell C Limited [2023] EWCA Civ 1517, para. 71

⁴⁶ EN020026-000538-6.2.4.2 (B) Part 4 Marine Chapter 2 Benthic Ecology (Clean).pdf

Reference	Matter	Points Raised	Applicant’s Comments
		mudflats support internationally important bird and invertebrate communities, forming the ecological foundation of Sandwich and Pegwell Bay SPA/Ramsar and SAC. As referenced within the Applicant’s AS-020 document, the mudflats are noted within the Thanet Coast and Sandwich Bay SPA citation as a supporting habitat for the qualifying ornithological features. Therefore, it is concerning that the Applicant is not taking the same precautions at the Kent landfall site as they are at the Suffolk landfall site, with the Benthic Ecology Chapter, paragraph 2.6.3 stating: <i>“At the Suffolk landfall, the entry/exit point, where the cable will be pulled for subsequent submarine installation, will be entirely in the subtidal environment, thus avoiding the intertidal area. There will be no direct impacts to intertidal benthic ecology receptors at this location [Suffolk] and therefore it has not been considered further in the impact assessment. In Kent, the trenchless solution will completely avoid saltmarsh habitat, exiting approximately 105 – 140 m down shore of this habitat, exiting within intertidal mudflats.”</i> This inconsistent approach raises serious concerns regarding the Applicant’s adherence to the Mitigation Hierarchy and the legal duty under Regulation 63 of the Habitats Regulations to avoid adverse effects on the integrity of a European site. The only circumstance in which a project may proceed despite residual adverse effects on site integrity is where imperative reasons of overriding public interest (IROPI) apply. However, IROPI cannot lawfully be invoked here. First, the Thanet Coast and Sandwich Bay complex includes Priority Habitats, meaning that IROPI is restricted to grounds of human health, public safety, or primary environmental benefits, categories that do not encompass the delivery of energy transmission infrastructure. Second, the Applicant has failed to demonstrate that no less environmentally damaging alternatives exist, which is a mandatory prerequisite before IROPI can be considered. The decision to avoid intertidal habitats entirely by the use of HDD at the Suffolk landfall, but not at Kent, appears conflicting to the principles of equivalence and precaution embedded in the Habitats Regulations, the NPS EN-1 and EN-3, and established case law such as People Over Wind (C-323/17).⁴⁷ In light of these obligations, it is unclear why the same avoidance-led design applied at Suffolk has not been implemented in Kent, particularly given the recognised sensitivity and statutory protection of the intertidal mudflat habitats within the Thanet Coast and Sandwich Bay complex. Furthermore, KWT, along with other eNGOs, is not convinced by the Applicant’s claims that trenchless techniques can be used in the first instance. During the Nemo Link project, similar trenchless methods were proposed but ultimately abandoned, resulting in severe and long-lasting damage to the saltmarsh, damage that remains unrecovered to this day. This long-term damage caused by Nemo Link provides essential context for evaluating Sea Link’s biodiversity impacts. Despite assurances that effects on the Thanet Coast and Sandwich Bay SPA/Ramsar/SAC would be “short-term” and “not significant,” opencut trenching resulted in permanent alteration of the saltmarsh and the loss of the brackish lagoon, impacts that remain evident eight	complex HDD or full-sized tunnelling being the only potential options. Additionally, a 2.5 km cable pull in through a duct is expected to be at the limit of the allowable cable pulling tension. When all of these issues are considered together, a 2.5 km landfall is not a practical solution. Additionally, a 2.5 km cable pull in through a duct is expected to be at the limit of the allowable cable pulling tension.

⁴⁷ See, for example, People Over Wind (C-323/17), paras. 30 and 34

Reference	Matter	Points Raised	Applicant’s Comments
		years later. This precedent demonstrates that earlier assessments substantially underestimated ecological harm and that key mitigation commitments were not fulfilled. Additionally, despite the Applicant asserting during meetings with KWT that the affected mudflats from Nemo Link have since recovered, no evidence has been provided to substantiate this claim, despite repeated requests. The lack of supporting data undermines confidence in the Applicant’s assertions regarding the resilience of these habitats. Furthermore, the Applicant’s failure to secure an alternative route should trenchless methods prove unviable represents a critical weakness in environmental risk management. Any likelihood, however small, of open-cut trenching through the saltmarsh is incompatible with the precautionary principle under Regulation 63 of the Habitats Regulations, which prohibits development consent unless it can be ascertained that there will be no adverse effect on site integrity. This approach also conflicts with NPS EN-1, which requires that applicants clearly set out effects on internationally and nationally designated sites (paragraph 5.4.17) and demonstrate how opportunities to conserve and enhance biodiversity have been taken (paragraph 5.4.19). Relying on trenchless drilling without a secured fallback that avoids designated habitats fails to meet this standard. In light of the UK’s legally binding target to halt biodiversity loss by 2030 under the Environmental Targets (Biodiversity) (England) Regulations 2023, projects such as Sea Link must not only avoid ecological harm but deliver measurable net gains. Should the landfall remain at Pegwell Bay, KWT therefore urges the Examining Authority to require a binding commitment to alternative routing and/or an alternative landfall option should HDD fail, learning from the ecological failure of the Nemo Link scheme. Given this history, KWT has serious concerns regarding the reliability of the Applicant’s current ecological impact predictions for Sea Link. The failures observed during Nemo Link illustrate that without robust precaution, complete and precise evidence, and enforceable mitigation, irreversible biodiversity losses can and do occur. This reinforces the need for the Examining Authority to scrutinise the Applicant’s assessment and proposed safeguards rigorously to ensure that the mistakes of Nemo Link are not repeated.	
		<u>Habitat Loss at Minster Marshes:</u> Although the Applicant categorises most habitat losses as “temporary”, the ES concedes that recovery may take several years, in addition to the construction time, depending on restoration success. For instance, construction works at Minster Marshes will result in: • Loss of 140m of hedgerow, vital for ecological connectivity; • Removal of 300m of ditch habitat, key for aquatic and riparian species; • Clearance of dense scrub and broadleaved woodland belts; and	The Applicant notes that the floodplain grazing marsh subject to land take is in Ash Level, not Minster Marshes. Floodplain grazing marsh (FPGM) does not have specific botanical criteria. The fields in question are both FPGM and a mixture of neutral and improved grassland. These categorisations are not incompatible since FPGM is not a Phase 1 Habitat. The presence of the FPGM is clearly acknowledged in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. It is also noted that the same areas of FPGM were affected during the construction of the

Reference	Matter	Points Raised	Applicant’s Comments
		Loss of approximately 15ha of Priority Habitat floodplain grazing marsh (Section 41, Natural Environment and Rural Communities Act 2006, or 'NERC Act 2006'). Floodplain grazing marsh is a nationally scarce habitat supporting diverse invertebrate, amphibian, and bird assemblages. Its misclassification within the ES as a mix of neutral and improved grassland significantly underrepresents its ecological value within the Stour Valley biodiversity network. The ES stating that recovery of these habitats will take several years in addition of the construction time, conditional on restoration success, raises serious questions about the Applicant’s claim that these impacts are “temporary.” Previous development decisions have found that cases where the recovery of habitats is uncertain and recovery timescales extend beyond 10 years may not be acceptable.⁴⁸ KWT believes that the Sea Link project is one such case, where the recovery of the damaged habitats is by no means guaranteed by the Applicant, and could foreseeably fall into the 10+ years' time period which has previously been found to be unacceptable. The loss of hedgerow and woodland edge further exacerbates habitat fragmentation across an already constrained ecological corridor, contrary to the Government’s 30 by 30 commitment to protect 30% of land and sea for nature by 2030. The cumulative footprint of the converter station, 40m-wide HVDC working corridor, 27 temporary culverts and 16 outfalls will further sever riparian and terrestrial linkages critical for mammals, amphibians, reptiles and the critically endangered European eel	Richborough to Canterbury overhead line (completed in 2021) and have been restored in a relatively short time-period. A response to on habitat fragmentation including for water voles can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].
		<u>Habitat Loss at Ash Level and South Richborough Pasture Local Wildlife Site:</u> KWT also wishes to highlight the permanent and cumulative habitat losses within Ash Level and South Richborough Pasture Local Wildlife Site (“LWS”). The Applicant estimates a temporary loss of around 30ha (approximately 4% of the LWS), affecting valuable Priority Habitat floodplain grazing marsh and ditch systems that are difficult to restore to ecological equivalence. When considered alongside the proposed 84ha Goshall Valley Solar Farm, which would permanently remove 8.3% of the same LWS, the cumulative loss would reach over 11% (114ha) of this ecologically important site. Such reduction and fragmentation cannot be justified through “temporary” disturbance or limited habitat enhancements and represents a clear breach of the Mitigation Hierarchy and duties under the Environment Act 2021 to conserve and enhance biodiversity. For example: Failure to follow the Mitigation Hierarchy: The scale of habitat loss and fragmentation cannot be justified under the Mitigation Hierarchy. The Applicant has not demonstrated that reasonable avoidance options were considered or exhausted, nor have they provided evidence that the affected habitats, particularly the species-rich ditch systems and grazing marsh, can be restored to ecological equivalence within the timescales assumed. Reliance on “temporary disturbance” or minor habitat enhancements does not meet the standard required under NPS EN-1, EN-5 or good ecological practice, all of which place avoidance at the forefront of decision making for sensitive and irreplaceable habitats.	Floodplain grazing marsh (FPGM) does not have specific botanical criteria. The fields in question are both FPGM and a mixture of neutral and improved grassland. These categorisations are not incompatible since FPGM is not a Phase 1 Habitat. The presence of the FPGM is clearly acknowledged in the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. It is also noted that the same areas of FPGM were affected during the construction of the Richborough to Canterbury overhead line (completed in 2021) and have been restored in a relatively short time-period. Note that Dover District Council has confirmed to the Applicant that Ash Level is primarily designated for its ditch invertebrates and plants, rather than for its floodplain grazing marsh.

⁴⁸ See, for example, the Secretary of State's decision regarding the Gilwerne to Hafodyrynys gas pipeline (2002)

Reference	Matter	Points Raised	Applicant’s Comments
		Duties under the Environment Act 2021: The scale of loss sits uncomfortably with the duties arising under the Environment Act 2021. Section 1 places legally binding obligations on the Secretary of State to meet national environmental targets, including those relating to biodiversity abundance and habitat extent. These duties apply across all functions of the Secretary of State, including when determining DCOs. Permitting large-scale, cumulative erosion of a designated LWS, without clear avoidance, secured mitigation, or meaningful ecological justification, would undermine the statutory duty to “conserve and enhance biodiversity” under Section 98 and runs contrary to the intent of the Act’s environmental target framework.	
		<u>Other Habitat / Species Loss:</u> The loss of habitat will also directly affect breeding and wintering bird populations. The Applicant has incorrectly scoped out hedgerow impacts as “temporary,” despite confirming that construction of the Minster converter station and substation will result in permanent hedgerow loss. These structures provide essential nesting, foraging and commuting habitat for a range of bird species including turtle dove and yellowhammer. The ES also acknowledges significant impacts on Cetti’s warbler (Schedule 1, Wildlife and Countryside Act 1981) and red- and amber-listed farmland birds such as skylark, yellow wagtail, and reed bunting. While labelled “temporary”, the recovery of lost hedgerows and woodland is estimated to take 5–10 years, effectively representing a medium-term loss of breeding territories. Species such as skylark and yellow wagtail are territory-faithful; repeated (and/or prolonged) disturbance and habitat fragmentation can lead to sustained population decline. The ES itself concludes that residual effects on inland nesting birds will be “moderate adverse” and “significant” in the short to medium term, an assessment KWT agrees with. Although the Applicant proposes 10ha of habitat enhancement for farmland birds, there is insufficient evidence that this will provide functional ecological equivalence to the complex mosaic of arable, grassland and wetland habitats being lost. Moreover, woodland and scrub creation cannot compensate for the loss of open-field nesting habitat, as these environments are ecologically non-interchangeable. Such substitution would likely result in a net loss of breeding opportunities for farmland species, contrary to NPS EN-1 Section 5.4, the EIA Regulations 2017 and the Environment Act 2021. Finally, the Applicant’s portrayal of “moderate beneficial” long-term effects is unsubstantiated. Without enforceable restoration and management plans, including quantified success criteria and monitoring commitments, there is no assurance that lost habitats will recover to their former ecological value. KWT therefore urges the Examining Authority to: - Scrutinise the feasibility and enforceability of trenchless methods; - Require legally binding fallback options that avoid designated habitats;	It is incorrect to state loss of hedgerow has been scoped out in all instances as temporary. Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] specifically discusses the permanent loss of hedgerow. Loss of hedgerow is not scoped out of the ES. No wetlands and very little grassland are being lost, and extensive wetland and grassland habitat creation is proposed as well as woodland habitat creation. Woodland and scrub are not intended to compensate for the loss of open-field nesting habitat, that is the purpose of the 10 ha of habitat enhancement for farmland birds. The enhancement of the 10 ha of off-site arable land will include skylark plots in winter cereals. Management practices for the 10 ha arable mitigation land as set out in paragraph 6.10 of Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] include sowing spring crops by preference (particularly spring cereals), retaining stubble until the end of November when spring cereals are sown, and controls on pesticide and fertiliser use. These would all be secured for 40 to 80 years on a plot of land that is not currently managed this way and would benefit a wide range of farmland breeding birds.

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		- Require the Applicant to strengthen habitat restoration and monitoring commitments with measurable targets; and - Require the Applicant to fully account for cumulative and long-term habitat loss within LWS and ecologically sensitive areas. Without these measures, the proposal risks causing the permanent degradation of designated habitats, contravening the Habitats Regulations 2017, NPS EN-1 and EN-5, and the Environment Act 2021, and undermining national efforts to halt biodiversity decline.	
		<u>Pollution</u> KWT remains seriously concerned about the pollution risks associated with the 27 temporary and 11 permanent culverts proposed within the Kent Onshore Scheme. The Applicant acknowledges that <i>“high rainfall events could cause a large number of pollutants from runoff to enter the watercourse system which may affect macroinvertebrate communities downstream.”</i> However, it concludes that pollutants will be diluted or filtered through attenuation ponds, resulting in a “negligible” and “not significant” impact. KWT strongly disagrees. This conclusion is scientifically unsound and fails to consider the well documented first flush effect, where initial stormwater runoff carries disproportionately high concentrations of contaminants, including hydrocarbons, heavy metals, nutrients, and suspended solids, that can cause acute toxicity to aquatic invertebrates and fish before dilution occurs. The assumption that rainfall equates to safe dilution contradicts Environment Agency guidance and established hydrological science. These risks are amplified by the hydrological setting of the converter and substation sites within Minster Marshes; low-lying floodplain wetlands that act as natural water retention and filtration systems. In such environments, pollutants are not rapidly flushed away but can persist, accumulate, or disperse widely, posing ongoing threats to wetland ecology and the water quality objectives of the Water Framework Directive (2000/60/EC) and its UK transposition (Water Environment (Water Framework Directive) (England and Wales) Regulations 2017). Furthermore, given the ecological link between these wetland habitats and the Thanet Coast and Sandwich Bay SPA/Ramsar, contamination of functionally linked hydrology would risk contravening the Habitats Regulations as well. The Applicant’s claim of “negligible” effects fails to satisfy the precautionary requirements of Regulation 63 of the Habitats Regulations as reaffirmed in Waddenzee (C-127/02), Sweetman (C- 21 258/11), and People Over Wind (C-323/17), including that conclusions of no adverse effect must be based on “complete, precise and definitive findings” as per Commission v Italian Republic (C-304/05), Commission v Kingdom of Spain (C-404/09), and following case law. Unsupported qualitative statements do not meet this test. Similarly, NPS EN-1 (Section 5.16) requires applicants to demonstrate that projects will not cause	With regard to the pollution potential of runoff from the Proposed Project during both its construction and operation, a suite of Sustainable Drainage measures would be in place to capture the first flush, as well as all flows generated during rainstorms up to and including the 1 in 100 (1% annual chance) event. The SuDS will attenuate flows and provide for treatment, for example, settling suspended sediments and associated contaminants, prior to runoff being released into the surrounding water environment.

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		deterioration in water body status or impede achieving good ecological potential. Reliance on assumed dilution, rather than demonstrated treatment or containment, fails to comply with these obligations and undermines the Mitigation Hierarchy. By presuming that impacts will be neutralised through natural process rather than designing the scheme to avoid pollution risks at source, the Applicant bypasses the upper tiers of the Mitigation Hierarchy – avoidance and minimisation – and instead relies prematurely on lower-order, unproven mitigation, which is contrary to policy and best practice. Moreover, following R (Morge) v Hampshire CC [2011] UKSC 2, competent authorities must be satisfied through material evidence, not assertion, that a proposal will not adversely affect site integrity.⁴⁹ No such evidence is presented here: there is no pollutant quantification, hydraulic modelling, or empirical monitoring data to substantiate the Applicant’s conclusions. Discharging runoff into the sensitive hydrological system of Minster Marshes without demonstrable pollution control therefore represents a significant risk of ecological degradation and non-compliance with the Habitats Regulations, Water Framework Directive, and NPS EN-1. The HRA and ES must be revisited to include: • Quantitative pollutant loading and dispersion modelling; • Hydrological risk assessment for floodplain interactions; and • Robust, enforceable mitigation and monitoring to ensure no adverse effect on watercourses or dependent habitats. Without this evidence, the assumption of “negligible” impact cannot be sustained, and the project cannot be lawfully consented under the precautionary requirements of the Habitats Regulations.	
		<u>Noise & Vibrations</u> Within the ES Chapter 9 Noise and Vibration (AS-111⁵⁰), the Applicant concludes that “no significant effects are anticipated” from construction or operational noise and vibration. However, this conclusion is not supported by sufficient evidence, nor does it meet the evidential or procedural standards required under the EIA Regulations 2017 and relevant case law. Baseline data collection has been limited in both temporal and spatial coverage, with monitoring undertaken over a short period in 2023 at a narrow selection of receptors. No year-round or seasonally varied data are provided to reflect changing background conditions or the sensitivity of wildlife and human receptors across different times of year. This is a critical deficiency given the proximity of the works to designated habitats and communities. The ES relies on modelling rather than measured verification, assuming worst-case attenuation and mitigation that are neither demonstrated nor enforceable. The ES also fails to evaluate the cumulative noise and vibration impacts arising from overlapping construction phases, plant operation, and heavy goods vehicle (HGV) movements,	It is incorrect to say noise and vibration is largely treated as a human health issue. There is extensive quantified assessment of noise impacts, based on noise modelling. Construction noise throughout the Order Limits is represented in Figures appended to Application Document 6.6 (C) Habitats Regulations Assessment [REP1-071] and Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. This includes areas of overlap with areas of mitigation planting although most of this planting will occur post-construction in those locations. There is no modelling for the ‘mitigation site’ for golden plover because no construction is proposed. Since maximum noise levels (L_{Amax}) will always be higher for a given activity than the L_{Aeq} (average) basing the assessment on L_{Amax} levels represents a precautionary assessment. Noise and vibration are intimately linked, and an assessment of noise has been undertaken and mapped in Application Document 6.2.3.9 Part 3 Kent Chapter 9 Noise and Vibration [AS-111]. For birds and other sensitive receptors atmospheric noise poses potential for greater impact than vibration alone, unless piling or similar

⁴⁹ R (Morge) v Hampshire CC [2011] UKSC 2, para. 84

⁵⁰ EN020026-000779-6.2.3.9 (B) Part 3 Kent Chapter 9 Noise and Vibration.pdf

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		particularly along the A256 corridor. Site-specific modelling must be undertaken in accordance with BS 4142 (industrial noise) and BS 5228 (construction noise and vibration) standards, explicitly assessing how predicted noise (including traffic) and vibration levels will affect the proposed golden plover mitigation site. The Noise and Vibration chapter (AS-111) confirms that the A256, which runs immediately adjacent to the proposed mitigation site, experiences moderate to high ambient noise levels and that “the main source of noise include road traffic from the A256 [...] there are also potential industrial sources of noise, particularly in the vicinity of the A256.” Despite this, the assessment fails to evaluate how these baseline conditions, or additional construction and operational noise and vibration, will influence the behaviour and habitat use of golden plover and other sensitive bird species such as lapwing, particularly in relation to the proposed mitigation site. Continuous exposure to such disturbance is likely to render the mitigation site unsuitable for foraging and roosting, directly undermining its function as proposed mitigation for the loss of FLL to the Thanet Coast and Sandwich Bay SPA. The ES treats noise primarily as a human amenity issue, overlooking its ecological implications. This approach is inconsistent with NPS EN-1, paragraph 5.12.4 which requires that noise effects of the proposed development on ecological receptors should be assessed. Studies have consistently shown that chronic noise can cause avoidance behaviour, disrupt flock cohesion and increase energy expenditure in wading birds and waterfowl.⁵¹ Such effects are especially pronounced in open habitats where visual and acoustic cues are critical to predator detection and communication. Additionally, the ES provides no quantification of construction noise levels in proximity to the proposed mitigation site or other FLL used by the SPA species, nor does it assess vibration effects from pylon installation or trenching works near wetland areas. This omission is conflicting with BS 5228- 2:2009+A1:2014 guidance (guidance on controlling vibration from construction) and best practice for assessing ecological receptors in areas subject to sustained or impulsive noise. The Applicant also relies heavily on assumptions of temporary disturbance, suggesting that any displacement will be reversible once construction ceases. However, ecological literature⁵² highlights that repeated or prolonged disturbance, even temporary, can lead to long-term site abandonment and reduced habitat functionality. Under the Noise Policy Statement for England (NPSE, 2010)⁵³ and NPS EN-1 (Section 5.12), applicants must demonstrate that noise impacts have been reduced and minimised as far as reasonably practicable and that residual effects are acceptable. The Applicant's reliance on generic embedded mitigation and the assumption that noise thresholds will not be exceeded fails to demonstrate compliance with these policy tests. In line with Waddenzee (C-127/02) and People Over Wind (C323/17), where uncertainty remains, a conclusion of no adverse effect cannot lawfully be reached without further investigation. Similarly, R (Morge) v Hampshire Country Council [2011] UKSC 2 confirmed that competent authorities must	is being undertaken within waterbodies, which is not proposed as part of the Proposed Project. With regards to baseline noise level collection, the measurement locations and durations are sufficient to provide a robust assessment and were agreed with the local planning authority. Additional surveys would not alter the outcome of the assessment, and the surveys undertaken are therefore proportionate to the assessment requirements. Construction noise and vibration levels have been calculated and assessed in accordance with BS 5228. Operational noise has been assessed in accordance with BS 4142. The assessment methodologies used were agreed in advance with the local planning authority. A construction traffic noise assessment is provided in Application Document 6.3.3.9.C Kent Construction Traffic Noise Assessment [APP-190]. The assessment indicates a negligible (≤ 0.1 dB) increase in noise on the A256 due to construction traffic. With regard to policy tests set out in the Noise Policy Statement for England (NPSE) and NPS EN-1, the NPSE seeks to “<i>promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development</i>”. These are reflected in paragraph 5.12.17 of NPS EN-1, which requires applicants to demonstrate that their proposals meet the following aims: • Avoid significant adverse impacts on health and quality of life from noise • Mitigate and minimise other adverse impacts on health and quality of life from noise • Where possible contribute to improvements to health and quality of life through the effective management and control of noise. An assessment of noise and vibration is set out in Application Document 6.2.3.9 Part 3 Kent Chapter 9 Noise and Vibration [AS-111]; this considers any noise effects and discusses mitigation measures to control noise. The noise and vibration assessment indicates that potential significant adverse effects at a small number of properties during the construction phase can be avoided through the use of standard mitigation measures in the form of Best Practicable Means (BPM). The Applicant has also committed to further detailed construction noise and vibration assessments (to be undertaken by the contractor) prior to commencing works (commitment NV03 in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]). These detailed assessments would determine whether there are likely to be any

⁵¹ Reijnen & Foppen, 2006; McClure et al., 2013

⁵² NatureScot Research Report 1283 - Disturbance Distances Review: An updated literature review of disturbance distances of selected bird species | NatureScot

⁵³ Noise Policy Statement for England

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		be satisfied on the basis of material evidence, not assumption, that disturbance will not adversely affect site integrity. Given these precedents, the Applicant’s Noise and Vibration assessment cannot reasonably be relied upon. It lacks the transparent methodology and complete, precise data necessary to remove all reasonable scientific doubt. KWT therefore requests that: • The Examining Authority require a revised, seasonally representative baseline noise assessment, including data on both human and ecological receptors; • Site-specific modelling be undertaken in accordance with BS 4142 (industrial noise) and BS 5228 (construction noise and vibration) standards, explicitly assessing how predicted noise (including traffic) and vibration levels will affect the proposed golden plover mitigation site; • Cumulative and in-combination effects be reassessed, particularly in the context of other ongoing or proposed infrastructure works in East Kent; • Binding noise limits and monitoring protocols be secured through a requirement in the DCO, with enforceable mitigation triggers and remedial actions where thresholds are exceeded.	new or different significant adverse effects at noise and vibration sensitive receptors and therefore, whether additional specific mitigation measures may be required. The impact of noise on health and wellbeing is considered in Application Document 6.2.3.11 Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. Based on the conclusions of Application Document 6.2.3.9 Part 3 Kent Chapter 9 Noise and Vibration [AS-111], it is assessed that the likely effect on health and wellbeing arising from noise and vibration impacts during the construction phase are not significant. Within Application Document 6.2.3.9 Part 3 Kent Chapter 9 Noise and Vibration [AS-111], the assessment concludes there will not be any significant effects from operational noise. Noise and vibration effects from routine operational maintenance are not expected to generate high levels of noise or vibration and would generally be relatively short-term activities. Noise and vibration effects from more substantial maintenance activities would be expected to be similar to those during the construction phase. In these circumstances the contractor would undertake detailed noise and vibration assessments and determine best practicable means to reduce the effects of noise and vibration at nearby NSR. Noise and vibration from all maintenance activities would therefore be negligible to minor adverse for all NSR. Overall, the likely effect on health and wellbeing arising from noise and vibration impacts during the operational and maintenance phase is assessed to be minor adverse (not significant). On this basis, it is concluded that the adverse impacts from noise on health and quality of life have been minimised, in line with paragraph 5.12.17 of NPS EN-1.
6	Protected species	KWT is concerned that the Applicant has based their assessment of protected species impacts on only one season of ecological survey data. For a project of this scale and complexity, particularly one affecting a range of legally protected and sensitive habitats, a single survey season of data is insufficient to provide a robust understanding of species presence, distribution and population dynamics. Whilst the EIA Regulations 2017 and NPS do not specify a required number of survey years, both emphasise that environmental assessments must be based on appropriate baseline data and “include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment.”⁵⁴ In addition, Natural England’s standing advice for protected species (e.g. bats, great crested newts, reptiles) regularly states that more than one survey season may be necessary to adequately understand how a species is using a site, especially where populations are mobile, cryptic, or subject to annual variation. This is reinforced in guidance such as CIEEM’s Guidelines for Ecological Impact Assessment (EcIA)⁵⁵, which stresses that ecological surveys must be sufficient in scope, timing, and duration to capture natural variation. In KWT’s view, reliance on a single season of surveys fails to meet this standard and risks underestimating the scale and nature of impacts on protected species.	A response on the number of years or surveys undertaken can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].

⁵⁴ EIA Regulations 2017, reg. 14(3)(b).

⁵⁵ EcIA-Guidelines-v1.3-Sept-2024.pdf

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		<u>Breeding and Wintering Birds</u> Breeding bird surveys undertaken in 2023 and 2024 demonstrate the exceptional ornithological value of the proposed development area. A total of 95 species were recorded in 2023, increasing to 109 in 2024, including up to 73 red or amber-listed species of conservation concern. Evidence of breeding was confirmed, probable or possible for 84 species, including several listed under Schedule 1 of the WCA 1981, notably barn owl, little ringed plover, and garganey, as well as confirmed breeding of Cetti’s warbler within the Order Limits. Annex I species such as marsh harrier, sandwich tern, and peregrine falcon were also recorded foraging through the Order Limits, underscoring its value for protected and migratory species. The number of Section 41 (NERC Act) Priority Species increased from 12 in 2023 to 18 in 2024. Intertidal and riparian areas, particularly along the River Stour, supported regionally important assemblages, including spotted redshank, representing approximately 1% of the national population in 2023. Inland areas, particularly those adjacent to the River Stour and within Parcel 244 (location of the proposed converter and substation), are of District to County importance, supporting key populations of marsh harrier, skylark and waders following seasonal inundation. Given this evidence, the Applicant’s assertion that displaced breeding birds can simply relocate to “abundant” habitat elsewhere is ecologically unsound and legally indefensible. Many of the affected areas lie within or adjacent to the Sandwich Bay to Hacklinge Marshes SSSI, designated partly for supporting nationally rare breeding bird species. Displacement during the breeding seasons risks nest failure, territory loss and disruption to site fidelity, contrary to the WCA 1981 which imposes a statutory duty to avoid harm to the notified features of a SSSI. Such disturbance also conflicts with paragraph 193 of the NPPF (2024) and paragraphs 5.4.42 - 5.4.43 of NPS EN-1, both of which require significant harm to biodiversity to be avoided, and if unavoidable, mitigated or compensated through ecologically equivalent measures. The Environment Act 2021 further establishes a legal duty to conserve and enhance biodiversity, reinforcing that disturbance within or adjacent to designated sites without effective mitigation is unacceptable. Wintering bird surveys confirm the area’s national importance for non-breeding waterbirds. The foreshore, intertidal zone, and River Stour estuary consistently support large aggregations of species including dunlin, grey plover, oystercatcher, and sanderling, with peak counts for some species exceeding the 1% national population threshold. Inland nocturnal surveys revealed widespread foraging by curlew, teal, redshank, and golden plover, demonstrating the area’s critical role as FLL to the Thanet Coast and Sandwich Bay SPA/Ramsar. Case law including RSPB v The Secretary of State for Communities and Local Government, Secretary of State for Transport v London Ashford Airport Limited, Shepway District Council [2014] EWHC 1523 (Admin) makes clear that off-site supporting habitats essential to SPA functionality must be treated as integral to the site’s conservation objectives.⁵⁶ To ignore the adverse effects of the Sea Link proposal on breeding and wintering birds is to fail to comply with the integrity test requirements under the Habitats Regulations and the relevant aforementioned case law.	A response on bird surveys and displacement of birds can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].

⁵⁶ RSPB v The Secretary of State for Communities and Local Government, Secretary of State for Transport v London Ashford Airport Limited, Shepway District Council [2014] EWHC 1523 (Admin), para. 92

Reference	Matter	Points Raised	Applicant’s Comments
		<u>Golden Plover</u> Land parcel 244, the proposed site for the converter and substation, forms part of the functional ecological network supporting golden plover, a qualifying feature of the Thanet Coast and Sandwich Bay SPA. The Applicant’s ES recorded a peak of 370 individuals using the flooded fields in December 2022, with continued though lower use in 2023–24. However, earlier surveys reported in the PEIR recorded up to 700 individuals, figures notably omitted from the DCO submission without explanation. This omission raises serious concern that the extent and significance of inland foraging habitats have been understated. Additionally, no baseline ecological surveys of the proposed golden plover mitigation site have been provided. The Applicant has therefore failed to establish whether this land is currently used by golden plover or other SPA species. If it is already functioning as FLL, its reclassification as “mitigation” does not constitute new or compensatory habitat but merely the retention of existing land. This approach is inconsistent with Briels (C-521/12), in which the CJEU held that measures intended to compensate for, rather than avoid or reduce, impacts cannot be treated as mitigation under Article 6(3) of the Habitats Directive.⁵⁷ The Applicant’s approach therefore conflates avoidance, mitigation and compensation, undermining the integrity of the HRA and providing insufficient protection for this SPA species. Golden plover depend on expansive, open, and low-disturbance landscapes such as wet grassland, stubble fields and grazed pasture that provide visibility for predator detection and cohesive flock behaviour. They are highly sensitive to noise, lighting and visual disturbance and require large, uninterrupted areas for foraging and roosting. The proposed mitigation site lies immediately adjacent to the busy A256, subjecting it to continual traffic noise, lighting, and visual disturbance. The Applicant’s Noise and Vibration report (AS-111) concludes that “the main sources of noise include road traffic from the A256 [...] there are also potential industrial sources of noise, particularly in the vicinity of the A256.” Defra noise mapping referenced within the report also states that “ambient noise levels are moderate to high in the vicinity of the A256”. The report implicitly acknowledges that the proposed mitigation site is subject to continual and significant disturbance from traffic and industrial activity, conditions fundamentally incompatible with the ecological requirements of golden plover. In effect, the Applicant’s evidence demonstrates that the proposed mitigation site is inherently unsuitable for supporting this SPA qualifying feature. Furthermore, future developments, including the RBL2 Solar Farm (a 62ha solar installation proposed directly north of the mitigation site), Goshall Valley Solar Farm (a 84 ha solar installation proposed approximately 400m south-west) and planning application 25/00459 (a mixed-use scheme for 356 dwellings and associated infrastructure located approximately 280m to the south-east), will effectively enclose the site on all sides. The cumulative effects of these developments will fragment the landscape, increase disturbance levels, and eliminate the open, lowdisturbance conditions essential for golden plover foraging and roosting, rendering the site ecologically unsuitable for the species. As a result, the site cannot credibly be considered effective	A response on golden plover mitigation can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. Application Document 9.28 Winter Bird Use of Golden Plover Enhancement Area will be submitted at Deadline 2. It confirms golden plovers are present in the area but are not using the enhancement area as currently farmed.

⁵⁷ Judgment of the Court of 15 May 2014 in Briels and Others (C-521/12), EU:C:2014:330, para. 29

Reference	Matter	Points Raised	Applicant’s Comments
		mitigation or compensation for the loss of FLL supporting the Thanet Coast and Sandwich Bay SPA. Without robust baseline evidence or clear, enforceable mitigation measures (as required by the Planning Inspectorate’s HRA Advice Note 2025)⁵⁸, there is no scientific certainty that the proposal would maintain functional habitat connectivity or support the SPA’s qualifying populations. The likely outcome is displacement, elevated energy expenditure, and a loss of ecological linkage between inland foraging grounds and coastal roosting areas, effects that would compromise the integrity of the Thanet Coast and Sandwich Bay SPA and fail to meet the precautionary requirements of the Habitats Regulations.	
		<u>Marine Mammals</u> The proposed development poses significant unassessed risks to marine mammals, particularly in and around Sandwich and Pegwell Bay, home to Kent’s largest seal population and within proximity to the Southern North Sea SAC, designated for harbour porpoise. Marine mammals are afforded strict protection under multiple laws, including the Marine and Coastal Access Act 2009, the Habitats Regulations 2017, WCA 1981, and the Conservation of Seals Act 1970. All cetaceans are European Protected Species (EPS) under the Habitats Regulations, while grey and harbour seals are Annex II species, requiring the conservation of habitats essential to their survival and reproduction. In addition, Section 41 of the NERC Act 2006 and the Environment Act 2021 impose duties to conserve and enhance biodiversity, with marine mammals listed as species of principal importance. Despite these clear legal obligations, the Applicant’s ES is based almost entirely on desk-based information, with only three seal count surveys undertaken, all outside the optimal survey period. This approach fails to provide an accurate or scientifically robust baseline of seal abundance or distribution. The lack of surveys during key life stages, including breeding, pupping, and moulting periods, means the Applicant cannot reliably assess potential disturbance, displacement, or habitat loss impacts. This falls short of the evidential standard required under the Habitats Regulations and EIA Regulations 2017, which demand complete, precise, and definitive evidence to rule out adverse effects on the integrity of European sites. It also contravenes NPS EN-3 paragraphs 2.8.104 and 2.8.131, which require early consultation with relevant statutory and non-governmental bodies, and comprehensive assessment of: • likely feeding areas and impacts on prey species and prey habitat; • known birthing areas/haul out sites for breeding and pupping; • migration routes; • protected sites; • baseline noise levels;	A response to this comment can be found in Table 2.8 of Application Document 9.34.1 Applicant’s Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].

⁵⁸ Nationally Significant Infrastructure Projects - Advice Note Fifteen: drafting Development Consent Orders -GOV.UK

Reference	Matter	Points Raised	Applicant's Comments
		• predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; • operational noise; • duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects; • collision risk; • entanglement risk; and • barrier risk. KWT has consistently urged the Applicant to undertake dedicated marine mammal surveys and assess impacts on seal haul-out areas, prey availability, and acoustic disturbance. These requests have not been adequately addressed. Consequently, the Applicant's assessment does not meet the requirements of NPS EN-1, EN-3, or the precautionary principle under the Habitats Regulations, which prohibits consent unless it can be demonstrated beyond reasonable scientific doubt that the integrity of protected sites will not be adversely affected, alone or in combination with other plans or projects. KWT strongly recommends that comprehensive marine mammal baseline surveys be undertaken, including acoustic monitoring, a full annual survey cycle covering the moult period, and mapping of haul-out and breeding sites, alongside the development of a Marine Mammal Mitigation Protocol (MMMP) in consultation with Natural England and relevant NGOs. Without these measures, the ES cannot be considered robust or compliant with national policy and legislative requirements	
		<u>Riparian Mammals</u> KWT strongly disputes the Applicant's conclusion that the Kent Onshore Scheme will only result in a "minor adverse short-term impact" to riparian mammals, with a purported "moderate beneficial" effect in the long term. This assessment significantly underplays the scale and ecological significance of the likely impacts, particularly for protected species such as water voles, otters, and beavers and does not demonstrate compliance with the precautionary approach required under UK law and policy. Water voles are a Species of Principal Importance under Section 41 of the NERC Act 2006 and are fully protected under Schedule 5 of the WCA 1981. It is an offence to intentionally disturb, injure, kill, or destroy the resting place of a water vole. The proposed construction would result in the temporary loss of approximately 300m of ditch habitat, including 230m within areas where water vole activity has been recorded. These ditches provide essential habitat and movement corridors, and even short-term fragmentation can lead to local extinctions due to the species' territoriality, habitat specificity, and vulnerability to displacement. The Applicant's reliance on displacement under licence, combined with open trenching and limited micro-siting, is not sufficient to meet the Mitigation Hierarchy embedded in UK planning policy and biodiversity legislation. Avoidance of impact must be the first consideration, particularly when dealing with species afforded this level of legal protection. Whilst the potential use of HDD was reportedly explored and dismissed as impractical, this	A response on habitat fragmentation, including for water voles and other riparian mammals, can be found in Table 2.8 of Application Document 9.34.1 Applicant's Detailed Responses to Revant Representations identified by the ExA [REP1-111].

Reference	Matter	Points Raised	Applicant's Comments
		decision prioritises construction convenience over statutory biodiversity duties. NPS EN-1, the Environment Act 2021, NPPF and Defra biodiversity duty guidance are clear: significant harm to biodiversity must be avoided, mitigated, or, as a last resort, compensated and only when there is no reasonable alternative. In addition to the water vole concerns, KWT has direct knowledge of breeding populations of both otters and beavers within the River Stour and surrounding ditch network. These are European Protected Species under the Habitats Regulations, with beavers also recently granted full protection in England under the WCA 1981 (as amended). Whilst the Applicant reports no signs of these species along the watercourses to be crossed, they are highly mobile species, with otters frequently traveling between 20 – 30km in search for food and the territory of a beaver being on average 3.6km of linear habitat. Both species require unimpeded access along connected waterways to forage, disperse, and maintain family groups. The proposed 27 temporary culverts, 16 outfalls, and associated loss of 300m of ditch habitat pose a direct barrier to the free movement of otters and beavers through this landscape. Culverts and fragmented ditch networks can significantly impede the movement of riparian mammals, isolate populations and reduce genetic exchange. The narrowing of working corridors at pinch points does not resolve this issue, particularly where banks are steep, and vegetation is lost, both of which are critical features for species cover and movement. Whilst the Applicant points to the creation of new wetland features such as ponds, scrapes, and attenuation basins, these cannot compensate for the functional loss of linear riparian corridors critical to water vole, otter, and beaver ecology. The assumption that replacement habitat will be of equal ecological value, and adopted quickly by displaced fauna, is unsubstantiated and over-optimistic. Habitat creation must supplement, not justify, the destruction of key existing habitats. In summary, the Kent Onshore Scheme represents a significant and inadequately mitigated threat to riparian mammals, including species of national and European conservation concern. KWT recommends that the Examining Authority: • Recognises the presence of breeding otter and beaver populations and requires that their habitat connectivity and movement are not compromised; • Rejects the assertion that ditch habitat loss and fragmentation can be classed as “minor” or “temporary” in ecological terms; • Mandates the avoidance of ditch crossings wherever protected species may be affected, and requires the Applicant to revisit the feasibility of HDD or other non-intrusive methods; • Secures robust post-construction monitoring and restoration to ensure population viability is maintained; • Requires the Applicant to ensure legal compliance with all relevant UK and European legislation protecting water voles, otters, and beavers.	

Reference	Matter	Points Raised	Applicant's Comments
		Failure to address these issues adequately would result in non-compliance with statutory duties and would undermine regional biodiversity conservation efforts in one of Kent's most ecologically sensitive wetland landscapes.	
7	Biodiversity Net Gain	It is recognised that Biodiversity Net Gain (BNG) is not yet mandatory for NSIPs, however the Applicant has committed to achieving a 10% net gain in biodiversity to align their targets set out in National Grid's RIIO-T2 Business Plan (2021 – 2026). Further, NPS EN-1 and EN-5 set out the policies for environmental net gain and BNG for NSIPs. Whilst no NSIP-specific BNG guidance exists as yet, the Environment Act 2021 provides for a statutory BNG requirement for NSIPs, which is to be introduced from May 2026.⁵⁹ The expected 10% net gain in biodiversity requirement will not apply to NSIPs retrospectively; however, it is to be noted that it may well be in force by the time any DCO is made in this matter. Existing BNG frameworks, namely that under the Town and Country Planning Act 1990 ("TCPA"), may also assist with a proactive assessment of the Applicant's BNG claims. KWT has considered them on this basis. Currently, the Applicant's BNG hierarchy diverges from that set out in TCPA legislation. For the most part, the National Grid NSIP projects are linear, routed across third party land and the infrastructure allows retention of the original habitat (often agricultural) within the Order Limits. Projects consented under the TCPA tend to be 'point-based' sites where the development often results in substantial permanent loss of habitat within the development boundary. However, Sea Link is a hybrid of both models: while the cable and overhead line route itself is linear, the Minster converter and substation constitute a large, fixed development footprint that would result in the permanent loss of approximately 13ha of FLL to the Thanet Coast and Sandwich Bay SPA, including loss of hedgerows, ditch networks and other valuable habitat. This level of irreversible habitat loss aligns far more closely with a TCPA-type 'point-based' impact and therefore should require a BNG approach that reflects those higher, permanent losses rather than one designed for predominantly linear schemes.	There is currently no legal obligation for BNG on Nationally Significant Infrastructure Projects (NSIPs). However, National Policy Statements EN-1 and EN-5 set out the policies for environmental net gain and BNG as it currently applies to NSIPs. Legal BNG obligations are expected to be introduced for NSIPs in May 2026. There is currently no NSIP specific BNG guidance available. As such existing BNG frameworks have been considered when undertaking the BNG assessment. Details of how this has been implemented is presented in Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025]. The Applicant agrees that the Proposed Project comprises both linear and "point-based" aspects. The BNG parameters line has been drawn to incorporate all temporary and permanent impacts within the order limits. As such all impacts to habitats, both temporary and permanent, have been captured within the BNG assessment. The parameters line excluded any areas which will be specifically for protected species mitigation of functionally linked land. Whilst the BNG assessment includes both the linear and the "point based" infrastructure, the design does include specific habitat creation proposals surrounding the "point based" converter station. This includes the re-instatement and enhancement of hedgerows, riparian zone enhancements on ditches and the creation of other neutral grassland and woodland habitats which will be complimentary to woodland habitat located to the south of the proposed converter station location. The proposals at the converter station contribute to approximately 44% of the total area habitat biodiversity units anticipated to be delivered on-site. The approach and methodology is considered robust and fit for purpose.
		<u>Absence of Delivery Mechanism</u> Whilst the BNG Feasibility Report ("BNGFR") (AS-055⁶⁰) outlines the potential to deliver gains both on and off-site, there is no standalone Biodiversity Management Strategy or secured mechanism to demonstrate how or where such gains will be achieved, managed, and monitored. Instead, the Applicant relies on dispersed references across other documents (e.g., the CEMP, LEMP and ES chapters), resulting in a piecemeal and unenforceable framework. This approach falls short of NPS EN1's requirement for clear, embedded biodiversity enhancements and proactive design integration. Paragraph 5.4.34 of NPS EN-1 explicitly requires that: <i>"Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified</i>	As detailed in Paragraph 5.2.8 in Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025], the Applicant will continue to explore a range of options to deliver BNG for the Proposed Project which provide the best choices and outcomes for nature and wider environmental and societal benefits, and provide value for money for consumers. These outcomes will be secured and in place prior to the Proposed Project being operated as part of the high voltage electricity transmission network. It is noted that the Kent and Medway LNRS has now been published as of December 2025, and this will be reviewed with aims of delivering the Proposed Project's BNG requirement in line with the LNRS

⁵⁹ https://consult.defra.gov.uk/biodiversity-net-gain/biodiversity-net-gain-for-nationally-significant/supporting_documents/OFFSEN%20FINAL%20Consultation%20on%20BNG%20for%20NSIPs%20%20May%202025.pdf

⁶⁰ EN020026-000697-6.12 (B) Biodiversity Net Gain Feasibility Report (Clean).pdf

Reference	Matter	Points Raised	Applicant’s Comments
		<i>through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.”</i> However, the ES provides only vague references to LNRS and carbon sequestration potential, with no evidence that these considerations have shaped the scheme’s design or mitigation hierarchy. Opportunities for nature-based solutions (NbS) and climate resilient habitat creation appear to have been secondary to engineering and cost imperatives.	There are ongoing discussions with relevant stakeholders. Details on these discussions will be presented later in the examination when publicly available.
		<u>Exclusion of Intertidal and Coastal Habitats</u> The BNG assessment explicitly excludes intertidal and coastal habitats, including the mudflats and saltmarsh at Pegwell Bay, on the basis that trenchless techniques will avoid all direct impacts. However, whilst trenchless techniques are proposed for the saltmarsh, the Applicant’s ES confirms that open-cut trenching methods will be employed across the intertidal mudflats at the Kent landfall. This represents a direct loss of high distinctiveness habitat within the Thanet Coast and Sandwich Bay SPA/Ramsar/SAC and Sandwich Bay to Hacklinge Marshes SSSI. By excluding these intertidal areas from the BNG parameter line, the Applicant has omitted habitats that will experience permanent or long-term disturbance and loss. This not only undermines the accuracy of the BNG baseline but also precludes a full accounting of biodiversity losses associated with construction. Additionally, there is no mechanism proposed to re-run or update the BNG assessment should further damage occur, for example, in the event of fluid release, sediment plume, or contamination during trenching or HDD operations. This renders the current BNG assessment incomplete, speculative, and inconsistent with statutory BNG guidance and best ecological practice.	Paragraph 2.2.4 in Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025] states that there will be no impact to intertidal habitats and have therefor been omitted from the BNG parameters line. This was carefully considered at the time of undertaking the BNG assessment. As the works proposed within these habitat types are for the most part low intervention and require little to no groundbreaking, with the exception of the section of cable burying, that the proposed works will not result in a significant temporary impact (in BNG terms) or a permanent impact. The HDD marine cable pull-in and burial is scheduled to take 6 months (see Table 4.10 in Application Document 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project [APP-045] and Application Document 9.13 Pegwell Bay Construction Method Technical Note [REP1-108]) it is therefore considered that the intertidal habitats will return to baseline habitat type and condition within 1.5 years. The Applicant will review Application Document 9.13 Pegwell Bay Construction Method Technical Note [REP1-108] to ensure that they are still confident in this approach to intertidal BNG. Further iterations of the BNG assessment are planned throughout the lifecycle of the Proposed Project, these include a detailed design metric and a “as built” metric. Whilst these further iterations of the metric are scheduled to capture the further application of the BNG mitigation hierarchy they will also be able to capture and unforeseen impacts. The Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025] will be updated to present a proposed schedule of further BNG assessments and reports to allow for more clarity on the ongoing approach and the applicants commitment to delivering BNG.
		<u>Exclusion of Temporarily Impacted Habitats</u> The Applicant’s use of a “BNG Parameter Line”, a reduced boundary excluding large parts of the DCO Order Limits, results in the omission of significant areas that will experience temporary but ecologically meaningful habitat loss. Construction compounds, laydown areas, haul roads and access routes are excluded from the assessment, despite clear potential for direct habitat loss, soil compaction, hydrological disruption, and long-term recovery delays. The BNG assessment excludes habitats subject to temporary loss of less than two-years, which is consistent with the metric’s technical guidance. However, KWT has concerns regarding the level of certainty that these habitats can, in practice, be reinstated to their baseline type and condition within this timeframe, particularly given the scale of disturbance, length of construction activities (currently anticipated four-years), hydrological sensitivities, and	All permanent and temporary impacts are captured within the BNG parameters line, including construction compounds, laydown area, haul roads and access routes. The majority of Proposed Project components that will have a temporary impact of more than two years are located within the cable construction swathe, as such these areas of temporary impact are included within the metric. A delay on the time to target condition has been included within the assessment, to allow for the construction period, with a delay in creation of three years for Kent and four years for Suffolk as this presents the longest delay in the recreation of habitats within the BNG Parameters Line. Where habitats have been input as retained, these specifically will be subject to temporary loss of less than two-years, these locations relate to utility diversions (estimated to be completed within 20 days of initial impact)

Reference	Matter	Points Raised	Applicant’s Comments
		the overall nature of the construction works. The assumption of full recovery within two-years must be supported by robust evidence. This requires a detailed Habitat Management and Monitoring Plan (HMMP) that clearly sets out phasing, reinstatement methods, soil and hydrology protection measures, success criteria, and monitoring commitments. Without such guarantees, the exclusion of these temporarily impacted habitats risks underestimating biodiversity losses and overestimating the project’s BNG performance. Overall, and notwithstanding the concerns outlined above, KWT will continue to engage constructively with the Applicant regarding the BNGFR. We would like to point out that the absence of the Excel version of the BNG metric makes it impossible for Interested Parties to independently assess the Applicant’s calculations, assumptions, or feasibility of achieving net gain. We therefore request that the Examining Authority requires the Applicant to submit all documentation listed in Planning Practice Guidance for BNG, to allow for a transparent assessment. As it currently stands, KWT considers that the BNGFR and supporting documentation: • Fail to demonstrate how the Applicant’s stated 10% net gain commitment will be delivered in practice, including a lack of a secured plan for off-site gains; • Exclude substantial areas of habitat within the Order Limits; • Omit temporarily affected land from the BNG boundary, with no certainty these habitats will be reinstated within two-years, resulting in an underestimation of losses; • Show no meaningful alignment with Local Nature Recovery Strategies, national environmental targets, or the Environmental Improvement Plan 2023; and • Do not demonstrate the application of the Biodiversity Gain Hierarchy in accordance with best practice. KWT therefore urges the Examining Authority to require the Applicant to: Provide evidence demonstrating that all temporarily impacted habitats excluded from the BNG metric will be fully reinstated within two years. Any habitats for which this cannot be guaranteed must be included within the metric; • Devise a detailed Habitat Management and Monitoring Plan (HMMP) that clearly sets out phasing, reinstatement methods, soil and hydrology protection measures, success criteria, and monitoring commitments; • Provide a standalone, secured Biodiversity Management Strategy with measurable targets, monitoring and minimum 30-year management commitments; and Establish a clear mechanism for re-calculating BNG metric should project design, routing, or impacts assumptions change.	and pylon removal (estimated to be completed within 30 days of initial impact). The habitat reinstatement in these areas will be undertaken immediately following the completion of the utility diversion/ pylon removal. The habitat reinstatement in these areas will be undertaken immediately following the completion of the utility diversion/ pylon removal. Given the short period of these construction elements, there is a high level of confidence that these habitats can be reinstated to baseline habitat type and condition within two years. Application Document 9.78 Sea Link Biodiversity Metric-Combined [REP1A-040 – REP1A-042] used to undertake the Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] have been made available. In relation to the bullet points raised by KWT: • <i>“Fail to demonstrate how the Applicant’s stated 10% net gain commitment will be delivered in practice, including a lack of a secured plan for off-site gains”;</i> The biodiversity unit requirement to achieve a 10% gain is anticipated to be delivered through: 1. partnership delivery to provide registered off-site biodiversity units with wider environmental and societal benefits; 2. National Grid’s Nature and Climate Framework suppliers to provide registered off-site biodiversity units with wider environmental and societal benefits; and 3. working with other registered off-site biodiversity unit providers. Further discussion will be undertaken with established and experienced conservation organisations which champion public access and engagement with the aims of delivering the required units in such a way to deliver a more meaningful and targeted provision of BNG (i.e. to benefit protected and notable species within local biodiversity action plans) that may work towards any targets within the incoming Local Nature Recovery Strategy (LNRS). (It is noted that the Kent and Medway LNRS has now been published as of December 2025, and this will be reviewed with aims of delivering the Proposed Project’s BNG requirement in line with the LNRS). With respect to land with National Grid’s ownership, at the converter station, the following habitat creation is proposed re-instatement and enhancement of hedgerows, riparian zone enhancements on ditches and the creation of other neutral grassland and woodland habitats which will be complimentary to woodland habitat located to the south of the proposed converter station location (as shown in Appendix C of Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025]).

Reference	Matter	Points Raised	Applicant’s Comments
			It is proposed that significant on-site enhancements and off-site BNG delivery will be secured via a suitable legal mechanism. Discussions in relation to the appropriate mechanism are currently being undertaken with the local planning authorities and other relevant conservation bodies. “Exclude substantial areas of habitat within the Order Limits;” The Order Limits include areas of land which will not be directly or indirect affected by the Proposals. Given the scale of the development, to take a proportionate approach a BNG parameters line has been set for the assessment, which includes all habitat to be permanently and temporarily affected (where reinstatement cannot be undertaken within two years of impact.) “Omit temporarily affected land from the BNG boundary, with no certainty these habitats will be reinstated within two-years, resulting in an underestimation of losses;” Where habitats have been input as retained, these specifically will be subject to temporary loss of less than two-years. These locations relate to utility diversions (estimated to be completed within 20 days of initial impact) and pylon removal (estimated to be completed within 30 days of initial impact). The habitat reinstatement in these areas will be undertaken immediately following the completion of the utility diversion/ pylon removal. “Show no meaningful alignment with Local Nature Recovery Strategies, national environmental targets, or the Environmental Improvement Plan 2023;” The details for the offsite BNG has yet to determined. Further discussion will be undertaken with established and experienced conservation organisations which champion public access and engagement with the aims of delivering the required units in such a way to deliver a more meaningful and targeted provision of BNG (i.e. to benefit protected and notable species within local biodiversity action plans) that may work towards any targets within the incoming Local Nature Recovery Strategy (LNRS). (It is noted that the Kent and Medway LNRS has now been published as of December 2025, this will be reviewed with aims of delivering the Proposed Project’s BNG requirement in line with the LNRS). “Do not demonstrate the application of the Biodiversity Gain Hierarchy in accordance with best practice.” Section 3.5 in Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025]. discusses the BNG hierarchy. This will be revisited at detailed design stage, once detailed construction approaches and design

Reference	Matter	Points Raised	Applicant’s Comments
			requirements are known, with the Environment and Design teams working together to follow best practice. The Design Stage BNG assessment will set out details on how the Biodiversity Gain Hierarchy has been applied. <i>“KWT therefore urges the Examining Authority to require the Applicant to:</i> <i>• Provide evidence demonstrating that all temporarily impacted habitats excluded from the BNG metric will be fully reinstated within two years. Any habitats for which this cannot be guaranteed must be included within the metric;”</i> <i>• As set out above where habitats have been input as retained, these specifically will be subject to temporary loss of less than two-years. These locations relate to utility diversions (estimated to be completed within 20 days of initial impact) and pylon removal (estimated to be completed within 30 days of initial impact). The habitat reinstatement in these areas will be undertaken immediately following the completion of the utility diversion/ pylon removal. Devise a detailed Habitat Management and Monitoring Plan (HMMP) that clearly sets out phasing, reinstatement methods, soil and hydrology protection measures, success criteria, and monitoring commitments;</i> <i>• Provide a standalone, secured Biodiversity Management Strategy with measurable targets, monitoring and minimum 30-year management commitments; and</i> The detailed Landscape and Environmental Management Plan is to be modified to satisfy the requirements of the HMMP template checklist (Habitat Management and Monitoring Plan Template (JP058)) and will provide details on the management and monitoring of habitats that are to be managed for the lifetime of the asset and monitored for 30 years as per BNG requirements, and details of the methodology for the reinstatement of habitats along the cable route which are being undertaken outside of national grids landholdings. <i>• Establish a clear mechanism for re-calculating BNG metric should project design, routing, or impacts assumptions change.</i> Further iterations of the BNG assessment are planned throughout the lifecycle of the Proposed Project, these include a detailed design metric and a “as built” metric. Whilst these further iterations of the metric are scheduled to capture the further application of the BNG mitigation hierarchy they will also be able to capture and unforeseen impacts. Application Document 6.12 Biodiversity Net Gain Feasibility Report [REP1A-025] will be updated to present a proposed schedule of further BNG assessments and reports to allow for more clarity on the ongoing approach and the applicants commitment to delivering BNG.
9	Conclusion	KWT fully recognises the need for strategic energy infrastructure; however, we strongly object to the Sea Link project as set out in the current application due to its unacceptable environmental risks and failure to demonstrate compliance with environmental law. As set out throughout these representations, the evidence base submitted by the Applicant contains significant gaps, unsupported assumptions, and	Please refer to sections above for detailed responses to these concluding points.

Reference	Matter	Points Raised	Applicant's Comments
		unsecured mitigation, leaving substantial scientific doubt regarding major impacts on internationally designated sites, FLL, protected species, and Priority Habitats. KWT therefore urge the Examining Authority to find that the Applicant has not discharged its obligations under the EIA Regulations, the Habitats Regulations, or the relevant NPS (EN-1, EN-3 and EN-5), and to require: 1. A reassessment of alternatives, demonstrating that all reasonable options have been objectively compared in line with the Mitigation Hierarchy and the requirements of NPS EN-1, paragraph 4.4.2; 2. A review of the feasibility and environmental implications of trenchless techniques at the Kent landfall, with transparent contingency planning in the event of HDD failure; 3. A full inter-project cumulative impact reassessment that explicitly includes all relevant, approved, and reasonably foreseeable developments within the Kent coastal landscape; 4. An intra-project cumulative assessment that properly considers all the relevant impact pathways in relation to the affected protected sites. 5. A comprehensive, multi-season programme of protected species surveys across both onshore and intertidal environments, undertaken in accordance with Natural England guidance and sufficient to establish a robust ecological baseline; 6. A full baseline ecological and hydrological assessment of the proposed golden plover mitigation site to determine its current function, suitability, and capacity to deliver effective mitigation; 7. Evidence-based, enforceable mitigation strategies supported by monitoring, adaptive management, and clear triggers for remedial action in the event of failure; and 8. A revised BNG assessment that includes all land within the DCO Order Limits, including intertidal and temporarily impacted habitats, supported by a completed BNG metric and habitat mapping; Until these deficiencies are resolved, through complete, precise and conclusive evidence, and through robust, enforceable safeguards, the Examining Authority cannot be assured that the integrity of these sites will be protected as required by the Habitats Regulations. We therefore respectfully request that the Examination scrutinises these matters with the utmost rigour and seeks the further information and commitments necessary before any consent can be considered.	

2.7 **Natural England [REP1-153 and REP1-154]**

Table 2.7 Natural England Cover Letter [REP-153]

Reference	Matter	Points Raised	Applicant's Comments
1	Natural England's Deadline 1 Submissions	An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses: - EN020026_533343_Sea Link Energy Cable – Natural England's Risk & Issues Log. - EN020026_533343_Sea Link Energy Cable - Appendix A1 Natural England's Additional Comments on the Suffolk Onshore – Assessment of impacts to nightjar and woodlark in Sandlings SPA.	These comments are noted by the Applicant and full response is provided below.
2	Relevant and Written Representation	In the interests of issue resolution Natural England combined our Relevant Representations and Written Representations which were submitted on 23 June 2025. This combined approach aims to provide the detail on all issues as early as possible to allow more time for discussion and resolution. As advised in the cover letter of our Relevant Representations, Natural England will, if required and appropriate, develop these points through further Written Representations or in response to Examiner's questions.	The Applicant's detailed response to Natural England (NE) combined Relevant Representation (RR) and Written Representation (WRs) is provided in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. Responses to NE comments on offshore ornithology (comments G1 to G16 in RR-3920) are provided in Table 2.8 below.
3	Risk & Issues Log	Natural England has submitted a Risk and Issues Log, password protected in Excel format to allow ease of use. We highlight within the Log where assessments can be improved upon, and commitments made by the Applicant to help inform the ExA and SoS in their determinations. It is anticipated that the Risk and Issues Log will be updated and submitted alongside our submissions during Examination at each deadline to reflect any progress in issue resolution during examination. Natural England wishes to highlight that the focus of our engagement during Examination will be on reviewing relevant updated documents/outline plans or thematic clarification notes submitted by the Applicant only. We will not be responding to commentary on our representations, other interested parties' representations or to comments from the Applicants or other stakeholders on the Risk and Issues Log, unless the ExA questions direct us to do so. The Risk and Issues Log will be used to track issue progress, and we will signpost to our advice where applicable. Likewise, if the Applicant wishes to provide a signposting document that directs us and the ExA to where they address our concerns in the various plans/docs/assessments, then that would be most welcomed.	The Applicant has reviewed the Risk & Issues Log in Application Document Written representations (WR) and summaries [REP1-154A] submitted by NE at Deadline 1 and understands this document is based on NE's Relevant and Written Representations document [RR-3920] dated 23 June 2025. Therefore, with the exception of our response to updated advice on comment A14 (which is dealt with later on in this table), the ExA should refer to Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] and Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120] for the Applicant's latest position on these matters. Where relevant, our response to Application Document 9.34.1 Applicant's Detailed Responses to the Relevant and Written Representation identified by the ExA [REP1A-043] signposts to other documents.
4	Principal Areas of Disagreement Summary Statement (PADSS)	Natural England will provide updates to our PADSS from Deadline 2 onwards. This will address the request by the Examining Authority in their Procedural Decision letter (dated 23 April 2025). This will be captured within our Risk and Issues Log. Thereafter, we will work on the basis that the PADSS will be updated at each subsequent Examination deadline. We hope this will be of assistance to the ExA in understanding Natural England's current outstanding issues and on demonstrating progress on issue resolution.	The Applicant will continue to engage with NE throughout the examination period with regards to the matters identified in their PADSS and Risk and Issues Log Application Document Written representations (WR) and summaries [REP1-154A].

Reference	Matter	Points Raised	Applicant's Comments
5	Issue Specific Hearings (ISHs)	As set out in Natural England's Rule 6 response letter (6 October 2025), we will only attend hearings by exception, targeting those ISHs that have the greatest likelihood of resolving significant environmental risks. In such instances our attendance will be virtual. Our non-attendance at hearings should not be construed as a lack of concern on outstanding issues, or a lack of willingness to engage. As detailed above we are committed to proactively engaging with parties on this project and to gaining the best possible outcome. Natural England would be pleased to respond to any questions from the ExA that arise from the hearings at a subsequent deadline. Natural England's advice for all hearings is that we request a detailed agenda be provided by the Planning Inspectorate at least 7 days in advance, with timing, themes, and specific aspects of those themes for discussion. Based on our experience from other NSIPs, it would be helpful to Natural England and our specialists if the ISH agendas could be focused on specific questions from the ExA	Comment noted. No response required.
6	Natural England's Updated Advice	Natural England, following discussions with the Applicant, is aware of further document submissions by the Applicant at Deadline 1, which may require Natural England to amend our advice. The submission of additional documents, including those with regard to impacts to Acid Grassland, are of particular relevance as this information is linked to and informs Natural England's representations on Protected Landscapes and Designated Sites. Natural England therefore advises that we review our position pending submission of these updated documents and will provide any further comments at the earliest reasonable deadline.	Comment noted. No response required.
7	Sandlings Special Protection Area (SPA)	We wish to highlight to the Examining Authority that our advice has been updated since submitting our relevant and written representations. This is following further review of the Habitats Regulations Assessment (HRA) which was submitted in support of the application. Our advice is that additional information is required in order to demonstrate no adverse effect on integrity for this site. Please see our detailed comments in Appendix A1 which explain the change of our advice regarding Sandlings SPA has been necessary and the further information that is required. This advice replaces comment A14 within Natural England's relevant and written representations	Response provided in Table 1.2 below.

Table 2.8 Natural England Appendix A1 to the Natural England Deadline 1 Submission [REP1-154]

Reference	Points Raised	Recommendation	Applicant's Comments
1	Overarching comment on HRA	N/A	See responses below.

Reference	Points Raised	Recommendation	Applicant's Comments
	Impacts to acid grassland, a key supporting habitat within the SPA and FLL are not clearly assessed within the HRA. This advice replaces comment A14 within Natural England's relevant and written representations.		
2	The Applicants assessment (7.2.9) states that although breeding birds have not been recorded the compound field is "very likely" to be functionally linked land. Natural England agrees with this assessment.	N/A	Comment noted. No response required.
3	Natural regeneration is proposed to restore acid grassland after disturbance within the construction phase (Paragraph 4.2.4 of the Outline Landscape and Ecological Management Plan). Natural England support this proposal but advise that it is essential to understand soil fertility and pH for successful restoration.	N/A	The maximum time soils in acid grassland would be stockpiled would be six months, in the location of the trenchless drive compound. Where only trenching is required in acid grassland (i.e. the rest of the route through acid grassland), soils will be restored as soon as trenching is complete (i.e. within weeks for each section). No new soils will be brought into site from other locations. There would therefore be no difference in pH and fertility from the baseline. While the haul route west of Leiston Road will be present throughout the duration of construction of the Proposed Project, this will not require soils to be lifted.
4	One function of the restoration and enhancement (acid grassland) area appears to focus on providing habitat for bird species particularly Woodlark and Skylark, also invertebrates. It is not clear if the aim is to create priority habitat, because if the focus is habitat for bird species, then the grassland species composition may not be as crucial as the habitat structure.	N/A	The primary aim is to restore an area of acid grassland to good condition both botanically and in terms of structure. These are linked in this sward as the degraded state is largely due to dense tussocky unmanaged habitat structure and excessive presence of undesirable species such as bracken. Once restored, the area will have consequential benefits for woodlark and skylark, similar to the acid grassland that is being affected. The Applicant has therefore noted those benefits within Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] .
5	<u>The nature, location, quantity, habitat type, timing and duration of possible impacts to acid grassland are not clearly stated with inconsistent data between documents.</u> The quantity and location of acid grassland affected differs between documents. For example: - Natural England understand from pre-examination discussions with the Applicant that 7.61ha of acid grassland will be temporarily affected. - Paragraph 7.2.5 (HRA) states that a further area (totalling approximately 8 ha) of acid grassland north of the golf course would also be temporarily removed while it is traversed by the cable trench.	Natural England advises that: - The nature, location, quantity, habitat type, timing and duration of possible impacts to acid grassland are clarified and clearly stated in one place. These details should be clarified within the oLEMP. - Clarification is needed on why the further 8ha of temporarily affected acid grassland is not included in the total amount of acid grassland temporarily affected by the project. - Clarity is required regarding why the acid grassland is not being avoided by HDD as per requirements of the mitigation hierarchy.	It is important to note that the acid grassland enhancement within the Order Limits at Hazlewood Common is not being proposed as mitigation for loss of functionally-linked land for Sandlings SPA, and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] does not rely on its provision for its conclusion of no adverse effect on integrity of Sandlings SPA. Prior to consideration of acid grassland, the Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] states: <i>"2.9.30 Breeding bird surveys for the Proposed Project in 2023 and 2024 have shown that woodlark use land outside the SPA opportunistically. In 2024 surveys, arable land on sandy soils that have been left fallow have been used for nesting by woodlarks. This shows that habitat structure (i.e. short vegetation on sandy soils) are more important than actual botanical species composition. Therefore, the trenchless field is very likely to come back into use as foraging</i>

Reference	Points Raised	Recommendation	Applicant's Comments
	- ES Chapter 2 (Document: 6.2.2.2) paragraph 2.9.50 states an area of approximately 9ha of priority habitat acid grassland north of the golf course and east of the B1122 would be temporarily removed due to the trenchless compound - Paragraph 2.9.28 (HRA) states approximately 2.5 ha of acid grassland would be temporarily lost adjacent to Sandlings SPA due to the trenchless construction compound (S10) and associated section of cable trench east of Leiston Road and in addition (2.2.29) a further 8km loss north of the golf club. In addition to the uncertainty of the nature and location of impacts, the HRA currently lacks detail on the in- combination impacts of the proposal with the approved application for the extension of Aldringham Golf Course. The extended area lies within the red line boundary of the Sea Link project. The HRA should include the plans for the golf course and implications for acid grassland reinstatement along this section of the route. There is a lack of clarity on project timescales. Paragraph 8.2.6 of HRA states that “<i>For the temporary duration of works this will be offset by leaving an area of arable land on sandy soils fallow and/or seeding it as acid grassland to be maintained for 30 years, which will have a long-term benefit.</i>” All other references appear to refer to 10 years. Natural England advise that 30 years is a much more realistic timescale to create priority habitat. The report concludes a temporary impact but does not take into consideration the possibility that acid grassland may fail to reinstate and therefore become a long-term impact. Para 7.2.5 states that the loss of foraging ground will last for a single nesting season, however contingency is required should habitats fail to reinstate during the expected timeframes. Clarification is required on the locations of acid grassland that are considered to be Functionally Linked Land. It is not clear from the evidence presented if the area of land to the north of the golf course is Functionally Linked to the Sandlings SPA. The 6 ha area is also being proposed as mitigation for loss of FLL for Sandlings SPA and to conclude no AEOI. The report states (7.2.9) that the acid grassland reinstatement area will offset impact	Clarification is needed on which acid grassland parcels are functionally linked to the Sandlings SPA.	<i>habitat in the next nesting season once works have ceased, without any lag time for acid grassland to re-establish.</i> <i>2.9.31 Given the short duration of loss (compound H10 would be removed after a single nesting season) and the fact that the amount of habitat loss is a relatively small amount of the available foraging habitat in the area, it is considered that this is a minor adverse impact on a receptor of international importance leading to an effect that is minor adverse and thus not significant”.</i> Only then are the benefits of the 6 ha of restored acid grassland (created to address the botanical effects of the temporary loss) discussed, to underline the conclusion. This is replicated in paragraph 7.2.8 of Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] where it notes that the acid grassland is ‘<i>not being specifically created for the purpose of providing foraging or nesting habitat for woodlark and nightjar associated with Sandlings SPA</i>’. The enhanced acid grassland is referenced in the assessment of impacts on Sandlings SPA because once enhanced (i.e. structure restored and opened, and invasive species removed) it is likely to be used by woodlark and possibly nightjar, at least for foraging since breeding bird surveys undertaken to inform the DCO application have established that no lengthy time is required for the habitat to become suitable for these species. We note RSPB in their Application Document Written Representations [REP1-158] agree this habitat would be of value to woodlarks. Having clarified the role of acid grassland restoration regarding the SPA, the Applicant addresses the specific questions raised by Natural England as follows: The Applicant acknowledges that the areas in Application Document 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity [APP-049] were outdated and based on the order limits (rather than works footprint) where much greater loss of acid grassland was calculated (e.g. the 8 ha mentioned). This has been addressed in the updated Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047]. The total area of semi-improved grassland affected is 7.6 ha of which 0.3 ha meets the criteria for ‘priority habitat’ acid grassland. The nature, location, quantity, habitat type, timing and duration of possible impacts to acid grassland are clarified and stated in

Reference	Points Raised	Recommendation	Applicant’s Comments
	to foraging areas. However as above this depends on successful reinstatement and evidence that both species (nightjar and woodlark) would benefit. Furthermore, should the area prove appropriate it the establishment period requires careful consideration. It could take just as long to create the 6ha area as reinstate the temporarily lost acid grassland habitat. Clarification is required on the intended function of the 6ha area and how it would benefit both woodlark and nightjar in order to clarify the conclusions of the HRA.		Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120]. HDD is not proposed for areas of acid grassland because this would involve extending the duration of works close to Sandlings SPA and Leiston-Aldeburgh SSSI. This was considered less desirable than the much shorter timescale of open trenching through the acid grassland. It has been assumed for the purposes of the HRA and Environmental Statement that all areas of identified acid grassland that will be affected between the SPA and across the north of the golf course (totalling 7.6ha) is functionally-linked to the SPA as foraging habitat. No evidence of nesting by woodlark or nightjar within the Order Limits has been identified. Regarding the golf course extension proposals, these have already been implemented where they affect areas of acid grassland within and south of the Order Limits, as can be seen from comparing Google Earth imagery for 2025 and the next earliest year (2022). Within the Order Limits this has involved planting trees and gorse and tracking over the grassland. The golf course permission (granted March 2023) and Landscape and Ecology Management Plan (LEMP) submitted to discharge planning conditions (Golf club extension application number is DC/22/2697/FUL, while the LEMP can be found by searching for DC/25/0349/DRC) identify that the only area of priority habitat acid grassland (as opposed to semi-improved habitat that does not meet priority habitat standard) is the area south of the Order Limits where the golf course has already implemented their proposals including reprofiling and creating new bunkers. Regarding timescales over which the restored acid grassland will be secured and managed, ten years is the correct duration. The reference to 30 years is an error and will be updated in the next submission of the HRA at Deadline 2. Following further discussion with the landowner, reversion of arable land to acid grassland is no longer proposed and the restoration work at Hazlewood Common will focus on restoring (by introducing appropriate management and invasive species removal) 6 ha of degraded acid grassland. Ten years is considered an ample timescale for this activity. However, regarding time required for areas to become suitable for woodlark and nightjar foraging, note as above that “<i>In 2024 surveys, arable land on sandy soils that have been left fallow have been used for nesting by woodlarks. This shows that habitat structure (i.e. short vegetation on sandy soils) are more important than actual botanical species composition. Therefore, the trenchless field is very likely to come back into use as foraging habitat in the next nesting season</i>

Reference Points Raised		Recommendation	Applicant's Comments
			once works have ceased, without any lag time for acid grassland to re-establish.” Therefore, regarding use by SPA birds the Applicant does not consider that contingency measures are required.
6	Impacts from the construction compound (Suffolk) Natural England presume that the compound will be lit. Natural England advise that the impact of lighting from the construction compound on SPA birds has not been assessed.	Assessment of the impact of light spilling into the SPA and surrounding areas used by nightjars and woodlark is required as this would extend into the breeding season whilst the compounds are in operation.	The Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] has assessed lighting. It has assumed lighting would be used at the HDD compound during the HDD operation. Paragraph 2.9.42 states that “<i>A noise fence [proposed around the trenchless compound] would also act as a visual screen, thus protecting birds in the SPA from visual disturbance</i>”. Paragraph 2.9.85 on ornithology states that “<i>Lighting for construction should only be needed around construction compounds and the trenchless compound (S10). This would be targeted directional lighting with cowlings and other lighting controls to manage (and in the case of the trenchless compound avoid) incidental illumination (B38)</i>”. REAC measure B38 states “<i>Around construction compounds and the converter station and substation works areas, direct illumination of boundary features would be avoided. Lighting would be designed to comply with published guidelines</i>”. Paragraph 7.2.17 of the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] also covers visual disturbance as follows “<i>The noise fence will also act as a visual screen and thus protect birds in the SPA from visual disturbance</i>”.
7	Noise assessment Natural England advise that the noise contour map included in Appendix E Figure 3 requires additional clarification. This is because it appears to show noise as a uniform contour throughout the working corridor regardless of proposed activity. It is unclear how the impact of HDD for example or construction compounds has been considered in this assessment as it is likely that noise impacts would vary between these activities and this does not appear to be illustrated on the map presented.	N/A	This was discussed during pre-application thematic meetings held with Natural England. Figure 3 of the HRA presents a blended 60 dB contour with the outer limits set by the noisiest activity. Paragraph 7.2.15 of the HRA then explains that the HDD does not cause the 60 dB contour to stray into the SPA (“... <i>scrutiny of the underlying data indicates this</i> [the overlapping of the 60dB L_{Amax} contour with the SPA boundary] <i>would only be during compound set up, which will take c. 1 month</i>” [this led to Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] commitment B27 that setup would take place outside the nesting season]. “<i>The c. 4-month trenchless installation itself would not result in the 60 dB contour straying into the SPA because of the distance from the SPA (approximately 40 m) and the use of standard noise mitigation methods such as fencing...</i>”). The blended contour map was produced for clarity and ease of reference.

2.8 Port of London Authority [REP1-156]

Table 2.9 Port of London Authority [REP1-156]

Reference	Matter	Points Raised	Applicant's Comments
1.1	INTRODUCTION	This Written Representation is made on behalf of the Port of London Authority ("PLA") in respect of an application for development consent ("the Application") submitted by National Grid Electricity Transmission ("the Applicant") for the Sea Link Project. This Written Representation is submitted in pursuance of Rules 8(1)(a), and 10(1), (2) and (4) of the Infrastructure Planning (Examination Procedure) Rules 2010.	This is noted by the Applicant.
1.2		The PLA has recently engaged in the examination of the nearby Five Estuaries Offshore Wind Farm Project and the North Falls Offshore Wind Farm Project both of which raised largely similar issues to those set out in this representation. This Written Representation and the recommendations it contains are consistent with the approach taken to Five Estuaries and North Falls.	
2.1	THE PORT OF LONDON AUTHORITY AND THE PORT OF LONDON	The PLA is the statutory harbour authority for the tidal Thames ("the River"). The River covers approximately 95 miles from Teddington to the North Sea between Clacton in Essex and Margate in Kent. The PLA's statutory functions include responsibility for conservancy, including dredging and improvement of the River; managing public navigation and ensuring navigational safety and controlling vessel movements. The PLA's functions include the promotion of the use of the River for freight and passengers as an important and sustainable transport corridor and access to the River is therefore a key concern for the PLA.	This is noted by the Applicant.
2.2		Its consent is required for the construction or carrying out of all works in the River, which includes dredging of the River. The PLA's area of jurisdiction and regulatory powers are found primarily in the Port of London Act 1968 (the "1968 Act"). Figure 1 "Schematic of the Thames Estuary" is provided for context and shows the PLA's Jurisdictional Limits. The 3 Seaward Limit is shown towards the East of the plan running north west to south east from Gunfleet Lighthouse towards North Foreland.	
2.3		While the Sea Link project lies outside of the PLA's landownership and limits under the 1968 Act, including its licensing area, as a Harbour Authority, the PLA is responsible for navigational safety both within its jurisdictional limits and in respect of the approaches to its area of jurisdiction. In compliance with the requirements of the Port & Marine Facilities Safety Code, as a harbour authority the PLA has to discharge its general and specific statutory duties in respect of the conservancy of the harbour and its seaward approaches.	
2.4		The PLA is also a competent harbour authority under the Pilotage Act 1987 and as a direct consequence of the criticality of the approaches, has a pilotage district which extends beyond its jurisdictional limits, boarding and landing marine pilots at the Sunk (for northern approaches) and North East Spit (for southern approaches). For similar reasons, the southern part of the cable route is also within the PLA's Vessel Traffic Services ("VTS") area where the PLA oversees traffic management.	
2.5		Therefore the PLA considers that Sea Link passes through waters of navigational significance and whilst these waters are outside of the PLA's landownership and limits,	

Reference	Matter	Points Raised	Applicant's Comments
		they are areas which vessels must pass through to get into and out of the Port of London.	
2.6		The River is home to the Port of London which is the country's biggest port and its contribution to international trade is critical, handling over 50 million tonnes of goods each year. The range of cargoes includes oil products, construction materials (including aggregates and cement), metals and forest products, vehicles, food products and all manner of containerised/trailer goods with worldwide cargo, origins and destinations.	This is noted by the Applicant.
2.7		Unlike many other large ports, the Port is spread over 70 separate independently run terminals. Facilities in the Port include nationally significant fuel and container terminals, 4 Europe's largest sugar refinery and the UK's largest grain terminal. Figure 2 shows the terminal locations. Over 48,000 jobs depend on the Port and this figure rises to in excess of 140,000 jobs across port and other operations, tourism and recreation. The Port generates more than £6 billion in economic value added annually. It is therefore imperative that the existing and future capacity and operation of the Port of London and access to the River are not compromised during construction and operation of Sea Link and that over the lifetime of the project the Port can adapt to changing vessel sizes and accommodate deeper draught vessels	This is noted by the Applicant.
3.1	PORT DEVELOPMENT	The PLA's Thames Vision 2050 sets out the future development and ambitions for the Port and the River, including the specific priority to enable future growth of the Port as a net zero hub. The long-term port trade forecast (Future Trade Through the Port of London Alternative Decarbonisation and Growth Pathways which was commissioned by the PLA to underpin the Thames Vision and was undertaken by Oxford Economics) sets out that between now and 2050 trade will continue to rise to meet growing demand and that by 2050 between 70 - 90m tonnes will be handled at the Port annually, around a 30-60% increase on 2022 levels. Current investments and developments underline this growth expectation. An Economic Impact Study carried out in spring 2020 by SQW on behalf of the PLA showed that 72% of port sector businesses interviewed anticipated growth over the next five years and almost £950m of investment was planned over the same five year period.	This is noted by the Applicant.
3.2		London Gateway and the Port of Tilbury London Limited ("PoTLL") together handle over 50% of trade in the Port and their continued investment in port infrastructure is significant. In October 2024 DP World announced a £1 billion expansion of London Gateway to make the facility the largest container port in Britain within five years and PoTLL will be expanding its operations and plans, with around £1 billion of investment in the coming years.	This is noted by the Applicant.
3.3		In 2021, the government designated the area stretching from and including the Ford plant at Dagenham to and including London Gateway as Thames Freeport. This emphasises further the importance of ports and river-based trade as a hub for UK trade and a conduit for economic growth. It is anticipated that the Thames Freeport will create 21,000 new jobs, result in £400 million in port investment, contribute £2.6 billion additional gross value added and result in over £4.5bn in new public and private investment.	This is noted by the Applicant.
3.4		In light of the above, it is therefore critical that the existing and future capacity and operation of the Port and access to the River are not compromised during construction and operation of Sea Link. For the reasons highlighted throughout this document, the	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		PLA is concerned that the Application as submitted may cause economic disbenefits to the Port. To accommodate existing and predicted future vessels the PLA needs to safeguard minimum water depths at pilot boarding and landing areas, entries and exits to the Port and safeguard other essential infrastructure such as anchorages. If this does not happen then it will not be possible for vessels to enter or exit the Port or Sea Link will place restrictions on the maximum draught of vessel that can enter or exit the Port and/or when vessels can enter or exit the port, limiting the quantum of trade within the Port. The impact of this restriction could be significant, detrimentally impacting the future of the UK's largest port.	
3.5		It is important to emphasise that the PLA considers that all of the issues raised within this Written Representation are capable of resolution and this document sets out what application documents need to be produced or amended in order to resolve the PLA's concerns.	This is noted by the Applicant.
4.1	Ports policy	The National Policy Statement for Ports ("NPS-Ports") (January 2012) sets out the essential role of ports in the UK economy – with ports in England and Wales handling 95% of the total volume of UK trade and 75% of its value (para 3.1.3). The NPS-Ports recognises that “shipping will continue to provide the only effective way to move the vast majority of freight in and out of the UK, and the provision of sufficient sea port capacity will remain an essential element in ensuring sustainable growth in the UK economy” (para 3.1.4). The promotion of successful major port developments is encouraged because they are recognised as being essential for trade and economic growth long-term. A consultation was undertaken between 4 June 2025 and 29 July 2025 on the proposals for a revised NPS-Ports. It is understood that the existing NPS-Ports will remain in full effect during the period of the review.	This is noted by the Applicant.
4.2		The overarching National Policy Statement for Energy (EN-1) (January 2024) with the National Policy Statement for Renewable Energy Infrastructure (EN-3) (January 2024) provide the primary policy for decisions by the Secretary of State on applications for nationally significant renewable energy infrastructure. This includes interconnectors. EN-1 sets out national policy for major energy infrastructure. It includes at chapter 4 the assessment principles. At para 4.1.7 in relation to the mitigation of impacts, it is set out how it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. Para 4.1.7 goes on to state that this presumption does not apply to residual impacts which present an unacceptable interference offshore to navigation. Furthermore, para 4.2.15 states the exemption to the presumption of consent are residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation.	This is noted by the Applicant.
4.3		EN-3 covers, amongst other things, offshore transmission infrastructure projects and this can include interconnectors. It states at paragraph 2.8.5 in relation to offshore wind that “this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure”	This is noted by the Applicant.
4.4		In relation to offshore wind impacts: navigation and shipping it is stated: (a) "it is inevitable that there will be an impact on navigation in and around the area of the site" (para. 2.8.178);	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		(b) applicants “should reduce risks to navigational safety to as low as reasonably practicable” (para. 2.8.179); (c) “Impacts on navigation can arise from the wind farm or other infrastructure and equipment creating a physical barrier during construction and operation” (para. 2.8.182); and (d) “Engagement should seek solutions that allow offshore wind farms, offshore transmission, and navigation and shipping users of the sea to co-exist successfully” (para. 2.8.185).	
4.5		In relation to Secretary of State decision making, EN-3 goes on to state (emphasis added): (a) “The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries, with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea.” (para. 2.8.328); (b) “Where after carrying out a site selection, a proposed development is likely adversely to affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making” (para. 2.8.329); (c) “The Secretary of State should be satisfied that risk to navigational safety is as low as reasonably practicable (ALARP). It is government policy that wind farms and all types of offshore transmission should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted” (para. 2.8.331); and (d) “The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent” (para. 2.8.335).	This is noted by the Applicant.
4.6		A consultation on revised Energy National Policy Statements EN-1, EN-3 and EN-5 took place between 24 April 2025 and 29 May 2025. It is understood that as Sea Link was accepted for examination before the energy NPS's have been amended, the current suite of energy NPS', published in 2024 should have effect. However, as set out in the consultation document “any emerging draft NPSs (or those amended by not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each development consent order application.”	This is noted by the Applicant.
4.7	Marine Policy Statement and Marine Plans	Regard must also be had to the UK Marine Policy Statement (“the MPS”) (March 2011), the framework for preparing Marine Plans and taking decisions affecting the marine environment, as provided for in the Marine and Coastal Assess Act 2009. The MPS provides the high level policy context within which national and sub-national Marine Plans are developed. There are eleven marine plan areas in England. The relevant Marine Plan for the river Thames is the South East Inshore Marine Plan (“the SEIMP”)	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		(June 2021). The East Inshore and East Offshore Marine Plans (“the East Plans”) are also of relevance given the location of the proposed development.	
4.8		The MPS emphasises the importance of ports and shipping in the marine environment and their essential role in the UK economy including for the transport of goods and people (section 3.4). Paragraph 3.4.4 highlights how the operation of ports is enabled through the creation, maintenance and development of channels and paragraph 3.4.7 sets out how decision makers should take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety.	This is noted by the Applicant.
4.9		The MPS also recognises that submarine cables are part of the backbone of the world's power, information and international telecommunications infrastructure, and are socially and economically crucial to the United Kingdom (para 3.7.1) and that the marine environment will make an increasingly major contribution to the provision of the UK's energy supply and distribution. It recognises their importance and states at paragraph 3.7.4 “Cables are buried deep in the sea bed where possible and operators promote marine safety and protection.” (emphasis added)	This is noted by the Applicant.
4.10		The SEIMP highlights how the plan area has: “many important activities competing for a small amount of space. This includes shipping activity of international significance and important shipping lanes to Europe that lie in close proximity to offshore wind installations” and “is home to the highest number of ports and harbours in England, contributing the greatest amount of gross value added to the national economy of all the English marine plan areas from ports and shipping. These include the Port of London, with high volumes of traffic [...] Associated activities such as dredging of ports, harbours and approaches are essential to ensure safety of navigation, ensuring the viability of ports and harbours, along with the ability to compete in the global maritime sector.”	This is noted by the Applicant.
4.11		The SEIMP has three main objectives: (i) a sustainable marine economy; (ii) ensuring a strong, healthy and just society; and (iii) living within environmental limits. The SEIMP's policies support delivery of the SEIMP objectives and whilst it is clear that individual marine policies must not be read in isolation, policy SE-PS-1 is of note due to its support for sustainable port and harbour development. It states: “Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference: - Avoid - Minimise - Mitigate adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.”	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
4.12		Other SEIMP policies of relevance (SE-CAB-1, SE-DD-1, SE-PS-2 and SE-PS-3) are set out in the table at Appendix 1 to this Written Representation.	This is noted by the Applicant.
4.13		There are eleven objectives in the East Plans which are supported by detailed policies. The East Plans recognise that the plan area “has almost 20% of the submarine cables in English 8 waters...with a high traffic value and anticipated further growth” and “has high levels of shipping traffic passing through the offshore area but also coming into busy ports” (para. 33).	This is noted by the Applicant.
4.14		Policies relating to ports and shipping are set out in section 3.12 which emphasise, “how the ports and shipping are critical to the effective movement of cargo and people, and form an essential part of the United Kingdom and global economies” (para. 342) and “In the East marine plan areas there are increasing levels of activity encroaching on navigable space (for example, offshore wind farms), making it ever more important to indicate the area essential for navigation” (para. 344).	This is noted by the Applicant.
4.15		Policy relating to subsea cabling is set out in section 3.15 of the East Plans. Interconnectors are specifically referenced at para 411 and at paragraph 416 it is highlighted that “the single most important factor in reaching a successful outcome for any cable project is early and open engagement between key stakeholders, and consideration of this guidance.” The relevant cable policy CAB1 is set out in Appendix 1 to this Written Representation alongside the relevant Ports and Shipping policies (PS1, PS2 and PS3).	This is noted by the Applicant.
4.16		The Applicant’s Planning Statement [AS-058] includes an assessment against the policies referenced above and concludes in relation to Shipping and Navigation that “there will be no significant residual effects on shipping and navigation” (para 9.2.41). The PLA is unable to agree with this conclusion at this time in the absence of amongst other things a certified plan and design requirement, agreed protective provisions for the PLA and the production and submission into the examination of documents such as an outline Cable Specification and Installation Plan (“oCSIP”) and outline Sediment Disposal Management Plan (“oSDMP”) (the PLA’s comments on the outline Navigation and Installation Plan (“oNIP”) are set out below). Amendments are also required to the Deemed Marine Licence (“DML”). Currently there is no certainty that minimum water depths at pilot boarding and landing areas, entries and exits to the Port and other essential infrastructure such as anchorages will be safeguarded and therefore there would be a clear constraint on current activities and the expansion of the Port of London in the future.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML is ongoing and may change following further engagement with stakeholders. An updated draft DML will be submitted at Deadline 3. The Applicant is in active discussions with the Port of London Authority (PLA) regarding Protective Provisions. Draft Protective Provisions have been issued to the PLA and comments received are currently under internal review by the Applicant. In addition, the Applicant is preparing an outline Cable Specification and Installation Plan (oCSIP) which will be provided at Deadline 4. This document is expected to incorporate an outline Sediment Disposal Management Plan (oSDMP). The status and proposed structure of the oCSIP is provided in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. Regarding the PLA’s reference to the absence of a ‘certified plan’ and ‘design requirement’, the Applicant seeks clarification on this point and will address it through ongoing engagement. Where required an updated response will be provided at Deadline 3. The Applicant will submit an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
4.17	Port of London Cable Statement	Whilst not planning policy, due to the number of cables planned within or on approach to the Port, the PLA has published a Cable Statement setting out the broad issues that	This is noted by the Applicant and is reviewing the Cable Statement provided.

Reference	Matter	Points Raised	Applicant's Comments
		must be considered by developers. The Statement also documents the detail and mitigation that the PLA would expect to see as a minimum within applications. The Cable Statement draws on the experiences of the PLA across a number of Development Consent Orders and other consenting regimes and is entirely relevant to the Sea Link application. A copy of the Statement is attached at Appendix 2.	
5.1	PERMANENT IMPACTS BECAUSE OF CABLE DEPTHS	The offshore scheme comprises three components which are set out in paragraph 4.4.4 of Chapter 4 Description of the Proposed Project [AS-094]. The PLA is concerned with the marine high voltage direct current (“HVDC”) cable route only and has no comments to make on either the Suffolk or Kent landfall. The marine cable route will contain two HVDC 100- 150mm cables (one bundled pair) and one 10-15mm fibre optic cable which would be bundled together with the HVDC cables within the same trench. For the purposes of this Written Representation all three cables will be referred to as “the cables”.	This is noted by the Applicant.
5.2		The Marine HVDC cable route is shown as Work No. 6 on the Work Plans - Offshore [APP- 023]. The Marine HVDC cable route passes close to the Sunk Pilot Diamond (approximately 2 km at the closest point at KP37) as shown on figure 6.4.4.7.A.2 of the ES Figures Marine Navigational Risk Assessment Part 1 of 2 [APP-283]. Pilotage is compulsory for large vessels within the London Pilotage District and this area is critical for entry and exit of deeper draughted vessels into/from the Port of London with the boarding and landing of pilots taking place in the vicinity of the Sunk Pilot Diamond rather than at the specific point shown on 9 figure 6.4.4.7.A.2. The actual location will be based on a number of factors, including traffic density, wind strength and direction and tidal conditions.	This is noted by the Applicant.
5.3		The depth of the cables in the vicinity of the Sunk Pilot Diamond; the approach to cable laying and repair; cable protection and cable crossings are all critical in this area. Consistent with other cable schemes in the area, the PLA requires future access for vessels with a draught of 20m and accounting for 10% under keel clearance this means that a water depth of 22m below Chart Datum (“CD”) must be maintained by Sea Link in the vicinity of the Sunk Pilot Diamond. The ability to maintain this depth is required regardless of existing water depths. Figure 3 below shows the cables in red and an area in green where a water depth of 22m below CD must be protected to allow the boarding and landing of deeper draughted vessels to take place unconstrained at the Sunk. If water depths of -22m CD are not safeguarded then this will significantly reduce the area within which the boarding and landing of deeper draughted vessels can take place and may severely restrict their access in and out of the port. There would be an increased risk of collision for very large vessels if they are required to manoeuvre for boarding and landing within a more restricted area. This area is exactly the same as safeguarded in the North Falls Offshore Windfarm Project (see Project EN010119 Deep Water Route Cable Installation Areas (Future Dredging Depth) Plan [REP6- 055]).	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>Sunk Pilot Boarding area</i>”, where 22 m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London Gateway Port. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
5.4		Continuing south, the cables then cross the Long Sand Head Two Way Route between approximately KP60 and KP65. This route feeds into the Trinity Deep Water Route and allows less deep draughted vessels that are entering or exiting the Port of London to take a pilot at the North East Spit and avoid travelling up to the Sunk pilot station via the Sunk roundabout. This flexibility is particularly important during periods of disruption to the Sunk routes, either due to adverse weather closing the Sunk pilot station or due to construction and maintenance activities of various planned cables. The depth of the Sea Link cables where they cross the Long Sand Head Two Way Route; the approach to	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>Long Sand Head Two-Way Route Crossing area</i>”, where

Reference	Matter	Points Raised	Applicant's Comments
		cable laying and repair; cable protection and cable crossings are all critical in this area. A water depth of 12.5m below CD must be maintained by Sea Link in the area shown in green on figure 4 in order for vessels that use this route to continue operating without additional constraint to those already in existence around the Long Sand Head.	12.5 m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London Gateway Port. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
5.5		Continuing further south again, the cables pass through an area known as the North East Spit. Within this area the Tongue Pilot Diamond is located approximately 80m to the east of the offshore scheme at KP 90 and the North East Spit Pilot Diamond is located 3.9 km to the west at KP 97. As outlined above, boarding and landing of pilots takes place in the general vicinity of these pilot diamonds and not at the specific points shown on the plans. The depth of the cables at the North East Spit; the approach to cable laying and repair; cable protection and cable crossings are all critical in this area. Figure 5 below shows in green the area where a water depth of 12.5m below CD must be protected. The ability to maintain this depth is required regardless of existing water depths. If water depths of -12.5m CD are not safeguarded then this will significantly impact the area where the boarding and landing of vessels can take place and may ultimately prohibit some vessels from using the North East Spit for boarding and landing.	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>North East Spit area</i>”, where 12.5 m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London Gateway Port. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
5.6		The Tongue deep water and hazardous anchorages are used as a staging area by vessels coming to and from the Port. Depths in the vicinity of the anchorages must be preserved so as not to compromise the ability of deep draughted vessels to enter and exit the anchorages	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>North East Spit area</i>”, where 12.5m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London Gateway Port. The vicinity of the Tongue Deep Water and Tongue Hazardous Anchorages should be captured in this area of interest. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
5.7		The PLA is concerned that the application documents do not provide the certainty that is required on the critical issue of water depths. The future baseline set out in paragraph 7.7.5 of Chapter 7 Shipping and Navigation [APP-080] does not recognise the future requirements of the ports, to safeguard depths for vessels up to 20m draught, citing Brexit and COVID-19 related uncertainty.	This is noted by the Applicant. Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].

Reference	Matter	Points Raised	Applicant's Comments
5.8		Chapter 4 Description of the Proposed Project [AS-094] states the minimum depth of lowering (“DOL”) to the top of the cable is 0.5m in areas of bedrock with a target DOL for the project of approximately 1-2.5m to be achieved where possible dependent on the seabed geology (para 4.6.236) (emphasis added). Table 4.15 sets out the target DOL. The table itself states ‘required cable burial’. It needs to be clear whether the target DOL is just that, a target or whether it is a specific requirement and what happens if this target/required DOL is not met. It would not be appropriate for remedial works in the form of rock protection to be used where the target DOL is not reached at the areas set out in figures 3-5 above where this results in the water depths that the PLA requires safeguarding being reduced. This is why the PLA requires a certified plan and a design requirement alongside a clear remediation clause in protective provisions which ensures that the cable is installed and then maintained, operated and decommissioned at the required depth. Unfortunately the PLA has experience with cable schemes where target depths are not achieved during installation or cables become exposed over time and then Applicants try to place constraints on navigation rather than undertaking remedial works which rebury the cable to the required depth.	Detail on DOL is provided in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is also working with Port of London Authority and other ports to secure commitments in Protective Provisions. Regarding the Target Depth of Lowering (TDOL), the Applicant’s primary cable protection strategy for Sea Link is to lower the cable beneath the seabed to the TDOL. This requirement will be incorporated into the Employer’s requirements within the HVDC cable contract, alongside the DCO requirements and Protective Provisions. The cable installation contractor will be required to achieve the TDOL using best industry practice. In some instances, the TDOL may need to be reassessed where soils are harder or more consolidated than indicated by geotechnical data. In such cases, the target depth may be adjusted to reflect more competent ground conditions; however, the fundamental requirement remains that the cable is lowered below the seabed rather than surface laid. Any reassessment of the TDOL will take into account the need to safeguard under-keel clearance in the areas of interest, which will be secured through DCO requirements and Protective Provisions and supported by management plans such as the CSIP.
5.9		Another example is Table 4.16 of Chapter 4 Description of the Proposed Project [AS-094] which sets out minimum and maximum trench parameters with rock backfill depth relative to target DOL. Again there would appear to be nothing to prevent the Applicant from not meeting its target DOL and then using rock backfill in a way that reduces water depths. Furthermore para 4.6.242 recommends that the busiest section for marine traffic utilises backfill (below the original seabed level) along its entire length at the earliest opportunity (KP38-58 and KP81.5-96.5).	A response to this comment has been provided in the Applicant response to 5.8 above.
5.10		There must be certainty in the Sea Link application that the requirements detailed above will be met to ensure that there will be no significant permanent effects on shipping and navigation arising from the cables, in isolation or cumulatively with other projects, during construction, operation, maintenance and decommissioning. Consistent with its approach to Five Estuaries and North Falls, the PLA seeks to secure an agreed position in relation to the areas outlined above and for the agreed position to be clear and consistent within the application documents including the draft development consent order (“dDCO”). Amongst other things there needs to be a certified plan and a design requirement relating to the cables; the PLA requires protective provisions which include for remediation if the cable is not installed at the required depth, and there must be the production and submission into the examination of documents such as an oCSIP and oSDMP (the PLA’s comments on the oNIP are set out below). Amendments are also required to the DML.	A response to this comment has been provided in the Applicant response to 4.16 and 5.8 above.

Reference	Matter	Points Raised	Applicant's Comments
6.1	TEMPORARY IMPACTS FROM CABLE LAYING AND REPAIR	As set out in section 5 above, the cables are located in areas which are critical to the functioning of the Port of London. These include port approaches, pilot boarding and landing areas and anchorages.	This is noted by the Applicant.
6.2		Construction and maintenance vessels must not hinder access into the Port, the ability to board or land pilots or the use of essential infrastructure such as anchorages. Deep drafted vessels to terminals within the Port of London are tidally constrained, so a small deviation to their schedule could result in them not having enough water for their passage to the berth, thus delaying them until the next tide approximately 12 hours later.	This is noted by the Applicant.
6.3		With the continued growth of the Port there will be greater need to ensure vessels can arrive and depart at all states of the tide, in order for the terminals and the wider port to operate efficiently. For example, if a vessel leaving London Gateway was tidally constrained at the Sunk and missed her deadline for leaving the berth, the vessel may have to remain alongside for a number of hours until there was sufficient water again, which would also impact any inbound vessel planned for the same berth.	This is noted by the Applicant.
6.4		The largest, deepest vessels into and out of the Port tend to manoeuvre off the berths towards high water, when there is more available deep water for swinging. Their passages between the container or tanker berths and the Sunk can be up to five hours, which is a significant proportion of the approximately 6hr tidal window between high water and low water. This means they are usually planned to be in the vicinity of the Sunk at the lower end of the tide.	This is noted by the Applicant.
6.5		If the tidal window at the Sunk was restricted due to lack of safe water for the boarding and landing of pilots, the safety and efficiency of vessel movements could be compromised. For example, a vessel which was planned to be at the Sunk before low water, could, if delayed, find itself unable to complete its passage out of the Thames. The vessel would have to either slow down or try and anchor to await the rising tide, both of which could create a hazard to itself and other vessels. Alternatively, if delayed at the berth the vessel would not be permitted to sail until the tide had risen sufficiently, causing further delay to that vessel and any vessel due to take its berth. Large vessels navigating to and from London Gateway are required to have some separation for safety reasons, so with six berths operating in the future it will be necessary for more than one vessel deep draughted vessel to be navigating on any tide. Avoiding the low water period at the Sunk would make it difficult to achieve multiple vessels safely navigating in and out of the port with the required separation on each tidal cycle, leading, once again to vessel delays and potentially compromising navigational safety.	This is noted by the Applicant.
6.6		Similarly disruption to the Long Sand Head Two Way route due to cable installation or repair could, if not managed appropriately, have significant implications for vessels entering and leaving the Port as it would force vessels to use the Sunk increasing the distance that these vessels have to travel and thereby subjecting them to increased fuel costs and increasing their journey time. In some poor weather conditions the North East Spit continues to operate when it is too rough to board and land pilots at the Sunk. As well as being used routinely for vessels arriving from the south in rough conditions, the Long Sand Head Two Way Route is a vital route for transiting from the North East Spit to the northern deep water channels.	This is noted by the Applicant.
6.7		At the North East Spit if the tidal window was restricted due to a lack of safe water for the boarding and landing of pilots, the safety and efficiency of vessel movements could	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		be compromised. Alternatively, vessels may be forced to change their passage to use the Sunk instead, increasing the distance that the vessel has to travel and thereby subjecting them to increased fuel costs and increasing their journey time.	
6.8		The above highlights the importance of utilising the most effective method of cable laying in terms of speed and ability to achieve the required cable burial depth. The oNIP is the mechanism to provide and agree the relevant details in relation to this matter. Comments on the oNIP are provided in section 11 below.	This is noted by the Applicant.
6.9		Chapter 4 Description of the Proposed Project [AS-094] highlights how the offshore cables would be installed in sections and that it may be the case that no field joints would be required during construction (para 4.6.220). However, the document then goes on to state at para 4.6.224 that Sea Link is anticipated to have one omega joint (outwith the SUNK). The Shipping and Navigation Chapter of the ES [APP-080] states in table 7.10 that there is the 'possibility of multiple cable joints.' Field joints require the cable lay vessel to hold station for a number of days while the jointing is performed. The PLA seeks a commitment that no planned field joints would be located within the areas which it has identified where water depths need to be safeguarded and disruption to existing activities minimised.	A response to this comment can be found in Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116] . The Applicant remains open to further dialogue with the PLA regarding potential measures to avoid the placement of cable joints within areas identified for safeguarding water depths, recognising that such measures also mitigate risks to cable installation operations.
7.1	PERMANENT IMPACTS FROM INTERACTION WITH THIRD PARTY SCHEMES - CABLE CROSSINGS	As shown on page 5 of ES Figures Marine Other Sea Users [APP-286] there are a number of existing and proposed cables in the vicinity of Sea Link. These include Five Estuaries, North Falls, Neuconnect, BritNed, GridLink and Nemo Link. In addition, ES Figures Marine Descriptions of Other Projects [APP-288] identifies Nautilus (expected to be submitted 2028) and Lion Link (expected to be submitted Q4 2025) as having the potential to be located within the offshore scheme boundary. Chapter 4 Description of the Proposed Project [AS- 094] also identifies Mercator, Cronos, Tarchon and Q&E North (tables 4.18 and 4.19). Parties need to work together wherever possible to minimise impacts and to maximise the potential for other projects to come forward in the future.	This is noted by the Applicant.
7.2		Chapter 4 Description of the Proposed Project [AS-094] sets out in table 4.20 that the crossing height could be up to 1.5m. The Shipping and Navigation Chapter of the ES [APP-080] states at para 7.9.80 "Similarly, anticipated reductions in water depth greater than 5%, especially near areas like cable crossings, shorelines, key navigation routes, or areas where ships have limited room to maneuver, will be discussed with relevant stakeholders (like Statutory Harbour Authorities (SHA), Competent Harbour Authorities (CHA), and the MCA." Mitigations are set out in para 7.9.81 and include notifying mariners and marine authorities and marking subsurface hazards. The document goes on to identify addition mitigation and enhancement measures at section 7.10 which include "Avoiding disruption to the Sunk anchorage area Sunk pilot boarding station, Tongue anchorages and Tongue pilot station during operation by considering appropriate cable burial depth and protection measures, and aiming for minimal reduction in under keel clearance, as well as carefully considering the location of cable joints"	This is noted by the Applicant. Further detail on cable crossings can be found in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .
7.3		These mitigations are not sufficient and do not give the PLA the certainty that it requires. In areas where depths must be safeguarded, the Application must be designed, constructed, operated, maintained and decommissioned to ensure that those critical depths are not impacted. The PLA must have confidence that where Sea Link crosses existing cables that the required water depths will be maintained and that the Sea Link	This is noted by the Applicant. Further detail on cable crossings can be found in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] .

Reference	Matter	Points Raised	Applicant's Comments
		cable will be buried at sufficient depth or placed in areas of deeper water so that any cables that cross Sea Link in the future also maintain the required water depths and do not prevent these schemes from coming forward. At this stage the PLA has specific concerns about GridLink (KP 101.27) and Q&E North (KP 100.151). Across the Order Limits in this location water depths vary and with cable installation only proposed 0.5m below bed level and cable crossings which 14 could be up to 1.5m in height without close co-operation between schemes and the installation of the Sea Link cable in locations with deeper water it may not be possible for GridLink to be brought forward or the crossing of Q&E North not to impact the water depths that need to be safeguarded. The PLA is liaising closely with GridLink and understands that they will be making a submission to the examination. The PLA considers that if the deeper water is targeted there should be sufficient space for Sea Link to be crossed by GridLink and the 12.5m water depth to be maintained however this should be demonstrated to the ExA and the PLA. It will also need to be secured given the current Order Limits mean that Sea Link could be installed in an area of shallower water depth thereby prohibiting GridLink from crossing it.	
8.1	TEMPORARY AND PERMANENT IMPACTS FROM PRE AND POST CONSTRUCTION SURVEYS AND ACTIVITIES	As is common with the installation of cables, a number of pre-construction activities including pre-construction surveys and monitoring may need to be carried out in order to obtain detailed information to inform for example, the final cable route and burial depth or to allow for the installation of the cable on the chosen route (e.g. boulder clearance, unexploded ordnance (“UXO”) clearance etc).	This is noted by the Applicant.
8.2		Chapter 4 Description of the Proposed Project [AS-094] sets out the likely surveys that would be required prior to installation. The PLA needs to be consulted on any surveys or monitoring that could affect the areas identified by the PLA for safeguarding as a survey vessel may pass slowly over the area or even stop to place/remove monitoring equipment which could affect shipping.	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
8.3		Chapter 4 Description of the Proposed Project [AS-094] provides an outline in relation to cable route clearance activities at para 4.6.207 onwards. Restrictions need to be placed on how the cable route clearance can be undertaken. In particular: - Boulder/debris clearance - whilst it is stated no boulder removal is anticipated it states that if boulders are identified and are considered an impediment these would be removed by grab or displacement plough (para 4.6.208) (emphasis added). It would not be appropriate within the areas identified by the PLA for the boulders to be displaced along or into the route and they must be removed. - UXO – it is noted that a detailed UXO survey is planned to be carried out in 2025 and that whilst avoidance would be the preferred approach, if UXO clearance is necessary, the activity would be undertaken in accordance with approved industry practices. It is stated that this may include lifting and relocating the UXO. As with boulder/debris clearance it would not be appropriate within the areas identified by the PLA for UXO to be relocated and they must be removed. - Sand wave lowering – table 4.13 advises that there is no designated disposal area and approximately 250,000m3 of sand would be deposited within the Order Limits. It is stated that the sand would be deposited in such a way that the local currents would not backfill the pre sweep area prior to cable installation and protection but it also goes on to say the mechanism to infill the rock trench is natural backfill and sediment	The Applicant is currently drafting the outline Cable Specification and Installation Plan (oCSIP) which will be provided at Deadline 4. This document will also incorporate the outline Sediment Disposal Management Plan (oSDMP). The Applicant can confirm that UXO is not included within the draft DML and is being consented separately through a Marine Licence application.

Reference	Matter	Points Raised	Applicant's Comments
		circulation/deposition. The PLA is concerned about the lack of controls in relation to the placing of inert material given the implications of this for navigable depths. The PLA supports the approach taken at Five Estuaries and North Falls and therefore recommends the production of an oSDMP. - Wet Storage - para 4.6.221 refers to the wet storage of cables. There should be a commitment to no wet storage within the areas which the PLA has identified where water depths need to be safeguarded. - Archaeological finds – there is no clear commitment in relation to not relocating archaeological finds within the areas which the PLA has identified where water depths need to be safeguarded. Para 6.9.3 of Marine Chapter 6 Archaeology [APP-079] refers to ‘reburial’ to limit further impact and mitigation MA01 makes reference to conserving any objects that have been disturbed however it is not clear whether this could result in preservation in a location close to its original location. The PLA has experience of another cable project wanting to do this but the location that the Applicant wanted to relocate the find to was not appropriate from a shipping and navigation perspective.	
8.4		Consistent with the approach taken at Five Estuaries and North Falls, the PLA would expect the Applicant to produce an oCSIP and for all the Applicant’s commitments in relation to the above matters to be to be detailed within the oCSIP.	The Applicant is currently drafting the outline Cable Specification and Installation Plan which will be provided at Deadline 4.
9.1	TEMPORARY IMPACTS FROM INTERACTION WITH THIRD PARTY SCHEMES (SIMULTANEOUS OPERATIONS)	As set out above, there are various cables that could cross Sea Link and depending on the timings of each of these projects, there is potential for simultaneous operations occurring during installation and maintenance. For the reasons set out above, construction and maintenance vessels must not hinder access into the port. The Navigational Risk Assessment (“NRA”) [APP-203] states at para 7.6.20 that if “simultaneous operations occur during installation, maintenance or decommissioning activities...the Project will have project vessel management procedures and planned protocols...as well as where appropriate, joint engagement with relevant stakeholders such as harbour authorities.” Section 7.7 identifies the NIP as an additional risk reduction measure and the PLA’s comments on the oNIP are set out in section 11 below. The PLA would emphasise here that given the importance of the NIP in managing vessel activities in complex areas of navigation that there needs to be a clear mechanism for the PLA (and other interested parties) to review and approve the NIP and any updates to the NIP. Currently the only requirement is for the NIP to be submitted and approved in writing by the MMO prior to any licensed activities (or any part of those activities under Works no. 6) commencing. The PLA would wish to approve the NIP prior to its submission to the MMO. It should also be clarified if any activities are proposed which are exempt from a Marine Licence and therefore fall outside of the definition of licensed activities and could therefore take place without a NIP being in place. Finally, there should be a clear approvals process for any updates to the NIP.	This is noted by the Applicant. A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4. This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4. The Applicant is working with the PLA and other ports to secure commitments in Protective Provisions. Draft Protective Provisions have been issued to the PLA with comments received by the Applicant in November 2025 which are currently being internally reviewed. Discussions are currently ongoing with the PLA in regard to the approvals process.
10.1	MITIGATING POTENTIAL IMPACTS	Various documents have been produced (e.g oNIP) or will be produced (e.g CSIP) or will need to be produced (e.g oSDMP) in order to mitigate potential impacts to shipping and navigation.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to

Reference	Matter	Points Raised	Applicant's Comments
	TO SHIPPING AND NAVIGATION		change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is currently drafting the outline Cable Specification and Installation Plan which will be provided at Deadline 4. This document will incorporate the outline Sediment Disposal Management Plan. This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
10.2	oNIP [AS-104]	The oNIP provides a mechanism for managing project vessel traffic. The oNIP advises at para 1.1.1 that it relates to construction and at para 1.1.3 it is stated “the requirement for a NIP during operations and maintenance will be discussed in due course.” Consistent with the approach taken for Five Estuaries and North Falls, the PLA considers that the NIP needs to extend to the operation and maintenance phase and that decommissioning works need to be considered as part of any decommissioning plan.	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
10.3		The scope of the NIP is set out in section 1.2 and shown on plate 1.1, it must include the crossing of the Long Sand Head two way route (between approximately KP60 and KP65).	The three areas of interest established in the oNIP are based on areas which have been highlighted by stakeholders as requiring specific traffic management measures and enhanced communication. The Applicant's understanding is that the "<i>Long Sand Head Two-Way Route Crossing area</i>" is specifically relating to water depth safeguarding, and not traffic management. The "<i>Long Sand Head Two-Way Route Crossing area</i>" in relation to depth safeguarding is discussed in detail in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
10.4		Other amendments required to the oNIP include: Para 1.1.5 states that the NIP has a key focus on preserving access to approaches to ports and harbours, including Harwich and PLA, but there is no further reference to this within the oNIP and the PLA’s required depths are not referred to anywhere in the document. Section 3.3.1 states that where there will be a reduction which may affect under keel clearance (“UKC”) it will be highlighted within the NIP, but later references to notification of reduction in UKC only appear in section 3.8 in relation to Pegwell Bay. - Para 1.2.8 – the PLA’s concerns also extend to the Tongue Pilot Boarding area which is located approximately 80m to the East of the offshore scheme at KP90. This should be shown on plate 1.1 and the PLA is content that the Southern Offshore OSI covers the necessary area that needs to be safeguarded in relation to the Tongue Pilot Boarding area. - At 1.2.13 it is stated that the oNIP applies to the construction phase of the Sea Link project and comes into force once Sea Link construction begins. Table 1.4 helpfully provides a list of construction activities, but it must be ensured that this list is comprehensive and also covers any/all relevant ‘pre-commencement operations.’ For example, wet storage is a construction activity that is not included in table 1.4 and	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.

Reference	Matter	Points Raised	Applicant's Comments
		environmental (including archaeological) investigations and surveys are a pre-commencement activity which require careful management but these do not appear to be captured in table 1.4 with surveys being limited to UXO surveys. - At para 1.2.18 the list of interested parties should include London Gateway and the Port of Tilbury London Limited. - Para 1.3 – there should be a clear mechanism for the PLA to be consulted upon and approve the NIP and any updates to the NIP. Given the complex issues that the NIP is covering it is not appropriate simply for Sea Link to update the document and provide it to interested parties at regular intervals. This approach could result in changes being made to the NIP which are not appropriate and is why the PLA seeks approval of the NIP before its submission to the MMO and any revisions. Also see para 2.6.6 of the Five Estuaries oNIP where updates relating to project vessel activities will be reviewed by interested parties (“IPs”) to agree changes and where they cannot be agreed they will be submitted to MMO. - All the tables in section 2 should include a ‘Traffic Management’ parameter and an ‘Additional parameters as required’. The PLA would have expected some elements of some of the tables to be populated rather than every table being TBC. There is no reference in the tables to cable repair or reburial and cable joints. - It should be confirmed if any freespan clearance is proposed. - Para 2.3.3 it is concerning that the oNIP states the cable will be buried where practicable. However, where Target DOL cannot be achieved, rock backfill may be installed. This would not be appropriate in the areas which the PLA has identified where water depths must be maintained if it would impact on the depths that need to be safeguarded. - 2.3.5-2.3.8 Cable Crossings – this section is very light and does not provide much detail. This should be compared to the Five Estuaries oNIP section 3.1.7-3.1.9 which provides assurance of areas to be avoided and depths to be maintained. - Para 2.4.2 refers to possible updates to the NRA, post consent, if routeing has changed significantly prior to construction. There is no reference to further consultation with IPs, which will be required prior to installation activities commencing (See Five Estuaries oNIP para’s 3.3.2-3.3.3) - 3.3 It is deeply concerning to the PLA that this section has been included and identifies that there may be reduction in water depths in the very areas that the PLA has advised Sea Link water depths must be protected. - The essential point of the oNIP in relation to concurrent activities is to define and have certainty over where this can and cannot occur. It is therefore concerning that para 3.4.6 states simultaneous RAM operations with other offshore projects will be avoided where possible (emphasis added). - There is no proposal for any meetings or workshops to discuss protocols for restricted vessel movements prior to construction works commencing. The Five Estuaries oNIP at para 4.2 outlines details of a HAZOP workshop with IPs and others and there should be something similar in place for Sea Link to ensure all potential risks have been identified and mitigations agreed. The Sea Link oNIP focuses on notification rather than consultation.	

Reference	Matter	Points Raised	Applicant's Comments
10.5	oCSIP	An oCSIP needs to be produced and submitted early into the examination which sets out information in relation to cable installation and maintenance, cable crossings, cable protection and temporary works such as boulder relocation and archaeological finds. The oCSIP and CSIP will essentially provide a technical specification of offshore cables, including a desk-based assessment of cable burial depth in accordance with good industry practice. It should also include a detailed cable laying plan which demonstrates how cable installation and maintenance will ensure that the water depths in the areas shown in figures 3 to 5 above are safeguarded over the lifetime of the project. The application documents, dDCO and the Deemed Marine Licence need to be clear and consistent regarding what is required in these specific locations and what might be possible in other locations – for example, currently there are references to a 5% reduction in water depths (and potentially more than 5% reductions with the agreement of the MMO), but this would not be appropriate in the areas outlined above. The PLA seeks approval of the CSIP prior to its submission to the MMO.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is currently drafting the outline Cable Specification and Installation Plan which will be provided at Deadline 4.
10.6	oSDMP	As outlined above, an oSDMP needs to be produced and submitted into the examination which set out the key constraints and measures proposed in relation to the management and disposal of dredged material that may be produced during the construction of the offshore elements of Sea Link. The PLA seeks approval of the oSDMP prior to its submission to the MMO.	The Applicant is currently drafting the outline Cable Specification and Installation Plan which will be provided at Deadline 4. This document will incorporate the outline Sediment Disposal Management Plan.
10.7	Register of Environmental Actions and Commitments (“REAC”)	The REAC records all the Applicant’s commitments in relation to the Project. It includes embedded, good practice (also referred to as control and management measures) and additional mitigation measures. The REAC forms Appendix B to the outline onshore construction environmental management plan (“CEMP”) [APP-342]. It is not clear why offshore mitigations are set out in an appendix to an onshore plan particular when an outline offshore CEMP has also been produced. This should be clarified.	As set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] the Register of Environmental Actions and Commitments (REAC) has been produced to record all commitments made by the Applicant during the iterative development of the designs on the Proposed Project. This includes all embedded measures, good practice measures outlined within the Code of Construction Practice (CoCP) Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] and additional measures identified through the impact assessment process to avoid or reduce likely significant effects. Despite forming Appendix B to the Application Document Application Document 7.5.3 (B) Onshore Construction Environmental Management Plan (CEMP) [AS-127] the REAC contains commitments relevant to both the onshore and the offshore schemes and is the document through which all project commitments will be secured via the DCO. Due to an overlap between the onshore and offshore at the landfalls, it was considered necessary to create one single document for all contractors ensuring all control measures are adopted for all areas of the Proposed Project pursuant to the DCO. Splitting the REAC into separate offshore and onshore documents, increases the risk of contractors not having full visibility of all project commitments, especially at the landfalls, leading to an increased risk of a non-compliance.

Reference	Matter	Points Raised	Applicant's Comments
10.8		The REAC advises at paragraph 1.1.4 that compliance with the REAC is secured through Schedule 3 Requirement 6 of the dDCO. Whilst this would appear to be the case as the construction of the authorised development and mitigation works must be carried out in accordance with the CEMP (which contains the REAC), it is not clear who would be responsible for approving the CEMP – it is assumed that in the context of the onshore CEMP this would be submitted to the Local Planning Authority. It is therefore unclear whether any Ports would be consulted on this document and given the opportunity to provide comments, particularly given that they are not a named body in the Requirement. All commitments 18 within the REAC must be clear and compliant and precise so that the relevant discharging authority is able to determine whether the commitments are being complied with.	The definition of ‘discharging authority’ in Application Document 3.1 (E) Development Consent Order [REP1-036] is deliberately drafted to not name specific authorities or bodies given the different geographies and authorities involved in the Proposed Project. It is not the usual approach to name specific bodies in the draft DCO and such an approach is well-precedented by other development consent orders and should remain as drafted. However, the Applicant recognises that certainty is required by all parties over which bodies are defined as a discharging authority. The Applicant will work with local authorities and other bodies to consider further how responsibility for discharge of requirements between different bodies can be clarified.
10.9		Table 1.4 contains the REAC for the Offshore Scheme. The PLA has the following initial comments on the table: Entry GM04 proposes sensitive routeing and siting of infrastructure and temporary works. It is stated that this is secured through DCO Schedule 1 and 16. How do these schedules result in sensitive routing and siting of infrastructure? The PLA would have expected much more specific commitments for example signposting to a Requirement which provides specific commitments on seabed levels where these need to be safeguarded over the lifetime of the project. Instead the Applicant signposts to Schedule 1 the Authorised Development i.e. the whole route, not even just the offshore element of Schedule 1 and to the whole of the DML at Schedule 16. GM05 refers to early and continued stakeholder engagement. It is stated that this is secured through the offshore construction environmental management plan (AS-127). The outline plan refers to external notifications but notification is very different from the level of engagement that would be required with the Port of London Authority and others on this project. A significant number of entries refer back to the offshore CEMP as the securing mechanism but it is not clear who will approve the document – the document itself says “the relevant licensing authority” and the PLA would have expected at the very least to be identified as a consultee (along with other port authorities). The SN entries relate to Shipping and Navigation. There are no references to the oNIP which is being produced or to the subsequent NIP as a securing measure for mitigation. For example in relation to SN04 disturbance to other sea users, the NIP will be an important mechanism to reduce the potential for other sea users to be disturbed by the construction and maintenance of Sea Link. In relation to SN11 the need to co-ordinate planned operations within the Sunk region are highlighted but the NIP is not identified as the mechanism to do this. Again in relation to SN34 simultaneous operations, the NIP will be the mechanism to manage these. SN01 sets out a risk based approach to cable burial. There is no in principle objection to this but it need so be clear what happens when cable burial is unsuccessful (either to full depth or to minimum depth of lowering). Constraints cannot be placed on the UK’s largest port through for example the placing of cable protection if the cable is not installed with the required depth of cover. Remedial steps must be clear and must involve burial of the cable (during installation and over the lifetime of the project). There	This is noted by the Applicant. The Applicant will update the Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] and provide this at Deadline 3.

Reference	Matter	Points Raised	Applicant's Comments
		is no reference to the CSIP (or the associated CBRA) which the PLA would expect to cover this matter. SN08 refers to special attention being given to the routing through the Sunk TSS and when in proximity to the Sunk Deep Water anchorage area and Sunk pilot station, as well as when routeing in proximity to the Tongue anchorages and pilot station. The PLA has set out above the areas which it requires special attention to be given to. It is also noted that Harwich and Sandwich Port and Haven authorities are referenced but not the PLA. SN22 worryingly refers to anticipated reductions in water depth greater than 5%. A specific requirement is needed which sets out the riverbed depths that must be maintained and where there can be no reductions in water depth. There is no mitigation in relation to designing out planned cable joints in the areas shown in figures 3 to 5 above. The usual suite of mitigations are not identified in relation to UXO, archaeological finds, wet storage, freespan clearance etc. The approach to cable protection and cable crossings (and in particular areas to avoid) are not set out. As highlighted above, these should all be set out in an oCSIP.	
11.1	COMMENTS ON THE dDCO	The PLA has identified several matters of concern in relation to the dDCO. The main concerns are summarised below.	This is noted by the Applicant.
11.2		Schedule 3 Requirements - Akin with Five Estuaries and North Falls the PLA would wish to see a requirement and associated certified plan to the effect of: "That any part of Work No.6, including any associated development or ancillary works, located within the Areas of Interest must be installed at a level which would not impede the dredging of those parts of the Areas of Interest to the following depths: (a) Labelled "Sunk Pilot Boarding area", to a level of 22 metres below Chart Datum; and (b) Labelled "Long Sand Head Two-Way Route crossing", to a level of 12.5 metres below Chart Datum; and (c) Labelled " North East Spit area" to a level of 12.5 metres below Chart Datum; and in all cases (a) to (c) makes allowance for an 'over-dredge' tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology." ("the Requirement") The final form of the wording for the Requirement and reference to the same in the Deemed Marine Licence and the Protective Provisions will need to be the subject of further review given the need to also accommodate GridLink.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. This is noted by the Applicant. The Applicant is working with the PLA and other ports to secure commitments in Protective Provisions. Draft Protective Provisions have been issued to the PLA with comments received by the Applicant in November 2025 which are currently being internally reviewed.
11.3		Schedule 16 Deemed Marine Licence - Whilst the PLA would expect its own approvals, the PLA had a number of broad comments as set out in its Witten Representation on the DML. A marked up copy of the DML with these changes tracked is attached at Appendix 4 and a broad summary of the changes are highlighted below.	This is noted by the Applicant.
11.3 a		(a) PLA contact details need to be listed at paragraph 4 and notification and consultation provisions included at various points in the DML;	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to

Reference	Matter	Points Raised	Applicant's Comments
			change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
11.3 b		Paragraph 2 allows for disposal of up to 250,000m3 of material within the cable corridor disposal site. This term is not defined and it is not marked on the plans. The PLA assumes that this means that it could be disposed within Work No 6. This must be coupled with checks and balances to make sure that there is no reduction in water depths in the areas identified by the PLA.	This is noted by the Applicant. This would be subject to other conditions on the DML such as depth restrictions. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
11.3 c		Part 2 Condition 1 - The PLA request that a design parameter consistent with the Requirement is an express condition within the DML.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
11.3 d		Part 2 Condition 4 – (Pre-construction plans and documentation) A CSIP is required to be submitted and approved by the MMO – the PLA considers that an outline plan should be submitted into the examination (consistent with the approach taken with Five Estuaries and North Falls) and then the CSIP should substantially accord with the outline plan. The PLA also considers that the plan must include 20 commitments relating to no relocation of boulders, UXO or archaeological finds, wet storage, freespan clearance or planned field joints in the areas where water depths need to be protected. The pre construction plans are to be approved by the MMO but there is no requirement to consult with the PLA or other port authorities or for the Applicant to demonstrate that they have consulted the PLA on any relevant plans prior to their submission nor a requirement to explain how those comments have been addressed. In sub-paragraph (1)(a) of Condition 4 the Applicant has to provide details of cable burial depth in accordance with industry best practice. Compliance with the requested Requirement should also be demonstrated. Sub paragraph (1)(k) requires a navigation and installation plan for the relevant stage which accords with the principles set out in the outline navigation and installation plan. The comments made regarding the oNIP, as cited previously in this Written Representation including in relation to consultation and approval must be taken into account for this to be acceptable by the PLA.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is currently drafting the outline Cable Specification and Installation Plan which will be provided at Deadline 4. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
11.3 e		Part 2 Condition 12 (Maintenance) the PLA's comments above regarding maintenance are equally applicable to the DML. There needs to be a requirement when undertaking maintenance to protect water depths and it needs to be clear that there can be no reduction in water depths in the Areas of Interest.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
11.3 f		Part 2 Condition 14 (Post Construction) It is concerning that the Applicant considers that they may construct the scheme in a way that could cause a possible danger to navigation and that it is for the MMO on the basis of as built plans, which must be submitted <u>within three months of completion of licensed activities</u> to decide if there is possible danger to navigation. If there is a danger of navigation it cannot be left to three months post completion of licensed activities to draw that to the MMO's attention and the solution cannot simply be to mark it with an aid to navigation. If cable burial depths have not been met, the Applicant must carry out remediation until such time that the cables are at the correct depth. In the PLA's experience cable installation depths are not	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.

Reference	Matter	Points Raised	Applicant's Comments
		always achieved on initial installation but can be with remedial works. This must be the approach at Sea Link if the Project is not to have a long term impact on the Port of London.	
11.3 g		Part 2 Condition 15 (Offshore Preparation works, construction monitoring and post construction monitoring). The PLA has added a new condition which requires the PLA to be consulted about any offshore preparatory works, surveys and monitoring and on any application for the clearance of UXO.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. We can confirm that UXO is not included within the draft DML and is being consented separately through a Marine Licence application.
11.3 h		Part 2 Condition 16 (Remediation). The PLA has added a new condition concerning remediation.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
12.1	PROTECTIVE PROVISIONS	The dDCO [AS-088] does not include any protective provisions for the benefit of the PLA however the PLA is in discussions with the Applicant and draft protective provisions have been shared with the PLA. The PLA's requested form of protective provisions are annexed to this Written Representation at Appendix 3. The PLA will update the Examining Authority at each relevant deadline regarding progress towards agreement on protective provisions.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is working with the PLA and other ports to secure commitments in Protective Provisions. Draft Protective Provisions have been issued to the PLA with comments received by the Applicant in November 2025 which are currently being internally reviewed.
12.2		The essential matters the PLA seeks to address through protective provisions are approval of relevant documents and consultation on certain pre commencement activities (to make sure the scheme has been designed to meet the necessary offshore requirements and will be carried out in a way that will reduce impacts); clear requirements where water depths must be safeguarded, a remediation clause that sets out what will happen if the cable is not installed or maintained at the correct depth and an indemnity.	This is noted by the Applicant. The Applicant is working with the PLA and other ports to secure commitments in Protective Provisions. Draft Protective Provisions have been issued to the PLA with comments received by the Applicant in November 2025 which are currently being internally reviewed.
13.1	CONCLUDING REMARKS	In light of the importance of ports, it is imperative that the existing and future capacity and operation of the Port are not compromised during construction and operation of Sea Link. For the reasons highlighted throughout this document, the PLA is concerned that currently Sea Link may cause economic disbenefits to the Port.	This is noted by the Applicant.
13.2		To accommodate existing and predicted future vessel sizes, the PLA needs to safeguard water depths. In the event that these water depths are not safeguarded it will limit the quantum of trade within the Port. The impact of this restriction could be significant, detrimentally impacting the future of the UK's largest port.	This is noted by the Applicant.
13.3		The depth of the Sea Link cables; the approach to cable laying and repair; cable protection and cable crossings are therefore all critical if the Port of London is not going to be impacted by Sea Link. There are areas of the Marine HVDC cable route where certainty is required at this stage on cable burial depths, cable protection and cable crossings to ensure that there will be no significant effects on shipping and navigation	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments												
		arising from the cables, in isolation or cumulatively with other projects, during construction, operation, maintenance and decommissioning.													
13.4		The Sea Link application needs to provide clarity and confidence that long term access/egress to the Port of London would be maintained and that short term impacts during construction and maintenance would be kept to a minimum. Currently, the mitigations relating to shipping and navigation place significant weight on documents that are yet to be produced, and they do not provide the certainty that is required. The documents also need to be supported by factual information such as ground investigations rather than intentions which may have no realistic prospect of being delivered.	This is noted by the Applicant.												
13.5		The PLA's concerns need to be addressed through: <table><tr><th>Activity</th><th>Summary of PLA's Position</th><th>Securing Mechanism</th></tr><tr><td>Cable installation, maintenance, operation and decommissioning</td><td>Safeguarding of current and future depths: 22m Sunk Pilot Boarding Area 12.5m Long Sand Head 12.5m North East Spit And in all cases making allowance for an over-dredge tolerance of 0.5m</td><td>Design Requirement DML Protective Provisions for the PLA Certified Plan</td></tr><tr><td>Cable installation and maintenance</td><td>The most effective method of cable laying in terms of speed and ability to achieve the required cable burial depth must be used</td><td>oNIP</td></tr><tr><td>Cable Crossings</td><td>Safeguarding of current and future depths: 22m Sunk Pilot Boarding Area 12.5m Long Sand Head 12.5m North East Spit And in all cases making allowance for an over-dredge tolerance of 0.5m</td><td>Design Requirement DML Protective Provisions for the PLA Certified Plan</td></tr></table>	Activity	Summary of PLA's Position	Securing Mechanism	Cable installation, maintenance, operation and decommissioning	Safeguarding of current and future depths: 22m Sunk Pilot Boarding Area 12.5m Long Sand Head 12.5m North East Spit And in all cases making allowance for an over-dredge tolerance of 0.5m	Design Requirement DML Protective Provisions for the PLA Certified Plan	Cable installation and maintenance	The most effective method of cable laying in terms of speed and ability to achieve the required cable burial depth must be used	oNIP	Cable Crossings	Safeguarding of current and future depths: 22m Sunk Pilot Boarding Area 12.5m Long Sand Head 12.5m North East Spit And in all cases making allowance for an over-dredge tolerance of 0.5m	Design Requirement DML Protective Provisions for the PLA Certified Plan	This is noted by the Applicant. Please see responses above.
Activity	Summary of PLA's Position	Securing Mechanism													
Cable installation, maintenance, operation and decommissioning	Safeguarding of current and future depths: 22m Sunk Pilot Boarding Area 12.5m Long Sand Head 12.5m North East Spit And in all cases making allowance for an over-dredge tolerance of 0.5m	Design Requirement DML Protective Provisions for the PLA Certified Plan													
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Table 2.10 RSPB [REP1-158]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction		
1.1 and 1.2	The RSPB and Summary of concerns	This sections provide a summary of the more detailed of RSPB role and a summary of their concerns. Further detailed is then provided in subsequent sections.	See responses to detailed comments below.
1.3.1	Designated Sites – Suffolk	The Suffolk landfall at North Warren is within the Leiston-Aldeburgh SSSI and the RSPB’s North Warren nature reserve. The nature reserve has been an established and undisturbed haven for wildlife since 1939 and is a SSSI due to its national conservation importance. The grazing marshes and reedbeds at RSPB North Warren host thousands of ducks, swans and geese in winter including nationally important numbers of wintering White-fronted Geese <i>Anser albifrons</i> whilst spring brings breeding Bittern <i>Botaurus stellaris</i> and Marsh Harrier <i>Circus aeruginosus</i>. The SSSI citation describes this area as follows: <i>“The marshes, the open water and their margins, in particular, support a diverse range of breeding birds, including water rail, marsh harrier, gadwall and grasshopper warbler. The site is also attractive to wintering waterfowl including Bewick’s swan and bittern and regularly supports important populations of white-fronted goose, gadwall and teal.”</i> Natural England has defined operations requiring Natural England's consent (ORNECs)² (previously known as operations likely to damage the special interest of SSSIs) for the Leiston-Aldeburgh SSSI. Of these, the following are particularly relevant to our concerns: • 2 ...alterations to the grazing regime including... intensity or seasonal pattern of grazing. • 11 Destruction, displacement, removal or cutting of any plant or plant remains, including tree, shrub, herb... • 14 Alterations to water levels and tables and water utilisation... Also the modification of current drainage operations. • 21 Destruction, construction, removal or rerouting, or regrading of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks... or the laying, maintenance or removal of pipelines and cables, above or below ground. • 22 Storage of materials. • 23 Erection of permanent or temporary structures, or the undertaking of engineering works, including drilling. • 26 Use of vehicles or craft. • 27 ...other activities likely to damage vegetation or disturb birds. The Suffolk landfall and subsequent cable route also lies in close proximity to the Sandlings SPA. The Sandlings SPA comprises heathland, acid grassland and commercial forestry and was classified as a SPA in August 2001 on the basis of its	This is noted by the Applicant. No response required.

Reference	Matter	Points Raised	Applicant's Comments
		populations of breeding Nightjar <i>Caprimulgus europaeus</i> and breeding Woodlark <i>Lullula arborea</i>. The Conservation Objectives of the SPA are as follows: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. • Natural England have also produced a Site Improvement Plan³ for the Sandlings SPA, which lists the following priority issues affecting the site: • Changes in species distributions • Inappropriate scrub control • Deer • Air pollution: impact of atmospheric nitrogen deposition • Public access/disturbance	
1.3.1.1	Functionally Linked Land	Due to its importance for breeding Marsh Harrier and non-breeding White-fronted Goose, potential effects on the supporting habitat RSPB North Warren provides for the following SPAs and Ramsar sites must be also considered. The Minsmere to Walberswick Special Protection Area (SPA) is designated for its breeding populations of Bittern, Marsh Harrier, Avocet <i>Recurvirostra avosetta</i>, Little Tern <i>Sternula albifrons</i>, Nightjar, Woodlark, Gadwall <i>Anas strepera</i>, Teal <i>Anas crecca</i> and Shoveler <i>Anas clypeata</i>. It is also designated for its wintering populations of Hen Harrier <i>Circus cyaneus</i>, Bittern, Avocet, White-fronted Goose, Gadwall and Shoveler. The Minsmere - Walberswick Heaths and Marshes Ramsar site is designated for its mosaic of marine, freshwater, marshland and associated habitats, complete with transition areas. It supports an important assemblage of rare breeding birds associated with marshland and reedbeds.	This is noted by the Applicant. No response required.

Reference	Matter	Points Raised	Applicant's Comments
		The Alde-Ore Estuary is designated as an SPA for its breeding populations of Avocet, Little Tern, Marsh Harrier, Sandwich Tern <i>Sterna sandvicensis</i> and Lesser Black-backed Gull <i>Larus fuscus</i>. During the winter it also supports populations of European importance of Avocet and Redshank <i>Tringa totanus</i>. It is also notified for supporting over 20,000 seabirds during the breeding season and over 20,000 waterfowl during the winter. The Alde-Ore Estuary Ramsar Site is designated for its internationally important populations of Lesser Black backed Gull during the breeding season, and of Avocet and Redshank during the winter. It also supports a notable assemblage of breeding and wintering birds.	
1.3.2	Designated Sites - Kent	In Kent, the proposed cable route would cross the Thanet Coast and Sandwich Bay Ramsar and SPA, Sandwich Bay SAC and Sandwich Bay to Hacklinge Marshes SSSI. These hugely important coastal habitats, in addition to functionally-linked inland areas, support internationally important populations of birds including wintering Golden Plover <i>Pluvialis apricaria</i> and Turnstone <i>Arenaria interpres</i>, and large concentrations of wintering and migrating wading birds with some species, such as Sanderling <i>Calidris alba</i>, present in nationally important numbers. Thanet Coast and Sandwich Bay SPA is designated such for breeding Little Tern, wintering Turnstone and Golden Plover. According to the SPA designation site details: <i>“Terrestrial habitats within the SPA, close to Sandwich Bay consist of improved and unimproved grassland, with some arable land all important habitat for golden plover to roost and feed. The intertidal reef, together with the mudflats and sandflats which characterise the remainder of the coastline in North East Kent, provide valuable feeding grounds and roosting areas at low water for wintering waders including turnstone. In summer, shingle provides an important breeding habitat for little terns.”</i> The SSSI designation includes various habitats, scarce invertebrates and botanical interest. Looking at ornithological interest, the SSSI citation mentions: <i>“...the large numbers of waders and wildfowl which use the area in winter and during the Spring and Autumn migrations. Dunlin Calidris alpina is usually the most common wader present, found particularly on the mudflats where the rich invertebrate fauna also attracts a wide range of other common species such as oystercatcher Haematopus ostralegus, curlew Numenius arquata, and redshank Tringa totanus. Grey plover Pluvialis squatarola and sanderling Calidris alba both overwinter in nationally important numbers, whilst ringed plover Charadrius hiaticula also occurs in nationally important numbers during migration. Many of the birds use more than one habitat, some for example feed on the mudflats at low tide and then move up to roost on the saltmarsh or grazing marsh. Breeding birds include ringed plover, oystercatcher and little tern Sterna albifrons, a species specially protected by law and listed on Schedule 1 of the Wildlife and Countryside Act 1981. Inland areas are also of interest supporting two nationally rare species of breeding birds”</i> The Minster Marshes area currently holds a rich assemblage of wetland, farmland, woodland and scrub birds, many of which are Red-listed Birds of Conservation Concern and is functionally linked land for Golden Plover. This area is situated to the west of the main designated area, and immediately alongside a section of Sandwich Bay to Hacklinge Marshes SSSI. The Sea Link plans would see much of this area lost to an electricity converter station, adjacent to the SSSI, with many pylons constructed nearby. The farmers are managing much of the land with biodiversity in mind, with Abbey Farm in Higher Level Stewardship, part of Operation Turtle Dove⁴, and utilising	This is noted by the Applicant. No response required.

Reference Matter		Points Raised	Applicant's Comments
		cover crops, for example. The farm and surrounds hold established habitats including grazing marsh, ponds, scrapes for wintering waders, scrub, wet woodland and more. The issues and vulnerabilities affecting designated sites in both Suffolk and Kent are explored in further detail in relation to specific topics below.	
1.4	Overarching comments on the Principle of Development within Designated Sites	The RSPB is extremely concerned about the choice of landfall site and onshore cable routes in both Suffolk and Kent for the Sea Link project due to their potential to negatively impact designated conservation sites, which should be afforded a high level of protection.	The Applicant's consideration of these various landfall areas of search and cable routes is set out in detail in Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]. Specific comments with regards to impacts on designated sites are addressed in relevant sections below.
1.4.1	Protection afforded to designated sites		
1.4.1.1	SPAs, SACs and Ramsar Sites	The main protective provisions in respect of SPAs, SACs and Ramsar sites are set out in The Conservation of Habitats and Species Regulations 2017 as amended ('the Habitats Regulations'). These regulations set out the main tests that the competent authority would have to apply to any plan or project likely to have a significant effect on SPAs and/or SACs (National Sites). It is Government policy that the same protection is afforded to Ramsar sites. Given that the Application is not directly connected with or necessary for the management of a National Site, it is necessary to consider it against the sequence of steps set out in the Habitats Regulations. The steps to be taken by the competent authority when considering authorisation for a project that may have an impact on a National Site are set out in Regulation 63, as follows: • Step 1: consider whether the project is directly connected with or necessary to the management of the site. If not • Step 2: consider, on a precautionary basis, whether the project is likely to have a significant effect on the site, either alone or in combination with other plans or projects. • Step 3: make an appropriate assessment of the implications for the site in view of its conservation objectives. Regulation 63(2) empowers the competent authority to require an applicant to provide information for the purposes of the appropriate assessment. There is no requirement or ability at this stage to consider extraneous (non-conservation e.g. economics) matters in the appropriate assessment. • Step 4: consider whether it can be ascertained that the project will not, alone or in combination with other plans or projects, adversely affect the integrity of the site, having regard to the manner in which it is proposed to be carried out, and any conditions or restrictions subject to which that authorisation might be given (the Integrity Test). • Step 5: In light of the conclusions of the assessment the competent authority shall agree to the project only after having ascertained that it will not adversely affect the integrity of the site, alone or in combination with other plans or projects.	Comment is noted by the Applicant. The Applicant has undertaken a Habitat Regulations Assessment (Application Document 6.6 (C) Habitat Regulations Assessment Report [REP1-071]) in accordance with The Conservation of Habitats and Species Regulations 2017 as amended ('the Habitats Regulations'). The HRA has concluded that the Proposed Project will not result in an adverse effect on the integrity of any European Sites either alone or in combination with other plans or projects.

Reference Matter	Points Raised	Applicant's Comments
	- Step 6: If, despite not being possible to ascertain that there will not be an adverse effect on the integrity of the site, there are no possible alternative solutions to the proposed development and there are imperative reasons of overriding public interest (IROPI) (which, subject to regulation 64(2), may be of a social or economic nature), for it, consent can still be granted if... - Step 7: any and all necessary compensation measures must be secured to ensure the overall coherence and protection of the National Sites Network. (consideration of the management objectives for the National Sites Network should be part of these considerations)(regulation 68). The tests set out in Regulation 63, 64 and 68 are extremely strict as they concern the protection of sites that are of recognised international importance. Relevant effects on a site may be direct (e.g. direct loss of habitat) or indirect (e.g. noise disturbance causing avoidance of otherwise suitable nesting habitat). They may also arise from operations outside the boundary of a site e.g. changes to drainage systems. The extent to which any such effects can be removed or reduced by mitigation measures will vary Where it is not possible to conclude there will be no adverse effect on a site nor its features, it is necessary to consider whether there are alternative solutions. This must examine whether there are less environmentally damaging alternative solutions to the plan or project i.e. are there alternatives that are less damaging to the SPAs, SACs or Ramsar sites? Such alternatives could include different designs, locations or even policy approaches that meet the public interest objectives of the plan or project. If no such alternative solutions exist, it would then be necessary to assess whether there are imperative reasons of overriding public interest (IROPI). The grounds for derogating from the protective provisions of the Habitats Regulations must be exceptional and not every kind of public interest will be sufficient when weighed against the objectives of the Regulations. If IROPI is demonstrated, compensatory measures must be secured to protect the overall coherence of the National Sites Network, taking account of the Network's management objections as set out in Regulation 16A and that are targeted at the features and supporting ecological functions that may be adversely affected.	
	We do not believe it is possible to conclude that adverse effects on integrity can be excluded for Sandlings SPA, Minsmere-Walberswick SPA and Ramsar site and Alde-Ore Estuary SPA and Ramsar site (through impacts on functionally-linked land), Thanet Coast and Sandwich Bay SPA and Ramsar site and Sandwich Bay SAC or Outer Thames Estuary SPA. Nor that the strict derogation tests have been followed as detailed above, particularly regarding demonstrating lack of alternative solutions and sufficient mitigation or compensation measures is not proposed.	A response to specific points raised with regards to the conclusions of Application Document 6.6 (C) Habitat Regulations Assessment Report [REP1-071] are provided where appropriate in the sections below.

Reference	Matter	Points Raised	Applicant's Comments
1.4.1.2	SSSIs	Under Section 28G of the Wildlife and Countryside Act, 1981 (as amended), decision makers and statutory undertakers (including the Applicant) have a duty... <i>“...in exercising its functions so far as their exercise is likely to affect the flora, fauna or geological or physiographical features by reason of which a site of special scientific interest is of special interest....to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.”</i> With regard the principle of energy development on or affecting SSSIs, EN-1 (Overarching National Policy Statement for Energy)⁵, paragraph 5.4.8 states: <i>“Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.”</i> The tests set out in paragraph 5.4.8 are intended to ensure that SSSIs are only damaged (i) where there is no alternative location for the development and (ii) where the benefits of development at that site clearly outweigh both the impacts on the features of the SSSI itself and any broader impacts on the national network of SSSIs. At present, we do not agree that the Sea Link proposals meet these tests.	Specific comments with regards to impacts on designated sites are addressed in relevant sections below
1.4.2	Selection of Suffolk Landfall	We have previously raised our concerns around the site selection process for the Suffolk landfall, and in particular, the consideration of avoidance in the initial refinement of options and the final justification for the choice of RSPB North Warren as the landfall site. Whilst APP-044 Part 1 Introduction Chapter 3 Main Alternatives Considered does mention opportunities to avoid and mitigate impacts on designated sites for some parts of the process, there are still some areas where we feel the approach is not clear, particularly around the refinement from the initial routing and siting study area (from Hollesley to Dunwich) towards the identification of the landfall areas of search. We do not agree that the information presented demonstrates that adequate weight has been given to the need to avoid impacts on designated sites throughout the evolution of the site selection process. There are also a number of references in APP-044 Part 1 Introduction Chapter 3 Main Alternatives Considered, APP-321 Design Development Report and APP-369 Options Selection and Design Evolution Report (October 2023) to the use of trenchless techniques at the Leiston-Aldeburgh SSSI enabling avoidance of direct effects. Whilst the proposal of such techniques as an alternative to open-trenching is welcomed (subject to the caveats discussed below), this assumption does not adequately consider potential impacts such as noise disturbance and risks of technical issues associated with trenchless techniques, therefore we consider that it is far from certain that direct effects on designated sites can be avoided. In our view, avoidance of impacts would require geographic avoidance of designated sites.	The reasons for the section of the landfall location are set out in Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]. Potential impacts on the SSSI as a result of the proposed trenchless technique are addressed in Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071].

Reference	Matter	Points Raised	Applicant's Comments
1.4.2	Selection of Suffolk Landfall	Documents issued at pre-application consultations gave great weight to the capacity of RSPB North Warren (within the Leiston-Aldeburgh SSSI) as the only landfall site (of the options considered) capable of supporting project co-location. This point was used to justify the choice of RSPB North Warren as the final landfall location, despite its significant environmental importance. We commented on our concerns around this in our pre- application consultation responses of 18th December 2023 and 9th August 2024. We are therefore disappointed that, despite the removal of co-location from the proposals, the Applicant has not fully considered options for the Sea Link project alone to avoid the Leiston-Aldeburgh SSSI.	As set out in Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368] landfall area of search S2 (Aldeburgh) was identified as the emerging preference landfall for the Proposed Project on the basis that Leiston-Aldeburgh SSSI and RSPB North Warren could be crossed using a trenchless technique. However, at the time no ground investigation studies/surveys had been undertaken to confirm the feasibility of a trenchless solution. As such an alternative landfall S3N was included as part of the proposals that were consulted on during the 2022 non-statutory consultation. This conclusion was reached for the Proposed Project in isolation. Given the feedback received from stakeholders requesting that consideration be given to coordination with NGV projects, the concept of consolidation (co-location) of landfalls was explored. Consideration was given to the potential for another project to make landfall immediately adjacent to landfall area of search S2 and it was concluded that co-location was achievable. Landfall S2 therefore remained the preferred landfall area of search and S3(N) remained the alternative. However, it was noted that should the alternative landfall be brought forward, rather than the emerging preference, it was unlikely that a co-located landfall could be achieved. As set out in Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369] whilst feedback was received at non-statutory consultation regarding the designated nature conservation sites within landfall area of search S2, no different or additional information emerged that altered the preliminary conclusion that landfall area of search S2 was preferred to S3N. In addition, further technical studies had been undertaken, (subject to the results of ground investigations at the time) which confirmed a trenchless crossing beneath the designated sites to avoid direct effects is achievable. Ground investigations were subsequently undertaken which confirmed the output of the technical feasibility studies that are set out in Appendix A of Application Document 7.3 Design Development Report [APP-321], which concluded that a trenchless crossing technique can be used to cross under the designated sites at this landfall confirming the original appraisal outcome. Refinements to the Order Limits were also made after statutory consultation to reduce the size of the proposed construction compound to the east of Leiston Road to reduce the potential for disturbance to breeding bird species within the Sandlings SPA and North Warren RSPB Reserve and to avoid locating the construction compound within Flood Zone 2. The proposed

Reference	Matter	Points Raised	Applicant's Comments
			compound, which was adjacent to the Sandlings SPA, was removed and combined with the HDD compound at the TJB.
1.4.2	Selection of Suffolk Landfall	Given our concerns above, we object to the Sea Link project landfall in Suffolk due to the potential impacts on Leiston-Aldeburgh SSSI (and the functionally-linked Minsmere-Walberswick SPA and Ramsar site and Alde-Ore Estuary SPA and Ramsar site) and on RSPB North Warren and the insufficient consideration of avoidance as the first stage of the mitigation hierarchy. We consider that the approach taken to site selection could set a damaging precedent with regard to construction within SSSIs.	The Proposed Project comprises different components, namely marine HVDC cable, landfalls, terrestrial HVDC cable, converter stations and an Alternating Current (AC) connection to the network connection point. In identifying an overall preferred solution, the appraisals of these individual components are brought together to identify the most appropriate overall design. Therefore, while the Applicant may identify certain areas to be more constrained than alternatives based on certain factors, the preferred design represents the overall most appropriate solution, taking all elements into account. All options within with the study area would result in a likely interaction with a statutory designated nature conservation site either at the landfall or on onward terrestrial cable route. As set out above the selection of the preferred landfall factored in identify the most appropriate overall design. For example, the marine approach to landfall area of search S1 was the least constrained from a marine routeing perspective but it was significantly constrained from an onward terrestrial route perspective due to crossings of the Alde-Ore Estuary. The technical studies set out in Appendix A of Application Document 7.3 Design Development Report [APP-321] and ground investigations have confirmed that a trenchless construction technique can be used to avoid direct habitat loss within the Leiston-Aldeburgh SSSI. Effects on designated sites are set out in Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071].
1.4.3	Selection of Kent Landfall	We have previously raised our concerns around the site selection process for the Kent landfall, and in particular, the consideration of avoidance in the initial refinement of options and the final justification for the choice of heavily designated Pegwell Bay as the landfall site. Whilst APP-044 Part 1 Introduction Chapter 3 Main Alternatives Considered does mention opportunities to avoid and mitigate impacts on internationally designated sites for some parts of the process, there are still some areas where we feel there is uncertainty, particularly the process by which a shortlist of potential routes was obtained, and around the refinement from the initial routing and siting study area towards the identification of the landfall areas of search. We do not agree that the information presented demonstrates that adequate weight has been given to the need under the Habitats Regulations to avoid impacts on designated sites throughout the evolution of the site selection process.	Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368] sets out the approach to the landfall area of search identification within the study area. In developing the Proposed Project, the mitigation hierarchy has been rigorously applied by the Applicant, as part of the approach to consenting set out in Application document 7.3 Design Development Report [APP-321] and as part of the iterative process of EIA. The avoidance of environmental designations and other environmental constraints is an important factor which informs the Applicant's site selection process. This is considered alongside other factors such as engineering feasibility, cost, and other wider environmental and socio-economic matters. In considering these various factors,

Reference Matter	Points Raised	Applicant's Comments
		the Applicant uses reasonable judgement, in the context of the various statutory duties in the Electricity Act 1989 which include the duty to “develop and maintain an efficient coordinated, and economical system of electricity transmission” (which includes reducing costs on behalf of consumers), and also the duty to have regard to the desirability of conserving the environment and doing what can reasonably be done to mitigate effects. These duties are set out in Application Document 7.1 (C) Planning Statement [AS-057]. As set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting study (October 2022) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search with all potential landfall locations resulting in varying degrees of interaction with these designations. For any of the landfalls considered along the north Kent coast the Thanet Coast and Sandwhich Bay SPA and Ramsar and Thanet Coast MCZ and SSSI were unavoidable. For the landfall at Broadstairs the Thanet Coast and Sandwhich Bay SPA and Ramsar and Thanet Coast SAC, MCZ and SSSI were unavoidable. For the landfall in Pegwell Bay the Thanet Coast and Sandwhich Bay SPA, Sandwhich Bay SAC, Sandwhich Bay to Hacklinge Marshes SSSI were unavoidable. The appraisal of the landfalls in conjunction with the connecting marine and terrestrial cable routes took into account the habitat types that were present and the potential for avoidance of the permanent effects on those habitats. The north Kent coast landfall areas of search were ruled out due to significant technical and environmental constraints on the marine approaches. With regards to nature conservation sites Margate and Long Sands Special Area of Conservation (SAC), which due to shipping and navigation constraints and bathymetry would have been unavoidable by the marine cable route to a landfall along the north Kent coast. This designation is designated for sandbanks therefore any cable or crossing protection within the designated site would have resulted in permanent habitat loss of the interest features of this site. Natural England expressed concerns regarding the potential impacts of crossing the proposed NeuConnect cable within the Margate and Long Sands SAC as the material required for the crossing could permanently change the protected features in this site. Natural England also advised that their preference was for the project to avoid any cable installation in this protected site. Landfalls at either Pegwell Bay or Broadstairs would avoid this permanent habitat loss. In addition to the potential for permanent habitat loss the marine approaches to the north Kent coast landfalls were significantly constrained by an area of mobile sandbank as illustrated on Figure 7.17 of

Reference	Matter	Points Raised	Applicant's Comments
			Application Document 8.1 Corridor and Preliminary Routeing and Siting study (October 2022) [APP-368]. Mobile sediment is considered to be an important consideration as cable spanning or over burial could result which presents a considerable exposure and engineering risk and interaction with key anchorage areas offshore of Margate. Although taken in isolation the Broadstairs landfall (K1a) would be slightly preferred to the Pegwell Bay landfall from a purely marine routeing perspective, there were significant constraints associated with the onward terrestrial corridor from the Broadstairs landfall to both converter station option areas considered, including existing settlements and further proposed development, (part of which has subsequently been delivered) as illustrated on Figure 8.5 of Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368]. Whilst nature conservation sites are unavoidable at the Pegwell Bay landfalls (as they are at any of the landfall considered) trenchless construction techniques have been proposed to avoid the sensitive saltmarsh habitat thereby avoiding the potential for permanent habitat loss as such the landfall at Pegwell Bay, was identified as the least constrained technically viable landfall option. The effects on the nature conservation sites have been assessed and presented in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-050] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071].
1.4.3	Selection of Kent Landfall	There are also a number of references to the use of trenchless techniques at the Pegwell Bay landfall area as avoidance of direct effects. For example, such techniques would “avoid” damage to the designated sites (APP-044 ES Volume 6, 6.2.1.3 Part 1). Whilst the proposal of trenchless techniques as an alternative to open trenching is welcomed (subject to the caveats discussed below), this assumption does not adequately consider potential impacts such as risks of technical issues associated with trenchless techniques or other impacts such as noise and disturbance. Consequently, therefore we consider that it is far from certain that direct effects on designated sites can be avoided. It is our view that avoidance of impacts would require geographic avoidance of designated sites.	Technical issues associated with trenchless techniques such as risk of frac-out or stuck drilling rigs, and noise disturbance have been considered in the following Application Documents: • Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]; and • Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]
1.4.3	Selection of Kent Landfall	We consider that a more robust assessment of less ecologically damaging options should have been undertaken, and that insufficient weight was placed on the environmental impacts when considering options. Less damaging route options appear to have been too easily discarded at the expense of designated wildlife sites. The chosen landfall location at Pegwell Bay, and locating the substation and converter at Minster Marshes, directly impacts designated sites of national and international importance, and nearby functionally-linked land. This area is rich in wildlife, especially wading birds, wildfowl, farmland and scrub species. Such a biodiverse and heavily designated landscape should not be chosen for development or infrastructure projects.	Please refer to the above comment in relation to the selection of the landfall. The Proposed Project is a HDVC link which comprises different components, namely marine HVDC cable, landfalls, terrestrial HVDC cable, converter stations and an AC connection to the network connection point. In identifying an overall preferred solution, the appraisals of these individual components are brought together to identify the most appropriate overall design. Therefore, in identifying a preferred converter station site the

Reference	Matter	Points Raised	Applicant's Comments
		Given our concerns above, we object to the Sea Link project landfall in Kent due to the potential impacts on Thanet Coast and Sandwich Bay Ramsar SPA /Ramsar, Sandwich Bay SAC, and Sandwich Bay to Hacklinge Marshes SSSI, and the insufficient consideration of avoidance and less environmentally damaging alternatives as the first stage of the mitigation hierarchy and considering the Habitats Regulations. We also consider that the approach taken to site selection could set a damaging precedent with regard to construction within SPA/Ramsar sites, SACs and SSSIs.	constraints of the landfall, marine HVDC cable route, terrestrial HVDC cable route and AC connection are all taken into consideration. Application Document 8.1 Corridor and Preliminary Routeing and Siting study (October 2022) [APP-368] describes this process. At Non-Statutory Consultation the Applicant showed two converter station site Option Areas (Area A and Area B). Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368] explained that Option Area A had been selected as preferred as Area A provided an opportunity to site the converter station within an area adjacent to similar infrastructure or industrial land uses and minimised the HVAC connection back to the network. The appraisal also explained that part of the Sandwich Bay to Hacklinge Marshes SSSI (Plates 8-10) extended into this area but that converter station siting could avoid this designation and that while part of this area is within the flood zones 2 and 3 (Plates 8-12) there were opportunities to site a converter station outside of these zones. As set out in Paragraphs 5.4.19 to 5.4.24 of Application Document 7.3 Design Development Report [APP-321], feedback was received through Statutory Consultation that raised concerns around the siting of the proposed Minster Converter Station and Substation in relation Minster Marshes. In addition, ecological site surveys undertaken for the Proposed Project, which were ongoing at the time of Statutory Consultation, identified that the proposed site constitutes functionally linked land related to golden plover, which is an interest feature of the Thanet Coast & Sandwich Bay SPA Ramsar. As a result, the original decision to locate the converter station and substation in this location was reviewed. As part of this review alternative locations within converter site Option Area A and converter site Option Area B (as shown in Application Document 5.1.7 Appendix F Targeted Consultation [APP-313 and APP-314] of the Consultation Report) were reconsidered. Paragraphs 5.4.18 to 5.4.24 of Application Document 7.3 Design Development Report [APP-321] explain why the proposed site remained unchanged following that review.
1.4.4	Conclusions	We are extremely disappointed that infrastructure development has been proposed within important wildlife sites in Suffolk and Kent. National Grid should have considered at early stages of planning how impacts on important wildlife sites could be avoided and mitigated as far as possible, in line with the mitigation hierarchy. This should have included consideration of alternative options to avoid sensitive areas. We do not agree that this approach has been adequately demonstrated thus far and therefore we object to the proposals in their current form.	Please see responses to above comments.

Reference	Matter	Points Raised	Applicant's Comments
1.5	Overarching Comments on the Sufficiency of the Application	Throughout these Representations, we make comment on a number of topic areas where the information provided as part of the Application is inadequate or unclear, including project details and impact assessment, and details of mitigation and monitoring proposals. We are very concerned that the information provided is not sufficient to fully and robustly assess all potential impacts of the Application on designated conservation sites and their habitats and species as well as biodiversity in the surrounding area more generally. Given these concerns, we must also raise an objection at this stage based on insufficient information and therefore a lack of confidence in the conclusions of the Applicant's assessments. However, we remain keen to work further with the Applicant during the Examination process to address these concerns.	
Detailed Comments – 2 Suffolk			
2.1	Suffolk Onshore Scheme – Description of Baseline		
2.1.1	Proximity to Designated Sites	The description of baseline conditions in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity is misleading with regard the description of proximity of the project to designated sites. Para. 2.7.2 (p41, ep45) states: <i>“There are seven ecological SSSIs within 5 km of the proposed Suffolk Onshore Scheme Order Limits, the closest of which is Leiston-Aldeburgh SSSI located adjacent to the proposed Suffolk Onshore Scheme and covering the same area as Sandlings SPA. These are:</i> • Leiston-Aldeburgh SSSI – ... It overlaps with Sandlings SPA and is 20 m from the trenchless drive compound (S10) and has a monitoring access using an existing track within it...” Para. 2.7.3 (same page) also goes on to state that “RSPB North Warren Reserve is located adjacent to the landfall...” The project is not merely adjacent to the RSPB reserve and SSSI but instead includes parts of these sites within the Order Limits, due to the proposed cable beneath the site and access and other works within the site. This should be rectified within the text.	The fact the cable corridor passes under the RSPB reserve has been assessed throughout the Suffolk Ecology and Biodiversity ES chapter (Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047]). However, it is important for the reader to understand that surface construction works are ‘adjacent’ to the reserve and not within it.
2.1.2	Functional Linkage	Para. 1.5.27 (p54, ep58) of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Report states the following: <i>“The North Warren RSPB reserve supports several thousand overwintering waterbirds of the same species for which the nearby designated sites are important (Alde-Ore Estuary SPA, SAC and Ramsar and Minsmere to Walberswick Heaths and Marshes SPA, SAC and Ramsar). Fluctuating bird numbers at these sites confirms that there is considerable movement between sites and that the North Warren RSPB reserve is functionally linked to the nearby designated sites.”</i> The RSPB supports the statement that the North Warren reserve is functionally linked to the Alde-Ore Estuary SPA and the Minsmere-Walberswick SPA by virtue of shared local populations of breeding birds and wintering waterfowl.	This comment is noted by the Applicant.
2.1.3	Ecological Importance of North Warren	Overall, the ecological importance of the North Warren reserve has been appropriately recognised; we agree with the Applicant's broad conclusions about the significance of the site. However, we note the following points.	Since the overall importance has been acknowledged as correct, the points of detail do not ultimately affect the assessment of significance. The Applicant considers ‘national importance’ is still an overall appropriate valuation for the

Reference	Matter	Points Raised	Applicant's Comments
		Para. 2.7.20 (p45, ep49) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity, examines the significance of the non-breeding bird population east of Leiston Road (which includes the North Warren reserve): <i>“Overall, the area east of Leiston road is considered to be of national importance for non-breeding birds.”</i> This does not appear to account for the fact that European White-fronted Goose is a non-breeding feature of the Minsmere-Walberswick SPA, and the North Warren reserve is functionally-linked to the SPA and arguably the most important part for European White-fronted Goose. As such, we recommend that the area east of Leiston Road is considered to be of national importance for non-breeding birds, with European White-fronted Goose being of international importance. In addition, Para. 2.7.20 (p45, ep49) of Suffolk Chapter 2 Ecology and Biodiversity does not recognise the importance of the area for the Amber-listed⁷ Water Pipit <i>Anthus spinoletta</i>. Recent observations have indicated that 6% of the UK wintering population used RSPB North Warren during the winters from 2021/22 – 2023/24 at least – suggesting the reserve is of national importance for the species (Rowlands, 2025⁸). In table 1.6 (p43, ep47) of PDA-027 ES Appendix 2.2.C Suffolk Breeding Bird Report, North Warren’s breeding Lapwing <i>Vanellus vanellus</i> population is categorised as locally significant. We think this could be an underestimate. Breeding bird data shared between managers of nature reserves and farm advisors on the Suffolk Coast suggests that North Warren is amongst the most important sites for breeding Lapwing in the district of East Suffolk (see Confidential Appendix). The 5-year mean recorded by the RSPB on the reserve is 23.8 breeding pairs. Table 1.2 Biodiversity valuation of ornithological features (p11, ep15) suggests that a site might be considered of county significance if it holds populations of species of value at a district level (e.g. East Suffolk), where the loss of this population would adversely affect the conservation status and distribution of the species at this geographic scale. We believe this would occur if North Warren’s population of breeding Lapwing was lost. Data from the Applicant’s own surveys appears to be the principal means for appraising the significance of North Warren’s breeding bird populations, as seen in table 1.6 of the Suffolk Breeding Bird Report, despite the earlier concession in paras. 1.3.38 and 1.3.39 that the Applicant’s surveys are not comprehensive in all cases, especially for birds nesting in The Fens and “shorebirds” (which seemingly refers to Lapwing and Redshank breeding on the grazing marshes). The Applicant suggests that comprehensive surveys were not always necessary or desirable because of existing RSPB data, yet multi-year RSPB data is not directly referenced in table 1.6.	RSPB reserve east of Leiston Road. The fact it is functionally-linked land for SPAs would not in itself mean it was of international importance as that would equate it with an SPA which is not appropriate. Moreover, changing the value from National to International would not increase the significance of effects.
2.1.4	Habitat Mapping	We would like to raise the following points in relation to the map on p8/ep11 of APP-029 Habitats of Protected Species and Important Habitats, which is focussed on the North Warren reserve. • The ditches are labelled as standing water. Several of these ditches lie within the order limits. The ditch network serves an important ecological function; it is the means by which water is moved around the wet grassland at various times of the year to achieve appropriate water levels for breeding	It is acknowledged that botanical surveys were more limited in the RSPB Reserve and in land beyond the Order Limits than elsewhere within the Order Limits. This was intentional, since no surface works are proposed within the RSPB reserve. However, since North Warren Reserve has been treated as a nationally important feature (irrespective of precise nature, area and distribution of habitats) and no surface works are proposed within the reserve, these amendments to habitat mapping

Reference	Matter	Points Raised	Applicant's Comments
		waders and wintering wildfowl. Although the ditches have been labelled as “standing water”, there is flow within them. - The northwest compartment of South Marsh, which lies within the Order Limits, contains several footdrains. These are not shown on the map. The footdrains are ecologically important wet features. - The field to the northwest of the HDD compound is labelled as “improved grassland”. However, this field is unimproved. We therefore consider “acid grassland” a more appropriate descriptor. The two dry fields to the east of the old railway line are labelled as “semi-improved neutral grassland” and “semi-improved acid grassland”. However, both these fields are unimproved. We therefore consider “neutral grassland” and “acid grassland” more appropriate descriptors. - The maps do not show the scrub that lines the central PROW, and which hosts breeding Cetti’s Warbler <i>Cettia cetti</i>. This scrub is shown in APP-036 Trees and Important Hedgerows to be Removed or Managed Plans. The breeding bird report also shows the approximate location of the territories and associated scrub. - The area demarked as coastal grassland also contains a significant amount of gorse and bramble, which makes it suitable breeding habitat for Linnet <i>Carduelis cannabina</i> and Stonechat <i>Saxicola torquata</i>. The breeding bird report shows several Linnet territories in the locale.	within the RSPB Reserve would not affect the significance assessment.
2.1.5	Designated Sites – Errors	Para. 1.5.28 (p54, ep58) of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Survey Report states the following: <i>“Based on recent counts at the North Warren RSPB reserve, it appears to be the favoured wintering site for Nationally important numbers of European white-fronted geese, with higher numbers than those at the Alde-Ore Estuary (SPA, SAC and Ramsar), which is designated for this species.”</i> Whilst we agree that the North Warren RSPB reserve is a favoured wintering site for the local population of wintering European White-fronted Goose, we must highlight that they are a feature of the Minsmere-Walberswick SPA and not the Alde-Ore Estuary SPA. Similarly, para. 1.5.34 (p54, ep58) states the following: <i>“The North Warren RSPB reserve is also known to support woodlark (SNS, 2022) and which is a feature of the Sandlings SAC.”</i> Woodlark is a feature of the Sandlings SPA, not the SAC.	Comment is noted. These points are matters of detail that do not affect the report conclusions.
2.1.6	Bird Surveys	Para. 1.3.13 (p7, ep11) of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Survey Report, and paras. 1.3.13 – 1.3.26 (p7-9, ep11-13) of PDA-027 ES Appendix 2.2.C Suffolk Breeding Bird Report describe the survey methodologies used to collect data on the abundance and distribution of avian species. The methodology used to survey wintering waterbirds (look-see/WeBS style) at North Warren is appropriate in principal, but the temporal extent of the surveys is somewhat lacking. The applicant did not survey wintering birds at North Warren in 2022/23. Given the fact that the 2021/2022 winter surveys did not fully cover what is typically considered the core season for wintering waterbirds (Oct-Mar), we are left with only	Since the overall importance of North Warren Reserve has been acknowledged as correct, the matters raised do not ultimately affect the assessment of significance. The Applicant considers ‘national importance’ is still an overall appropriate valuation for the reserve east of Leiston Road. Less bird survey was undertaken within the RSPB Reserve to avoid damaging habitat by going off track, at RSPBs request, and since detailed bird survey data for the Reserve east of Leiston Road was not required for the Applicant’s assessment. It is not necessary for the assessment and judgment of significance of effects (since

Reference	Matter	Points Raised	Applicant's Comments
		one season of complete data (2023/2024). North Warren is regularly surveyed by the RSPB through the Wetland Bird Survey (WeBS); counts of wintering waterbirds obtained through this initiative are robust. The core methodology for the survey of breeding birds (Common Bird Census) is appropriate for the majority of passerine species. However, in some cases the execution of this methodology will have been hampered by the need to stay on the PRowS. Serious survey limitations are appropriately recognised in paras. 1.3.37 - 1.3.38 (p12, ep16) of Suffolk Wintering Bird Survey Report, and paras. 1.3.38 – 1.3.39 (p13, ep17) of Suffolk Breeding Bird Report. We have concerns about the accuracy of some data because of these limitations, which go beyond the realm of acceptable extenuating factors (see below). In the breeding bird report there is acknowledgment that, for some species, the Common Bird Census (CBC) methodology was suboptimal. In these cases, there is general recognition that species-specific surveys would have better safeguarded against the risk of recording inaccurate estimates of abundance. Bespoke surveys were carried out for Nightjar and Hobby <i>Falco subbuteo</i> but not for reedbed specialists such as Bittern and Marsh Harrier or wading birds using the wet grassland habitats such as Lapwing and Redshank.	the Reserve boundary was treated as the nationally important receptor and no surface works are proposed) to undertake detailed species-specific surveys for marsh harrier, bittern or other species within the reserve.
2.1.6	Bird Surveys – Lapwing and Redshank	For breeding Lapwing and Redshank, the O'Brien and Smith methodology (modified for the lowland environment) is the approved standard for recording an accurate population estimate. The methodology stipulates that surveyors should traverse all fields containing suitable habitat. At North Warren, this equates to the entirety of the wet grassland complex. A CBC methodology with access constraints cannot sufficiently replicate this standard. It is perhaps not surprising then that the 2022 and 2023 estimates for the number of breeding pairs of Lapwing and Redshank shown in table 1.5 of Suffolk Breeding Bird Report (p27 & 29, ep31 & 33) are significantly lower than the typical figures recorded by RSPB surveyors. The 2024 estimates are more reflective of the RSPB's 5-year mean, but it is not clear how these figures were generated without access to the wet grassland. The map on p78/ep80 of APP-218 ES Figures Suffolk Breeding Bird Report 2023 and 2024 shows several territory centres/nest locations for Lapwing and Redshank on North Marsh, but there is nothing recorded within the two favoured areas farther north; these areas consistently attract several pairs of both species. For the 2024 figures, we recommend a description of the methods used to estimate and map Lapwing and Redshank territories over the areas of wet grassland which are not surveyable from the PRow. The limitations of this method should be discussed. It should be acknowledged that, whilst this method has apparently yielded appropriate results in terms of breeding wader abundance, the territory distribution maps may not accurately reflect the real locations of favoured areas.	See above response to 2.1.5.
2.1.6	Bird Surveys – Bittern and Marsh Harrier	The Applicant has not adopted accepted methodologies for estimating the breeding populations of Bittern and Marsh Harrier. A considerable amount of additional survey effort would be required for this purpose. This is conceded in the breeding bird report. As it happens, the figures do not unacceptably underrepresent the abundance of these species when compared with the RSPB's estimates. For example, in 2024, RSPB staff recorded 3 booming male Bitterns using the standard methodology, which	See above response to 2.1.5.

Reference	Matter	Points Raised	Applicant's Comments
		corroborates the data shown in Table 1.5 of Suffolk Breeding Bird Report (p27, ep31). The table shows that surveyors estimated 3 breeding pairs of Marsh Harrier in 2024, against the RSPB estimate of 2 pairs obtained through the standard methodology.	
2.1.6	Bird Surveys – RSPB data	As discussed, several limitations of the chosen methodologies and the hampered execution of those methodologies are recognised in the wintering/breeding bird reports. As such, we support the decision of the Applicant not to rely on primary data for the appraisal of the site's ecological significance; we positively acknowledge the decision to supplement the primary data with third-party data, including data held by the RSPB. However, with regards the following statement in para. 1.3.38 of Suffolk Breeding Bird Report: <i>“Access for surveys was only available from PRow for the counts within the North Warren RSPB reserve and these are not considered comprehensive due to physical barriers such as trees and reeds obscuring bird visibility. However, the data provided is believed to be valid, especially when used in conjunction with RSPB website and desk study data (Suffolk 2021 bird report).”</i> It is not clear how the referenced RSPB data was obtained by the Applicant. Official breeding bird data collected through our formalised Annual Reserves Monitoring programme is held by our reserve teams and the RSPB data unit. The Suffolk 2021 bird report relates to just one year. Third parties who wish to peruse verified breeding bird data across multiple breeding seasons need to submit a data request to the RSPB.	See above response to 2.1.5.
2.1.6	Bird Surveys – RSPB data	With regards the following statement from that same paragraph: <i>“The data obtained during the surveys are finer grained than the RSPB overall breeding bird data, as it concentrates on the part of the reserve the cable route will be situated within, rather than the whole of the North Warren RSPB reserve.”</i> This is misleading. It suggests that the portion of the Applicant's surveys which are considered by the Applicant to be comprehensive are more detailed than the formal inhouse RSPB surveys. Surveying less of the reserve's total area and confining effort to a smaller area does not necessarily equate to superior population estimates for the places that are kept in scope, particularly if the method is inappropriate (as it was for wading birds nesting on the grazing marshes). The RSPB surveys are comprehensive and follow accepted methodologies. Maps are used to show the abundance and distribution of wintering birds recorded during 2022/23 in APP-216 ES Figures Suffolk Wintering Bird Report 2022-23 and 2023-24 Part 1 of 2. The maps of the wet grassland at North Warren are somewhat misleading (p5/ep7, p9/ep11, p13/ep15, p17/ep19, p21/ep23, p25/ep27). On these pages, the wet grasslands appear as the focus area, and some species are sporadically mapped within it, despite the fact that no formalised surveys were carried out here in the winter of 2022/23. The immediate impression is that the area was surveyed, and very low numbers of waterbirds were recorded; this impression is not contradicted by the main title of the document. Only by inspecting the survey dates on the map legends and cross-checking these against the winter bird transect survey methodology described in para.1.3.21 of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Report, is this false impression rectified. To avoid a misrepresentation of data, the maps should clearly	See above response to 2.1.5.

Reference	Matter	Points Raised	Applicant's Comments
		indicate that the wet grasslands were not formally surveyed on the dates shown in the legend.	
2.1.6	Bird Surveys – RSPB data	The sixth bullet point in section 1.5.5 (p39, ep43) of PDA-027 ES Appendix 2.2.C Suffolk Breeding Bird Report states the following: <i>“One to three pairs of Dartford warbler (Schedule 1) are likely to breed in North Warren RSPB reserve just north of the Order Limits (The Suffolk Naturalist' Society, 2021). This species was not recorded during the field surveys however, the surveys only followed PRoW within the North Warren RSPB reserve so it could have been missed. It is presumed this species does breed on the main heathland area of the North Warren RSPB.”</i> The RSPB can confirm the accuracy of this presumption. Four territories were recorded across the North Warren heathland in 2024. Annex 2.B.2 (p63, ep67) of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Survey Report is a compendium of WeBS data from Kent and not Suffolk. This is presumably an error.	Comment noted. These points are matters of detail that do not affect the report conclusions.
2.1.7	Other Ecological Surveys	Para. 2.4.12 of p26, ep30 in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity states the following: <i>“Leiston-Aldeburgh SSSI/North Warren RSPB Reserve is a botanically diverse site. However, as it would be traversed by a trenchless technique (drilling beneath the reserve), it was not deemed necessary to survey the vegetation on the surface in any detail.”</i> The decision not to survey the vegetation across the SSSI does not reassure us that any impacts on the vegetation, including due to proposed access routes or potential incidents such as frac-out, will be reliably understood. We also note that in para. 2.7.54 (p49, ep53) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity, Water Vole Arvicola amphibius are mentioned in relation to the River Fromus but not the wet grasslands at North Warren, where they are regularly recorded by RSPB surveyors. This should be corrected.	There were no proposals for vegetation surveys because no surface works, or HDD failure, effect on surface water levels, or frac out is expected. This is discussed in the submitted Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] and Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047]. Natural England has requested pre-construction botanical survey of the RSPB Reserve route of the HDD to inform post-construction monitoring, and this has been proposed as a new REAC measure (B62) (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]). Presence of water voles and other non-avian features in the RSPB Reserve are not mentioned because the submission documents only discuss areas where impacts from works are likely to arise. The RSPB Reserve has been treated as an important feature in itself and that includes all wildlife within it.
2.2	Suffolk Onshore Scheme – Landfall at North Warren		
2.2.1	Use of trenchless or open trenched techniques for landfall		
2.2.1.1	Risk of open trenching within the SSSI	We remain concerned that any failure of trenchless techniques could lead to subsequent Change Applications or other applications to facilitate open-trenching (as these options are not assessed within the current documents). We therefore also seek reassurance from the Applicant that open-trenching across the SSSI would not be pursued in any circumstances. For clarity, we also request that the Draft DCO at Schedule 16, Part 2, Para. 10 (3) is updated to include the word ‘seaward’:	The ground conditions are assessed as being suitable for HDD methods, as stated in Appendix A Landfall HDD Feasibility Technical Note of Application Document 7.3 Design Development Report [APP-321]. Evidence of the low failure rate of HDDs (1 in 120 of projects in which the trenchless expert was on site and 0 in 260 from consulting work) was provided during ISH1 hearings. Please

Reference	Matter	Points Raised	Applicant's Comments
		<i>“No [seaward] exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.”</i> This is to ensure protection of the SSSI, particularly should it be necessary to reverse the drilling process such that the landward HDD compound to the west of RSPB North Warren and the Leiston-Aldeburgh SSSI becomes the exit point (as discussed in para. 2.3.5 (ep84) of APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note).	see AP16 of Application Document 9.72.2 Applicant's Response to Issue Specific Hearing 1 Action Points [REP1A-037], noting that while the response is addressing the Kent landfall, the failure rate discussed is across a wide range of projects in a wide range of ground conditions. The project is committed to a trenchless installation beneath the SSSI as stated in Measure LV08 and Measure W12 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. The project has committed to the HDD exits being beyond the continuous coralline crag outcrops, and the exits are therefore more than 600 m seaward of MLWS. Please see Measure GH14 Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. It is therefore not considered necessary to amend the wording of the draft DCO (Application Document 3.1 (E) draft Development Consent Order [REP1-036]) as requested.
2.2.1.2	Commitment to use of trenchless technique at landfall	We welcome the statement in para. 4.2.51 (p15, ep19) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project that: <i>“... there is a commitment to make landfall using a trenchless crossing technique beneath designated sites, the location of the transition joint bay would be located outside of the coastal designated sites of Leiston Aldeburgh Site of SSSI and North Warren RSPB Reserve”</i> We also note that this commitment has been included in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) as measure B21.	Please note that in addition to Measure B21, Measure LV08 and Measure W12 also commit the landfall to trenchless techniques for crossing the SSSI (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]).
2.2.1.3	Clarity regarding construction swathe	We assume that the list of additional activities and infrastructure required as part of the construction swathe and listed in para. 4.6.138 (p50, ep54) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project does not apply to the trenchless crossing of RSPB North Warren/Leiston-Aldeburgh SSSI, however for clarity and given the concerns above, we request that this is confirmed. Construction of, for example, a haul road and security fencing would have significant additional impacts on the SSSI and we would object to their installation, therefore it is important that the activities required within this area are clearly set out and assessed.	The HDD compound, access road and fencing will be located to the west (outside) of the SSSI. In the unlikely event of a surface frac out within the SSSI, limited plant and equipment may be temporarily operating within the SSSI (e.g. tractor and bowser, hand carried pumps and hoses) to recover the drilling fluid and remediate the frac out location.
2.2.2	Risks associated with trenchless technique		
2.2.2.1	HDD feasibility and methodology	We welcome the provision of APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note which includes details of the assessment of HDD feasibility at the Suffolk landfall within RSPB North Warren/Leiston-Aldeburgh SSSI. We acknowledge the conclusion that the area is considered suitable for HDD methods, however, we also note that some elements of the local geology could make HDD more difficult should they be encountered during drilling.	With regards the potential risk from gravel accumulation in the bore, we stand by the statements in Application Document 7.3 Design Development Report [APP-321] that, if gravel, a minor constituent in the Crag, accumulates in the bore, it is expected to affect methodology not feasibility. The borehole photographs and descriptions indicate that the described gravel

Reference	Matter	Points Raised	Applicant's Comments
		Para. 2.4.1 (ep85) states that gravel poses a risk to the drilling equipment, but that this is expected to affect methodology not feasibility. We query the confidence around the statement that feasibility is not likely to be affected as well as the potential impacts of any changes to drilling methodology. It is also noted that London Clay poses a risk should this be encountered along the route and could lead to drilling equipment getting stuck. Whilst para. 2.4.3 (ep85) explains that this risk is greatest offshore, we seek reassurance that the available onshore borehole data is sufficient to give confidence in the conclusions that the HDD within the RSPB Reserve and SSSI will remain above the London Clay layer.	component is weakly consolidated shell fragments that are most likely to be broken up by the bit and rotating drill pipes and should not accumulate. However, if they do accumulate, the potential has been clearly identified as a risk and the HDD contractor monitor drilling forces and will undertake proactive cleaning of the bore, including swabbing and trips out of the hole to ensure the bore is clear. With regards the surface of the London Clay. A series of boreholes in the onshore and offshore area 2.5 km to the north indicate the gently easterly dipping upper surface of the London Clay has a variability of +/- 2m over a 1500 m length. The elevation of the top of the London Clay at the location 2.5 km north is within 3 m of the elevations at the Sea Link landfall, so this gives confidence that the upper surface of the London Clay should be consistent. BGS borehole TM45NE7, 1.2 km to the south of the HDD entry location, encountered the top of the London Clay at approximately -12.2 m ODN, while the project borehole RedP-BH-4 near the landfall entry point recorded London Clay at -15.8 m ODN. This also indicates consistency in the top of the London Clay over a long distance. While variations in the London Clay due to palaeochannels are known to occur regionally, the scale of the variation in surface of the London Clay is expected to be a few metres vertically over 100 or more metres. The HDD can adjust course to remain above the London Clay if necessary, while ensuring sufficient depth to mitigate the risk of drilling fluid frac out. In the unlikely event of extreme changes in the London Clay are present, the HDD may need to drill through the London Clay for several hundred metres. However, the London Clay is drilled on a weekly basis in the UK and the contractor will be able to adapt their drilling fluid and methodology (e.g. additional swabbing trips through the zone) to ensure the bore is clean and in gauge through the zone.
2.2.2.1	HDD feasibility and methodology	We also wish to understand the potential impacts should drill equipment become stuck for any reason. Para. 2.9.8 of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity (p58, ep62) states that: <i>“There is a very low risk of drilling equipment getting stuck and there would thus be no requirement for surface works in the SSSI or RSPB Reserve. If drilling equipment becomes stuck it would be freed by additional tooling and works at the entry or exit. The drill within the SSSI is too deep to consider excavating down to the equipment.”</i> There is limited information around the implications of stuck drilling equipment although we note that section 2.4 (ep85) of APP-321 Appendix A Landfall HDD Feasibility Technical Note suggests that the additional cleaning required could increase the timescale (and cost) for HDD. We therefore request that additional information is provided to explain the freeing process, any additional impacts on the	Paragraph 2.9.8 of Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] includes further text explaining what would happen in the unlikely event of stuck drilling equipment. Durations required to free strings depend on the length of string that is stuck, but typically require between 1 and 7 additional shifts, so they have a small impact on the overall programme for the landfalls. The Applicant has committed to the use of trenchless techniques at the landfall to avoid the saltmarsh and lagoon. There are no proposals in the DCO (Application Document

Reference	Matter	Points Raised	Applicant's Comments
		RSPB reserve and SSSI (including from extending the construction duration and subsequent noise effects) and how these can be mitigated. We also note that APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) contains a provision (B22) for measures to avoid the trenchless drilling equipment getting stuck, however, this appears as a heading only and no further details are provided. Due to the risks associated with stuck drilling equipment, we request that this is updated to include details of mitigation measures. Ultimately, we are also concerned about the possibility of any difficulties being encountered during HDD that threaten its feasibility (on the basis of costs and/or practicality), as discussed above in the section around the commitment to use trenchless techniques. Again, we seek reassurance that there would be no ability for the Applicant to revert to opentrenching across RSPB North Warren/Leiston-Aldeburgh SSSI.	3.1 (E) draft Development Consent Order [REP1-036] to allow open cut trenching to cross the saltmarsh and lagoon, even as a fall- back position. If trenchless techniques were for any reason identified as not feasible, any proposals for alternative methods would require a formal amendment to the DCO, with a new supporting environmental assessment.
2.2.2.2	Drilling fluid frac-out	APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note describes the risk of HDD drilling fluid frac-out and the mitigation that can be applied. We note that para. 2.4.4 (ep86) explains that there is a very low risk of drilling fluid affecting RSPB North Warren (Leiston-Aldeburgh SSSI) due to the type of bedrock in this area, however, para. 4.3.18 (p14, ep16) of APP-117 ES Appendix 2.5.B Qualitative Groundwater Risk Assessment notes that areas near the launch and reception points of the HDD are at higher risk of frac-outs as the bore is at its closest to the ground surface. Para. 2.3.6 of Appendix A Landfall HDD Feasibility Technical Note explains the importance of carrying out hydrofracture modelling prior to construction: <i>“To ensure that drilling fluid is not lost into the freshwater areas along the HDD route, the profile will be checked by hydrofracture modelling that compares the ground strength against calculated drilling fluid pressures along the HDD route. The modelling is based on parameters obtained during the ground investigations and during drilling the annular fluid pressure in the bore can be measured in real time to ensure that pressures remain within safe limits.”</i> We support the inclusion of hydrofracture modelling in provision B09 (measures to manage risk of frac out) in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) and consider that a report detailing the outcomes of this modelling should be a required Obligation to be discharged before construction commences. Given that any potential for benthic smothering from releases of bentonite (or similar) in the aquatic environment could have potentially serious impacts on SSSI watercourses within RSPB North Warren, we also consider that agreed emergency procedures and mitigation will be important in the case of frac-out occurring within designated sites. Provision GH10 in the REAC requires: <i>“The provision of a drilling fluid breakout plan, where horizontal directional drilling is proposed, will be developed by the contractor and included within the Offshore and Onshore CEMPs.”</i> We request that Natural England and ourselves are consulted with regard procedures within RSPB North Warren/Leiston-Aldeburgh SSSI to ensure measures are in place	Regarding Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. In addition to the mitigation measures being implemented to minimise and address the risk of surface frac out or break out contained in Measure B09, Measure GH10 provides for a drilling fluid management plan, that includes drilling fluid breakout mitigation measures, and Measure B59 commits to sharing the plan with Natural England. Site visits with Sea Link and RSPB representatives have already been undertaken at the RSPB North Warren/Leiston-Aldeburgh SSSI to understand the works and RSPB requirements. The results of the visit, along with ongoing discussions, are informing the development of land access agreements between the parties.

Reference	Matter	Points Raised	Applicant's Comments
		which recognise the sensitivities of the site and difficulties of access and would minimise ecological impacts as far as possible; also that these procedures should include notification of both NE and ourselves of any incidents at the earliest opportunity.	
2.2.2.3	Hydrology and water quality	Para. 2.9.7 of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity (p57, ep61) discusses the potential for hydrological impacts on RSPB North Warren/Leiston-Aldeburgh SSSI: <i>“The trenchless bore would be approximately 8 m below the RSPB Reserve/SSSI/CWS at the boundary (the old railway line) and would get deeper from there... There is thus negligible risk to surface habitats and hydrology. No dewatering is required for the trenchless installation and therefore there is no risk of dewatering affecting water levels in the adjacent Leiston-Aldeburgh SSSI wetlands.”</i> However, para. 4.3.3 (p11, ep13) of APP-117 ES Appendix 2.5.B Qualitative Groundwater Risk Assessment states that: <i>“The trenchless HDVC HDD does not require dewatering itself, however there is the potential for dewatering to be required at the launch pits depending on the groundwater levels. The depth of the launch pits is likely to be around 2.0 m below ground level to allow the installation of the joint bay”</i> But then in para. 4.3.5 (p12, ep14) it goes on to explain that: <i>“...groundwater was not encountered within RedP-BH-4 [borehole] (drilled to a depth of 30 m bgl) and F22-TP222A (terminated at 4 m bgl). Therefore, groundwater is unlikely to be intercepted in the launch/reception pit and dewatering of the launch/receptor pits is unlikely to be required.”</i> Given the lack of clarity regarding the likelihood of dewatering at launch pits being required and the acknowledgement during pre-application consultations that any dewatering could affect water levels within RSPB North Warren/Leiston-Aldeburgh SSSI9 , we request that further information is provided to address this point and that precautionary mitigation is proposed.	As described in Application Document 6.3.3.5.B ES Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-117] during the site specific preliminary ground investigation, groundwater was not encountered within the exploratory holes drilled within the area of the proposed HDD landfall, therefore groundwater is unlikely to be intercepted by the launch pits and dewatering is not anticipated to be required in this location. In addition, Commitment GH09, included within Application Document 7.5.3.1 CEMP Appendix A Code of Construction Practice [APP-341], secures the requirement for a hydrogeological risk assessment to be undertaken if dewatering is found to be required following detailed design including further ground investigation (Commitment GH01).
2.2.2.3	Hydrology and water quality	Similarly, given the importance of water quality to the function of the Leiston-Aldeburgh SSSI, we are concerned about the low/moderate risk of the trenchless crossing mobilizing existing contamination in the groundwater (through the creation of new flow pathways) acknowledged in para. 4.3.7 (p12, ep14) of the Qualitative Groundwater Risk Assessment. We note that APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) includes provision GH10: <i>“Where indicated in the ES, a Hydrogeological Risk Assessment will be undertaken during detailed design to assess the specific risks to groundwater and groundwater receptors at those locations and identify any additional mitigation or remediation that may be required. The nature and scope of any mitigation or remediation will be agreed with the Environment Agency or other stakeholders prior to construction, as appropriate.”</i> Whilst this is welcomed, given the importance of RSPB North Warren/Leiston-Aldeburgh SSSI, we consider that this information should be available to inform the assessment of impacts on those sites during the Examination.	Application Document 6.3.2.5.A Appendix 2.5.A Preliminary Contamination Risk Assessment [APP-116] describes that sites with a moderate and above potential for generating contamination were not identified within the Suffolk Onshore Scheme. Application Document 6.3.2.5.E Appendix 2.5.E Generic Quantitative Risk Assessment – Suffolk [APP120] describes that during the site specific preliminary ground investigation there were some exceedances of assessment criteria for potential contaminants in groundwater samples. Therefore Application Document 6.3.3.5.B ES Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-117] concluded a low/moderate risk of mobilising existing contamination within groundwater (through creation of new flow pathways). Application Document 6.2.2.5 Part 2 Suffolk

Reference Matter		Points Raised	Applicant's Comments
			Chapter 5 Geology and Hydrogeology [APP-052] describes that with the good practice measures contained within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341], the potential temporary construction impacts are considered to be small. Therefore, for groundwater and groundwater receptors (high sensitivity) this would result in a minor effect, which would be not significant.
2.2.2.4	Noise during trenchless drilling	HDD is likely to make a significant contribution to noise disturbance during the construction period, and we are concerned about impacts both from the drilling site at the construction compound adjacent to RSPB North Warren/Leiston-Aldeburgh SSSI and at the seaward exit of the HDD section. Noise disturbance to wildlife, including from HDD-related activities, is discussed more fully in the section on this topic below.	See response to detailed comments below
2.2.2.5	Commissioning/Operational cable faults and duct failure	We welcome that para. 2.9.166 (p85, ep88) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity commits to the installation of a spare duct for the Sea Link project to allow replacement cable to be pulled through without further digging/drilling in the event of any cable faults. However, the likelihood of such an occurrence (or multiple occurrences) is not discussed and no assessment of the likely impacts of additional duct installation itself or the impacts of cable fault remedial action (including additional cable pulling) is made. This information should be provided in order to understand the full risks and implications of the project. We are also concerned about the possibility of the additional (empty) duct itself collapsing or becoming unsuitable for use for any other reason. This could lead to additional digging or drilling still being required in the event of a cable fault which would be likely to result in significant impacts on RSPB North Warren/Leiston-Aldeburgh SSSI and we therefore request that further information about these risks and subsequent remedial procedures is provided.	The cable system will have an initial design life of 40 years this will include the cables and ducting. Typically, HDPE or PVC ducts will have a longer design life of approximately 50 years with an expected service life that is longer. Once the ducts are installed it is not considered likely that they will deform by any significant value over the life of the duct. The only likely causes of damage to ducts requiring maintenance or replacement are when they are damaged by 3rd parties undertaking excavation works. Given the depth of the installation under the RSPB reserve and the nature of the reserve this is not considered a significant risk for this proposed installation. Industry analysis from a survey carried out by Cigre between 2006 and 2015 (Report reference 815, September 2020) shows the failure rate of HVDC terrestrial circuits is too low to calculate as only two failures have been reported within the 10-year period over the 1045 km of installed circuits covered within the survey. So, the likelihood of a failure under the RSPB reserve is considered to be very low. However, given the significance of the RSPB reserve the installation of a spare duct will be undertaken so that a new cable can be installed in the unlikely event of a failure in the circuit. The works to install a replacement cable would require excavation at the joint bay location to the west of the RSPB reserve and exposure of the spare duct, the set-up of a working area for cable winches, laydown and welfare adjacent to the joint bay. The replacement cable would be brought to site on a cable vessel, the spare duct would be exposed on the sea bed and the cable pulled into the duct from the shore.
2.2.3	Noise and Disturbance – noise modelling		
2.2.3.1	Disturbance thresholds	We note that paras. 7.2.10-13 (p99, ep105) of AS-007 Habitats Regulations Assessment Report discusses the rationale for the use of 60dB as a threshold for significant noise disturbance. It is implied in later paragraphs that this threshold refers	The 3dB change used for HRA screening, and the 60dB threshold used for appropriate assessment, both as agreed with Natural England, would apply to either L _{max} or L _{Aeq} , as

Reference	Matter	Points Raised	Applicant's Comments
		to impulsive (sudden loud) noise represented by dB LAmax. It is also proposed to consider a change of 3dB from baseline noise levels as likely to have a significant effect – again it is assumed that this applies to impulsive noise (LAmax) although we recommend that this is clarified.	the 60dB threshold is a noise level without reference to how often that level is breached. The assessment presented in Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] and Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] .then uses LAmax as a precaution and effectively treats it as if it was the typical noise levels to which the SSSI/SPA would be exposed. This is because for a given activity LAmax is always higher than LAeq. Therefore, if the LAmax can be brought below the 60 dB disturbance threshold (irrespective of how often the LAmax is experienced) the LAeq will also be below the 60 dB threshold, as LAeq is typically 5-15 dB below the LAmax.
2.2.3.2	Mapping of noise contours	Para. 7.2.15 (p100, ep106) AS-007 Habitats Regulations Assessment Report makes reference to ‘Appendix E Figure 3 Map of 60 dB average LAmax contour at Suffolk’. We are not clear on the meaning of the ‘average LAmax’ contour and request that this is clarified. We are also concerned by the statement in the same paragraph that: <i>“...60 dB LAmax contours were calculated for all phases of the work. The 60 dB contour is shown for the project as whole on Appendix E Figure 3 Map of 60 dB average LAmax contour at Suffolk”</i> Given our concern about the meaning of the ‘average LAmax’ contour, we also seek reassurance that the map ‘for the project as a whole’ represents the worst-case scenario for impulsive noise and not an average level for the duration of the whole project. It is important that the impact assessment should consider true peak noise levels represented by the LAmax – any averaging of this is likely to obscure potential impacts. Noting that it is stated that contours have been calculated for all phases of the work, we recommend that these are made available to the Examination for clarity and transparency. It would also be helpful for the mapping to be supplemented by larger scale maps of the noise contours where they overlap designated sites, to aid identification of areas and species which may potentially be impacted. At present, it is difficult to view this in detail.	Figure 3 of Appendix E of Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] presents a blended LAmax contour for the project, based on the worst-case phase of the work in each case. For example, while Figure 3 shows the 60 dB LAmax contour straying into Sandlings SPA, the HRA explains this is driven by the compound setup, with the relevant contour for the actual HDD operation falling outside the SPA. The blended contour maps were provided for ease of reference and intelligibility, rather than a larger number of maps covering each phase of work.
2.2.3.3	Chronic Noise	No reasoning is given in this section for the sole focus on impulsive noise, and whilst we agree that this can have significant impacts, we also recommend that consideration is given to chronic noise levels, represented by dB LAeq, as this has been shown to affect densities and distribution of breeding birds and therefore impacts of chronic noise could have a direct effect on the conservation objectives of designated sites. We also note that impacts of chronic noise on birds have been shown even at low levels, although we acknowledge the limited number of studies available which include figures for chronic noise levels and the lack of evidence regarding species of interest here. Senzaki et al. (2016) ¹⁰ studied the effects of traffic noise on foraging Short-eared Owls <i>Asio flammeus</i> and long-eared owls <i>Asio otus</i> . They reported that “Owls’ ability to detect prey was affected even at the lowest level of [traffic noise] (40 dB[A]) and was approximately 17% lower than that of ambient conditions”. McClure et al. (2013) ¹¹ used speakers to create a ‘phantom road’ to experimentally test the effects of road traffic noise on bird distributions. They found over a one-quarter decline in bird abundance along the ‘phantom road’ and almost complete avoidance by some species, compared to control conditions. They also found negative relationships	The Applicant had lengthy pre-application discussions about noise impacts with Natural England and a ‘no reaction’ threshold of 55 dB was agreed. This applies to either LAmax or LAeq. We note RSPBs reference to some available research suggesting reactions at lower noise levels, but we also note that RSPB acknowledges the limited number of studies available and the lack of evidence regarding species of interest for the Proposed Project. The Applicant and Natural England agreed a precautionary 60 dB threshold for significant disturbance (i.e. that which could affect population survival and persistence). RSPB also agreed to this threshold in a meeting and as noted in Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]. This threshold can also be applied to either LAeq or LAmax. Since LAmax is always 5-15 dB higher

Reference	Matter	Points Raised	Applicant's Comments
		between bird abundance and average noise levels (which ranged from approximately 37 to 57 dB(A)) for over half the species studied. Therefore, based on the limited evidence available, we consider that some level of impact may be likely above noise levels of around 45dB LAeq.	than LAeq for a given activity LAmax was used as a worst-case, effectively treating it as if it would be the typical noise exposure. This was on the basis that if the LAmax of a given activity in a given area falls below 60 dB (and will therefore not cause significant disturbance) this will be true of the LAeq to an even greater extent.
2.2.3.4	Modelling of mitigation measures	Para 7.2.15 (p100, ep106) of AS-007 Habitats Regulations Assessment Report explains that: <i>“For the purposes of this modelling and in line with guidance, a 10 dB reduction has been assumed due to best practicable noise reduction means.”</i> It would be helpful to specify the guidance on which this statement is based and to comment on the safety of this assumption, including any circumstances where this could be difficult to achieve. For example, if there will be any work at height (such as work involving the use of cranes) any noise generated is often difficult to mitigate.	Guidance in this matter is provided in Annex B of BS 5228-1:2009+A1:2014 ‘Code of practice for noise and vibration control on construction and open sites – Part 1: Noise’, which provides examples of mitigation options for various activities, together with their likely efficacy. The 10 dB mitigation assumption is reasonable at this stage and takes account of the relatively worst-case assumptions in the assessments, together with the likely attenuation from a range of mitigation options that may be combined. The stakeholder is correct that certain situations, such as work at height, can limit the options available. However, that does not mean that there are no mitigation options available. Additionally, the full 10 dB mitigation is not required in all situations to avoid significant effects, and a lower level of attenuation may be sufficient in some situations (notwithstanding that best practicable means to reduce noise levels would be implemented). Conversely, attenuation far exceeding 10 dB can likely be achievable in some situations with a combination of mitigation options. Further detailed assessments will be undertaken by the Contractor based on their specific construction methodologies and specific mitigation measures will be identified and implanted.
2.2.3.5	Availability of noise modelling report	We also note the references to noise modelling carried out by Atkins in para. 2.4.5 (ep86) of APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note and assume this may provide the basis for the maps referenced above. We request that full details of the noise modelling are made available to be considered as part of the Examination documents. At present, it is not possible to assess the robustness of the methodology or assessment of impacts based on this modelling.	The noise modelling presented for the terrestrial environment and presented in map form in the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] and Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] was produced specifically for those chapters and consists of maps and data rather than a technical note.
2.2.4	Noise and disturbance – impacts during construction		
2.2.4.1	Construction programme and working hours	Table 4.10 Indicative construction programme (p27, ep31) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project shows that the enabling works for the Suffolk landfall construction are planned to cross quarter 1 and 2 of 2026, with installation affecting Q2 and Q3. This means that any disturbance has the potential to affect breeding birds. We also note that reinstatement for Suffolk generally is programmed between Q3 2028 and Q1 2032. Given this broad timespan and the	The Applicant can confirm that Table 4.10 is an indicative construction programme only and that the landfall compound set up will be undertaken outside of the nesting season (February to August) as committed to within the REAC (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Commitments and Actions

Reference Matter	Points Raised	Applicant's Comments
	potential for reinstatement activities to cause disturbance, we query both when any reinstatement needed in the vicinity of RSPB North Warren/Leiston-Aldeburgh SSSI would be completed and the nature of any such works. Para. 4.6.6 – 4.6.7 of Chapter 4 Description of the Proposed Project (p28, ep32) explains that core working hours are Monday – Friday: 0700 to 1900 and Saturday, Sundays and Bank Holidays: 0700 to 1700 with start-up and close down activities occurring up to one hour either side. We understand that exceptions to this include trenchless crossings where work would be carried out 24 hours a day, 7 days a week during drilling itself. Even based just on the core hours, works could occur throughout twilight and in hours of darkness during the winter months. Based on the above construction timetable, this could occur during the enabling works for the Suffolk landfall. We therefore welcome provision B27 in the APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) which commits to measures reducing impacts on breeding birds: <i>“Seasonal restriction on compound set-up for the trenchless bore such that it occurs outside the nesting season (February to August). The most potentially disturbing elements of trenchless installation (set up of trenchless compound S10) will take place between September and January, to minimise disturbance of breeding nightjar and woodlark in the adjacent Sandlings SPA.”</i> However, we remain concerned that continuous noise during the HDD drilling period could cause disturbance during the breeding season - this is discussed further below. We are also concerned that noise and lighting disturbance at dawn, dusk and during the night could increase disturbance impacts on wintering birds of RSPB North Warren/LeistonAldeburgh SSSI (including on species functionally-linked to Minsmere-Walberswick SPA) and we do not consider that the potential for increased sensitivity of birds to disturbance at these times has been fully considered in the assessment.	(REAC) [REP1-102]) under provision B27. Noting that there is also a commitment under O03 that landfall cable installation activities would not occur between the reduced seasonal restriction period between January and March. The noise assessment for these works can be found within Application Document 6.2.2.9 (B) Part 2 Suffolk Chapter 9 Noise and Vibration [AS-109]. This document confirms that the Applicant has committed to employ BPM (NV01) (secure via Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) to reduce the adverse effects of construction noise. Additional temporary noise mitigation measures will be put in place to reduce noise levels from construction plant and machinery at specific locations including the landfall, unless a detailed assessment is undertaken that demonstrates that no significant noise impacts would occur to nearby NSR. With regard to noise, Paragraph 2.9.45 of the Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047]. discusses noise disturbance on the SSSI. While a small part of Leiston-Aldeburgh SSSI east of the former railway line would be subject to noise above 60dB during compound set up/demobilisation and HDD works between the former railway and Leiston Road (total duration c. 6 months), it has been agreed with Natural England that this would not constitute a significant effect due to the very small area affected. The 60dB threshold agreed with Natural England would apply whenever the works were undertaken and is not restricted to particular times of day. With regard to lighting, the ES has assumed lighting would be used at the HDD compound during the HDD operation. Lighting impacts have been considered in the Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] and the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]. Paragraph 2.9.42 of the Ecology chapter states that ‘A noise fence [proposed around the HDD compound] would also act as a visual screen, thus protecting birds in the SPA from visual disturbance’. Paragraph 2.9.85 on ornithology states that ‘Lighting for construction should only be needed around construction compounds and the trenchless compound (S10). This would be targeted directional lighting with cowlings and other lighting controls to manage (and in the case of the trenchless compound avoid) incidental illumination (B38)’. REAC measure B38 states ‘Around construction compounds and the converter station and substation works areas, direct illumination of boundary features would be avoided. Lighting

Reference	Matter	Points Raised	Applicant's Comments
			would be designed to comply with published guidelines'. Paragraph 4.2.25 of the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] also discusses lighting and the presence of a screen from the SPA.
2.2.4.2	Ground works including piling	Para. 2.4.5 (ep86) of APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note explains that the ground works required at the construction compound prior to HDD are likely to generate higher levels of noise than the process of HDD itself. Para. 4.6.16 (p29, ep33) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project describes the enabling works required in Suffolk (including for construction compounds) and also notes that piling may be required in some circumstances. It is not made clear whether any piling activities could be required at the compound close to RSPB North Warren/Leiston-Aldeburgh SSSI and whether the current modelling and proposed mitigation take account of this.	All preparation works prior to the HDD have been modelled as part of compound set up. There is no piling planned for the compound east of Leiston Road.
2.2.4.2	Ground works including piling	AS-007 Habitats Regulations Assessment Report describes the outputs of the noise modelling. Para. 7.2.15 (p100, ep106) explains that the 60 dB contour (with mitigation) would affect the southern-most part of the Sandlings SPA but that this would only be during the 1 month required for compound set up. Based on the maps in Appendix E, we also note that a slightly larger area of the SPA could be affected by a change of over 3dB. These maps also show that part of the eastern area of the Leiston-Aldeburgh SSSI falls within the 60dB contour, again with a slightly larger area affected by a change of over 3dB.	Comment is noted. No response required.
2.2.4.2	Ground works including piling	Although we acknowledge that compound set up is programmed to occur outside the bird breeding season (as required by REAC measure B27), whilst this provides mitigation for the Sandlings SPA which is designated for its breeding interest only, potential impacts could remain for features of the Leiston-Aldeburgh SSSI (and the functionally-linked MinsmereWalberswick and Alde-Ore Estuary SPAs), which include non-breeding birds. Para. 7.2.18 (p100, ep106) of the HRA Report rules out such impacts on the grounds of the small area of the reserve affected and its limited use by SPA/Ramsar birds, however, we are aware that White-fronted Goose do use areas in proximity to the construction compound, and given our concerns about the adequacy of the noise modelling information presented, we remain concerned about the potential for disturbance of this species and other wetland birds.	See above response to 2.2.41. The affected area is extremely small compared to the size of the RSPB Reserve (a patch just the opposite side of the former railway) and the contour shown is LAmix. The LAeq 60 dB line will not extend into the reserve.
2.2.4.2	Ground works including piling	Para. 7.2.20 (p101, ep107) of the HRA Report notes the presence of wintering Eurasian Curlew <i>Numenius arquata</i> in the field north of Aldeburgh Road, but explains that the 60 dB LAmix contour will “only intrude into a small part of this field”. Again, given the known usage of the area by Eurasian Curlew, concerns remain in our view until the queries around the adequacy of the noise modelling are resolved.	See above responses to 2.2.31 to 2.2.41
2.2.4.2	Ground works including piling	We also note that para. 2.3.1 (ep82) of Appendix A Landfall HDD Feasibility Technical Note states that: <i>“Following site setup, the contractor will probably insert 30m of temporary casing to support the section of bore that is above sea level to ensure it is supported when the HDD exits to the sea. The casing will probably be installed by using the HDD rig to drill and ream the 30m length before running in the casing into the open bore, pushing the casing with the HDD rig for the final section to embed it into the undrilled ground at the</i>	The Applicant can confirm that, following evolution of the landfall design, there are no plans to use a pneumatic hammered casing for the trenchless ducts.

Reference	Matter	Points Raised	Applicant's Comments
		<i>end. Casing can also be installed using a pneumatic casing hammer, however the sensitivity to noise at this site might require additional noise suppression methods during hammering"</i> We are therefore also concerned about potential impulsive noise generation during preliminary works at the seaward end of the HDD section and again query whether the possible requirement for use of a pneumatic casing hammer has been considered in the noise modelling and assessment of impacts on designated sites.	
2.2.4.3	Noise during trenchless installation	We also remain concerned about noise generated during the drilling process due to the continuous working required during this phase of the works and due to the potential for these works to affect breeding birds. Table 4.10 (p27, ep31) in AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project indicates that trenchless installation at the Suffolk landfall is programmed for Q2 and 3 2028, meaning that impacts will cover the bird breeding season. We also have particular concerns around work during hours of low light and darkness, when birds may be more sensitive to noise while they are roosting or through increased vulnerability to predation. Para. 7.2.15 (p100, ep106) of AS-007 Habitats Regulations Assessment Report explains that the 60dB contour will not extend into the Sandlings SPA during drilling, but again, this does not take account of the potential additional impacts of chronic noise disturbance at sensitive times (and as noted above, we have concerns about the adequacy of the noise modelling). We recommend that average (chronic) noise levels affecting the SPA are quantified to aid this assessment	The 60 dB LAmax contour for the HDD does not extend into the RSPB Reserve. Therefore, since LAeq is 5-15 dB below LAmax the 60 dB LAeq contour for the HDD also does not stray into the RSPB reserve.
2.2.4.3	Noise during trenchless installation	The specific effects of noise disturbance from drilling itself on the Leiston-Aldeburgh SSSI are also unclear and we request this is addressed, particularly as the site is considered functionally linked to both the Minsmere-Walberswick SPA/Ramsar and Alde-Ore Estuary SPA/Ramsar (see the Habitats Regulations Assessment, para. 4.2.26, p57, ep63) and therefore impacts on breeding species should be considered within the HRA.	See above responses to 2.2.31 to 2.2.42.
2.2.4.3	Noise during trenchless installation	We are particularly concerned about specific effects of noise on foraging Marsh Harriers, noting their known use of North Warren (and the records from the breeding bird surveys carried out for this project). Harriers in general make significant use of their hearing when foraging, to enable them to detect prey. Whilst Marsh Harriers may employ hearing to a slightly lesser degree than other harriers when hunting (due to differences in foraging flight height), all harrier species have highly developed auditory adaptations (Pecsics, Marx and Csörgő, 2021)12. Marsh Harriers (as with other harrier species) have large ear openings relative to their size, and a facial disc similar in structure to those of owl species. It is therefore likely that foraging Harriers may be less efficient if construction noise levels mask the auditory cues which are important for prey detection, and that this may result in avoidance of affected areas and/or reduced efficiency of prey capture. These potential impacts should also be assessed through the HRA.	See above responses to 2.2.31 to 2.2.42.
2.2.4.3	Noise during trenchless installation	To aid clarification of the above points, we also request that specific mapping of the noise contours for the drilling phase is provided. Due to the continuous nature of the noise generated and the potentially increased impacts of noise at night, we recommend that these maps should include a range of noise contour levels and	See previous comments on noise.

Reference	Matter	Points Raised	Applicant's Comments
		include a map based on average sound level (dB LAeq) as well as a separate map showing impulsive noise levels (using dB LAmx).	
2.2.4.4	Mitigation measures	APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) includes measure B27 requiring set up of the trenchless compound outside breeding season (discussed above) and measure B23 which requires: <i>“Best practical means such as noise fencing or similar effective noise reduction methods around works areas where required to avoid significant disturbance and also prevent visual disturbance. Noise monitoring would be included adjacent to Sandlings SPA and Leiston-Aldeburgh SSSI to confirm the mitigation measures met the required noise thresholds.”</i> It is crucial that the mitigation required by measure B23 (such as acoustic fencing) is constructed at the beginning of the construction period, especially as the enabling works could have the highest noise impacts on designated sites. If there is a period where construction is taking place without mitigation in place, the assessment of noise impacts could be under-precautionary as the noise contour modelling reported in the Habitats Regulations Assessment appears to be based on the assumption that mitigation is in place (see for example para. 7.2.15, p100, ep105). Therefore, whilst we welcome the provisions in B23 of the REAC for noise monitoring adjacent to the Leiston-Aldeburgh SSSI and Sandlings SPA and mitigation measures, we recommend that more specific measures are proposed, which should include identification of further mitigation should noise modelling indicate that thresholds have been exceeded.	The Applicant agrees that mitigation needs to be in place before activities commence east of Leiston Road. With regard to more specific noise measures, the wording of B23 was left open (rather than committing to specific noise reduction methods) precisely so that the measures can be tailored on the ground, including in response to noise monitoring during works.
2.2.4.4	Mitigation measures	With specific regard to the trenchless installation, whilst para. 2.4.5 of APP-321 Design Development Report Appendix A Landfall HDD Feasibility Technical Note (ep86) explains that groundworks pre- and post-HDD activities are likely to generate higher levels than the HDD activities themselves, the paragraph goes on to state that: <i>“The modelling for the HDD activities suggested a 60dB threshold would extend 42m from key equipment if site screening was used to give a 10dB reduction in site noise assuming one HDD rig was working. If 2 HDD rigs were working concurrently the 60dB threshold would extend to 52m. If the rig and key equipment was enclosed within an acoustic shed the distance would be reduced to 22m.”</i> Given the potential reduction of impact afforded by the acoustic shed, we suggest this should measure be included in the proposed mitigation. We also recommend that bird distribution should be monitored during construction to indicate whether any changes are occurring and again, help to inform any need for further mitigation.	See above response to 2.2.4.4.
2.2.4.5	Visual Disturbance and Lighting During Construction	As discussed above with regard the construction programme and working hours, even based just on core hours, landfall enabling works could include work in hours of low light and darkness. Para. 4.6.26 (p31, ep35) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project explains that the construction compounds will be lit, although lighting levels (and whether these will vary between working and non-working hours) and locations within the Suffolk landfall compound are not detailed. We do, however, welcome the three provisions in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) relating to impacts of lighting, which include;	Comments are noted. The request to amend the wording of measures GG10 and GG21 in the REAC (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) is being considered by the Applicant and a response will be provided in due course.

Reference	Matter	Points Raised	Applicant's Comments
		<i>"...lighting, will be located away from sensitive receptors such as residential properties or ecological sites where practicable" (GG10)</i> <i>"Construction lighting will be of the lowest levels necessary to safely perform each task. It will be designed, positioned and directed to reduce the intrusion into adjacent properties, protected species and habitats, e.g. watercourses" (GG21)</i> and; <i>"Around construction compounds..., direct illumination of boundary features would be avoided..." (B38).</i> We recommend that where GG10 is applied to designated conservation sites, the phrase "where practicable" should be removed to comply with the mitigation hierarchy (in which avoidance is the first and preferred method). We also recommend that GG21 should explicitly include designated conservation sites.	
2.2.4.5	Visual Disturbance and Lighting During Construction	AS-007 Habitats Regulations Assessment Report para. 7.2.17 (p100, ep106) explains that the noise fencing provided around the construction compound will also act as a visual screen protecting birds of the Sandlings SPA from visual disturbance, however, we note that this will not screen any activities taking place at height (such as work involving cranes) and may have limited effects on light spill, depending on the positioning of lights. These points will also apply to potential visual disturbance to birds of the Leiston-Aldeburgh SSSI. Further information regarding lighting and work at height is therefore required to adequately inform this assessment.	For the works east of Leiston Road including the HDD, the primary source of potential visual disturbance would be the construction workers themselves and associated lit areas which would be at or close to ground level. The use of cranes for the HDD landfall is typically limited to the initial mobilisation of HDD equipment (normally 2-3 days, day works only), repositioning of the drill rig between holes (1 day on 2 occasions) and demobilisation of HDD equipment (2-3 days, day works only). Equipment that may be visible above site fencing or screening is normally the top of the HDD rig (5m above ground level), Top of the recycling system (4.8m above ground level) and the top knuckle of an excavator boom (typically working at 5m but potentially 7m above ground level). One to two excavators will be working on the HDD site for most of the duration of the works. Lighting on the booms is directed at the working area (ground) in front of the excavator.
2.2.4.5	Visual Disturbance and Lighting During Construction	Due to these concerns, we recommend that mapping of areas affected by visual disturbance is provided using a suitable threshold based on visibility of lighting, people and mobile infrastructure and the sensitivity of ecological receptors. This would enable potential impacts and the adequacy of mitigation to be clearly understood.	Given the existence of a treeline and the former railway embankment separating the SPA and SSSI from the HDD compound, and the commitment to visually screening these works, the Applicant doesn't consider that actual mapping of visual impacts is necessary.
2.2.5	Noise and visual disturbance – impacts during operation		
2.2.5.1	Operational noise and visual disturbance during maintenance activities	We recommend that consideration is given to address impacts of maintenance activities during operation, recognising the importance of both the breeding and wintering interest of the Leiston-Aldeburgh SSSI and RSPB North Warren. Pre-application consultations have suggested measures to carry out noisy and/or	Given the depth of the cable through the RSPB reserve it is very unlikely any noisy or disturbing maintenance activities would take place within the Reserve.

Reference	Matter	Points Raised	Applicant's Comments
		disturbing maintenance activities in August and September where this is practicable, to avoid disturbing breeding or wintering birds. Such a measure could helpfully be included in the REAC.	
2.2.6	Access routes and emergency access		
2.2.6.1	Clarity regarding access required	The inclusion of access tracks at the eastern and western areas of RSPB North Warren, along with access within the main cable corridor here, raises a need for further information about the purpose and construction of proposed routes. We note that Table 5.1 (p22, ep26) of APP-352 Outline Public Rights of Way Management Plan - Suffolk discusses impacted public rights of way (PRoW), and in reference to footpath E-103/006/0 (which runs through RSPB North Warren/Leiston-Aldeburgh SSSI) it states that: <i>“access along the HVDC alignment is required by foot/quad bike for monitoring purposes during construction and operation”.</i> Para. 10.9.41 (p54, ep58) of APP-057 Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism specifies (with our emphasis) that: <i>“permanent access along the HVDC alignment is required by foot and/or quad bike on an annual basis for monitoring purposes during construction and operation”.</i> Para. 10.9.95 (p66, ep70) of Suffolk Chapter 10 Socio-Economics, Recreation and Tourism is different again in that it says (again with our emphasis): <i>“A temporary access route would be required for the installation of the HVDC cable alignment under North Warren RSPB Reserve. During the trenchless cable installation, an existing track across the open space will be used by a quad bike or 4x4 vehicle to follow the progress of the drill, moving in and out of the drilling area approximately four times a day.”</i> Given that all of these excerpts appear to refer to the use of an existing footpath to provide access through the centre of the RSPB reserve along the cable alignment (and note this is not currently a ‘track’), we remain unclear as to the level and type of access being proposed during both construction and operation. We comment on this further below in relation to our land ownership interests, but it is important to note here that access to this area has potentially important ecological implications due to the potential disturbance caused to wildlife during access, but also because of any surface treatment or vegetation management required to enable such access. The existing footpath in the vicinity of the cable alignment is narrow, constrained by ditches and passes through wetland and scrub habitats, therefore significant impacts could arise from any measures required to make this path accessible to a vehicle. Surfacing of access routes in particular could result in significant damage and loss of SSSI habitat, and we would object to this should it form part of the proposals. The exact nature of this access, along with any works required to facilitate it, should be made clear, and potential impacts will require proper assessment and mitigation.	The access track is only for use during the construction of the Proposed Project not during operation. All routes in the submission drawings are linked to the cable corridor. Routes are for access by a 4 x 4 or a quad bike for monitoring during construction so will not require any surfacing unless agreed in advance that it is required by the RSPB. Monitoring as stated above will be by 4 x 4 or quad bike or by foot; there will be no requirement to leave any equipment within the North Warren Nature Reserve. In the event of a fault, National Grid will look to remove the cable from the duct it is in and replace the section of cable. Therefore, National Grid will not require access to the cable from the surface. National Grid will only require access during the construction phase of the Proposed Project.
2.2.6.2	Vegetation management	APP-036 Trees and Important Hedgerows to be Removed or Managed Plans identifies two areas where trees are proposed to be ‘managed’ within RSPB North Warren/Leiston-Aldeburgh SSSI and we assume this to be in relation to the access	The groups identified to be managed correlate with tree features H1099S and G82S. These tree features line an

Reference	Matter	Points Raised	Applicant's Comments
		route described above. The section on 'Tree Works' (p23, ep29) in AS-059 Outline Landscape and Ecological Management Plan- Suffolk suggests that: <i>"Some removal and pruning of mature trees will be required to facilitate vehicle access, attenuation features, and for cabling works".</i> However, para. 2.9.165 (p85, ep88) of APP-049 Part 2 Suffolk Chapter 2 Ecology and Biodiversity states that: <i>"...the access route would follow an established track, and no habitat would be removed to facilitate it."</i> We therefore request clarity on the exact scope of the works proposed within the reserve and SSSI and note that the areas of scrub identified are known to support species of conservation interest including breeding Cetti's warbler (a Schedule 1 species) and therefore suitable mitigation would be required.	existing access route. These have been marked as 'managed' to ensure that the canopies and lateral growth can be kept back from the existing access route to facilitate monitoring and maintenance works, as is currently undertaken by RSPB in those locations.
2.2.6.3	Habitat loss during construction	Para. 2.9.171 (p86, ep90) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity discusses habitat loss to designated sites during operation and maintenance. It explains that the access route through RSPB North Warren/Leiston-Aldeburgh SSSI; <i>"...would be used by a Land Rover or people on foot only. No heavy machinery would be utilised on this access route."</i> Access is not discussed in the section on habitat loss to designated sites during construction, despite the fact that regular access during construction is proposed, as discussed above. The potential need for emergency access is also not considered. We also query whether reinstatement of any vegetation managed to facilitate access would be possible given the proposal for a permanent access route across the site. We consider that the impacts of any permanent loss of scrub habitat should be properly assessed and it should be clarified that no surfacing of access routes is proposed within RSPB North Warren/Leiston-Aldeburgh SSSI. These omissions should be rectified to ensure the adequacy of the assessment.	See above responses (2.2.6.1 and 2.2.6.2) on access within the RSPB reserve. There will not be any habitat loss.
2.2.6.4	Emergency Access	We also query the potential impacts of any emergency access which may be required, particularly during construction, but also potentially during operation, should any technical failures occur. The access route (along the existing PRoW) proposed does not closely follow the assumed cable alignment, as the PRoW does not follow a straight line to the drilling compound. We therefore query how the Applicant proposes to be able to reach all parts of the cable route in the event of a fault, given this could require crossing wetland habitats, and what effect any such access would have on habitats within RSPB North Warren/Leiston-Aldeburgh SSSI. We also request further clarification of the circumstances which might require emergency access and the methods and equipment required for both remedial works and access in emergencies, especially noting that the ground can be very wet and is bisected by ditches	Access would be required along the alignment of the trenchless crossings which will be installed within the cable limit of deviation provided. Access would be via light vehicle where viable and on foot where light vehicles cannot access. The purpose of the access is to monitor the progress of the drill and to undertake any remedial works in the unlikely event of a frac out of drilling fluid occurring. The works associated with remediating a frac out would include the following steps: • Terminate drilling activity upon frac-out detection by the monitoring equipment. Fluid pressure would then decrease stopping additional drilling escaping. • Identify frac-out location and ensure a safe working area. The above ground monitoring would assist in this process making it quicker which is an additional benefit to monitoring access. • Contain the frac out fluid using straw bales and/or silt fencing. Typical surface frac-outs are small and

Reference	Matter	Points Raised	Applicant's Comments
			are usually several or tens of litres which can be easily dealt with by a small team. All of the drilling mud at surface level can then be removed back to the drilling compound. This may be by temporarily installing small hand carried pumps with hoses to pump fluid back to a tractor towed bowser, and/or by using spades, buckets and wheelbarrows/trailers.
2.2.7	Construction Compound		
2.2.7.1	Layout	The plan on ep16 of APP-037 Design and Layout Plans shows the layout of the HDD construction compound adjacent to the Leiston-Aldeburgh SSSI and RSPB North Warren. We have previously raised the likely presence of foraging Eurasian Curlew close to the construction compound and that Woodlark are potentially present in the breeding season in the southern part of the Sandlings SPA. We request that more detail is provided of the locations of any noise/visual mitigation screening, so that impacts on the Sandlings SPA and Leiston-Aldeburgh SSSI (including RSPB North Warren) can be more fully understood. Clarity regarding the activities and mitigation proposed within and around the compound is essential for the purposes of assessing impact on the SSSI and the RSPB reserve.	The precise positioning of plant and equipment has not been determined as this is a detailed design matter. However, they will be located within the Order Limits between the HDD compound and the SPA/SSSI. Therefore, the Order Limits around the HDD compound can be taken to be the location of the fence as the worst-case scenario.
2.2.7.2	Location of transition joint bay (TJB)	Para. 4.2.51 (p15, ep19) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project states that: <i>“The indicative location of the TJB is illustrated on Application Document 2.14.1 General Arrangement Plans – Suffolk. Whilst the location of the TJB is indicative within the LoD, there is a commitment to make landfall using a trenchless crossing technique beneath designated sites, the location of the transition joint bay would be located outside of the coastal designated sites of Leiston Aldeburgh Site of SSSI and North Warren RSPB Reserve.”</i> Due to the potential for disturbance impacts during the construction period (particularly from cable drilling), the location of the TJB needs to be confirmed in order to adequately inform the assessment of impacts. Any movement of the TJB closer to the LeistonAldeburgh SSSI or the Sandlings SPA could increase the area affected by noise disturbance during such operations.	This is not required. The transition joint bay will be outside designated sites and a worst-case noise assessment of impacts on designated sites has already been presented in Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] .
2.2.7.3	Drainage at construction compounds	Para 4.6.27 (p31, ep35) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project notes the potential for runoff from construction compounds to be contaminated with oils and silts and the need for pollution control measures to be put in place. Para. 2.9.22 (p61, ep65) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity recognises the need to protect wetlands from such contamination: <i>“Therefore, the construction period on every project must have a duty of care to the water environment and produce and implement plans and procedures to prevent discharge from works entering surface, groundwater, wetlands or coastal waters.”</i> We wish to emphasise the importance of control measures for this issue at the construction compound adjacent to RSPB North Warren/Leiston-Aldeburgh SSSI to avoid damage to aquatic features at this wetland site. We note that there are various measures in APP-342 CEMP Appendix B Register of Environmental Actions and	Comment is noted. The request to amend the wording of REAC commitments to include specific reference to wetland habitat is being considered by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		Commitments (REAC) around control of contamination from runoff, wash down, storage areas etc (e.g. GG14, GG15, GG16, GH05) which often make specific recommendations around the protection of watercourses (e.g. around minimum distances). We request that these provisions also include explicit requirements to protect wetland habitats, in line with the excerpt from the Ecology and Biodiversity chapter above.	
2.2.7.4	Exclusion of deer	Para. 2.9.93 (p74, ep78) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity explains that Red Deer Cervus elaphus congregate in the field in which the HDD launch pit would be located and that they would be excluded from this field whilst construction is in progress. This paragraph goes on to conclude that the impact on the deer is of negligible significance, however, the impacts on surrounding habitats resulting from potential displacement of deer have not been considered. The Suffolk Coast holds large populations of deer (of several species) and the resulting grazing pressure and trampling are known to affect a number of designated sites. For example, the Site Improvement Plan for the Sandlings SPA13 (which is close to the launch pit) notes that deer pressure will affect quality of nesting habitat and that nests could be trampled. Any exclusions of animals or other restrictions on deer movements (e.g. through fencing) therefore could increase pressure on neighbouring habitats. We recommend that potential impacts and any need for mitigation is assessed. As well as considering the impacts of deer on designated sites, impacts on the reinstatement and enhancement of habitats should be considered. Deer browsing could significantly affect growth or regrowth of hedgerows and saplings and consideration should be given to any necessary protection to increase the likelihood of success.	Any deer present in this field will already be part of a herd using Sandlings SPA and Leiston-Aldeburgh RSPB reserve. Paragraph 2.9.93 of the Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] notes that ‘Being large animals they [red deer] have a large home range (typically a minimum of 200 ha and often much larger) such that this field is likely to be a small part of a much larger area used by the deer.’ The works areas will be fenced for the duration of the works in this specific location, following completion of the works the site will be returned to its existing condition. If additional protection is required around saplings or hedgerows then this will be provided and monitored as part of the reinstatement. Access around the works site will be retained as there will be no need to fence off the trenchless installation area so north south movement of the deer within the field network will be retained throughout, limiting any reduction in grazing area.
2.2.7.5	Air quality	Para. 2.9.14 (p59 ep63) of PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity rules out significant air quality impacts from the generators at the construction compound adjacent to RSPB North Warren/Leiston-Aldeburgh SSSI and states that: <i>“Additionally, over the short term, an elevation in acid deposition is unlikely to result in changes in vegetation communities over the temporary period the generators are proposed to be operational (up to three years), considering the considerable variation in background acid deposition that is likely to occur normally over short time periods.”</i> This statement that an impact lasting up to 3 years should be considered a temporary impact, especially in the context of impacts on a SSSI, does not appear sufficiently robust for the purposes of the assessment and requires further justification and supporting evidence to be provided.	Up to three years is a reference to the overall construction programme. The compound east of Leiston Road would not be present for the entire construction programme but for approximately six months as noted in the Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047], the indicative construction programme and Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003].
2.2.8	Public access and recreational impacts	Further to the changes in layout around the construction area to the west of RSPB North Warren and the access routes in the vicinity of this compound and the beach area, we query whether any changes to public access or parking will be required during construction. Any such changes could affect patterns of usage at RSPB North Warren/Leiston-Aldeburgh for example through changing preferred access points and could have impacts on ground flora and bird disturbance. Should any changes be required, potential impacts of changes in visitor use, including on designated sites, should be included in the assessment.	Recognising that PRow and recreational trails are valued by both locals and tourists, Section 10.9 of Application Document 6.2.2.10 Part 2 Suffolk Chapter 10: Socio-Economics, Recreation and Tourism [APP-057] assesses the potential effects of the Proposed Project on disruption to the use of PRow and recreational routes. Appropriate route diversions, closures and management measures are proposed as embedded mitigation and outlined in Section 10.8. The criteria for determining the sensitivity of users of PRow and recreational trails and the magnitude of impact of disruption is

Reference Matter		Points Raised	Applicant's Comments
			outlined in Section 10.4. For example, recreational routes' sensitivity criteria considered several factors, including: - the quality of user experience; - quality of the route; - purpose of usage; and - potential for substitution. Footpath 103/006/0 is identified as a recreational footpath that runs across the RSPB North Warren. The HVDC cable will be installed via trenchless technique limiting impact on this PRow which is to remain open throughout the project. Overall, it is concluded that no significant socio-economic, recreation and tourism effects are anticipated. As set out on Application Document 2.7(B) Access, Rights of Way and Public Navigation Plans – Suffolk [AS-011], there is potential for the Proposed Project to interact with vehicular access on Leiston Road and access to Footpath 103/006/0 in this area, but no significant effects are expected with the mitigation to be secured as part of Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk [APP-352], and noting that Footpath 103/006/0 will remain open regardless of any road closure of Leiston Road. Additionally, the Applicant recognises the importance of local amenity and access to PRow. In response to this concern, Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] assesses the likely significant effects on amenity of PRow users, drawing on assessment from of Application Document 6.2.2.10 Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism [APP-057] and Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048]. The cumulative impact is also assessed in Application Document 6.2.12 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. No significant adverse effects are identified with regards to human health and wellbeing.
2.2.9	Unexploded Ordnance (UXO)	Given the historical use of the area during World War 2, we are concerned that UXO may be present onsite and require removal, with potential impacts on the Leiston-Aldeburgh SSSI and RSPB North Warren. Section 3.5 (p16, ep26) of APP-120 ES Appendix 2.5.E Generic Quantitative Risk Assessment – Suffolk explains that: <i>“Following a Preliminary Unexploded Ordnance (UXO) Risk Assessment a detailed UXO risk assessment was commissioned. ...The detailed risk assessment assessed</i>	The Applicant has undertaken a detailed UXO risk assessment for the Proposed Project. including at the RSPB North Warren reserve. The risk assessment notes that a maximum penetration depth of between 10-12 m can be taken for WWII bombs at the site. With the trenchless crossing anticipated to be approximately 16-18 m below the RSPB reserve it is considered very unlikely that a UXO will be encountered by the drill. Consequently, the risk of encountering a UXO in the

Reference Matter		Points Raised	Applicant's Comments
		<i>the risk from UXO as Medium Risk to Medium/High Risk for shallow and deep intrusive works”</i> We are concerned that the potential presence of UXO could lead to a need for excavations within RSPB North Warren/Leiston-Aldeburgh SSSI which could lead to significant damage to habitats and that any detonations required could lead to significant disturbance to birds within both the SSSI and the nearby Sandlings SPA. This does not appear to be addressed within the Environmental Impact Assessment or the Habitats Regulations Assessment, and as a foreseeable risk from the project (as evidenced by the statement above), this should be properly assessed. This issue is of major concern to the RSPB due to its lack of coverage in the Application documents, the subsequent level of uncertainty, the potential significance of the impacts and the difficulty of providing adequate mitigation to avoid damage and disturbance to designated sites.	RSPB reserve may be considered reduced to As Low as Reasonably Practicable (ALARP), and therefore no excavations within the RSPB reserve/SSSI are anticipated. The Applicant is planning to reduce the UXO risk for working areas and the complete length of the landfall route to ALARP by the appointment of a UXO Consultant and additional pre-construction UXO survey works. This approach was undertaken during the intrusive ground investigation works completed previously by the Applicant and will be used for future surveys and construction works. Where required, pre-construction surveys, such as UXO surveys (including relocation / removal where required) and additional landfall ground investigations, will be consented separately and are therefore not covered or assessed in the ES and/or the HRA. This is standard practice for some pre-construction preparatory surveys. If UXO clearance is necessary, the activity would be undertaken in accordance with approved industry practices for removal and disposal/waste management of ordnance, particularly the use of low deflagration methods during clearance. These considerations will also be included in any consents/permits (e.g. SSSI Assent / HRA) and associated impact assessments.
2.2.10	The RSPB's land management	The RSPB's habitat management at North Warren includes a need for grazing animals (which require access to water sources and moving around the site) and tractor operations. We request clarity as to whether any restrictions will be imposed on our land management activities during the construction (e.g. during cable installation) or operational periods which could limit our ability to manage and maintain habitats within RSPB North Warren/LeistonAldeburgh SSSI. This issue is also discussed further in relation to our land ownership interests in the section on the RSPB's land ownership issues below.	The trenchless installation of cables under the North Warren reserve will not require significant changes to the management or use of the reserve. Access to the reserve is required to monitor the progress of the drill, therefore the Applicant will need to work with the RSPB to ensure safe access for the Contractor during the drilling process. This could include the isolation of the works area from grazing animals if those animals are considered to be hazardous, or from other activities if deemed hazardous to the workforce. Drilling is a relatively slow process, and only isolated locations would be required for access on any given day, therefore it is not considered that the proposed monitoring works would impact on the ability of the RSPB to undertake necessary habitat management works. The Applicant looks to work with the RSPB to plan and agree a safe method of access that is suitable for all parties.
2.3	Suffolk Onshore Scheme – Cable Corridor Impacts		
2.3.1	Loss of habitat for Woodlark	As explained in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity, the proposed construction compound and cable corridor to the west of RSPB North Warren passes through areas of importance for Woodlark and will cause temporary losses of foraging and potential breeding habitat. This species is a feature of the Sandlings SPA and is listed under Schedule 1 of The Wildlife and Countryside Act. We support the statement in para. 2.9.28 (p62, ep66) that this area should be considered functionally-linked to the Sandlings SPA. We also welcome the proposal to provide an	Comment is noted.

Reference	Matter	Points Raised	Applicant's Comments
		area of acid grassland to mitigate for temporary losses of acid grassland and the lag time in restoration of affected habitats, as described in para. 7.2.6 (p98, ep104) of AS-007 Habitats Regulations Assessment Report. We agree that such habitat will also be of benefit to Woodlark.	
2.3.2	Acid grassland creation and restoration	Para. 5.33 (p32, ep38) of AS-059 Outline Landscape and Ecological Management Plan – Suffolk discusses the ideal management regime for an area of restored and enhanced acid grassland. The following statement is included: <i>“Bare ground will be very limited.”</i> This improperly suggests that bare ground is a negative feature of acid grassland habitats. On the contrary, bare ground is an important ecological feature of such habitats and can be of great benefit to species such as Woodlark. We would encourage a mostly short sward with some bare ground retained if possible (around 5-10%). This is more in line with the comments made in para. 2.9.33 of p63, ep67 in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity (our emphasis): <i>“the surveys undertaken for the Proposed Project, and published research indicate that vegetation that is kept suitably short and open, particularly if bare areas are created within the sward, is likely to be used for foraging by both species and may be used by nesting by woodlark.”</i> Para 6.7.2 (p40, ep46) of AS-059 Outline Landscape and Ecological Management Plan – Suffolk outlines the process for reinstating the acid grassland areas once works are complete. In the first year, the stated preference is for the flora to naturally regenerate, and we are in support of this. In the second year, the proposal is to cut the grass to a height of 10cm and pile the arisings for the benefit of reptiles. For Woodlark, it would be beneficial for there to be some degree of heterogeneity in the sward height following the mowing in the second year. The provision of some areas with a very short sward of less than 3cm will facilitate optimum foraging. Arisings should not cover much of the habitat and should be placed preferentially on the perimeters, to minimise the nutrient load on the grassland. We support the option to implement a 2-hectare Woodlark plot within 45m of the woodland area, as discussed in bullet point 12 of para. 6.13.4 (p44, ep50) of OLEMP – Suffolk.	Comments are noted.
2.3.3	Avoidance of disturbance to breeding Woodlark and other species	Please note that noise disturbance affecting the Sandlings SPA (designated for breeding Woodlark and Nightjar) arising from the construction compound and cable drilling works is discussed above. We note that provision B24 in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) proposes keeping works areas clear of vegetation until construction starts to deter ground-nesting birds, particularly Woodlark and Skylark <i>Alauda arvensis</i>. This measure is not guaranteed to be effective in our view and surveys and mitigation before construction takes place will still be required to avoid damage or disturbance to nests (noting that Woodlark are a Schedule 1 species). We have similar concerns about provision B35: “To avoid disturbance of nesting woodlark outside the SPA, works close to known nesting areas will be commenced during the winter so there is already activity before the nesting season; the birds will then choose alternative nesting locations” Again, this measure may not be successful and monitoring will be necessary to inform the construction programme, particularly as	The Applicant agrees that pre-construction monitoring (and bird surveys every year) will be needed to ensure steps can be taken to keep areas within the Order Limits clear of nesting Schedule 1 Birds. Section 7.1 of the Application Document 7.5.7.1 (B) Outline Landscape and Ecological Management Plan – Suffolk [AS-059] identifies the need for such surveys.

Reference	Matter	Points Raised	Applicant's Comments
		construction noise levels and types may vary. It will also be important to define the period classed as winter given that Woodlarks can establish territories in February and lay their first clutches of eggs in mid-March (Average (range) of first clutch laying dates - 8 Apr (17 Mar-3 Jun).	
2.3.4	Potentially conflicting mitigation measures	Biodiversity measure 5 (B05) of para. 2.8.6 in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity suggests that in order to mitigate against harm to reptiles, vegetation in suitable habitat should be cut down to a reduced height between mid-March and mid-October to encourage them to disperse. However, biodiversity measure 2 (B02) of para. 2.8.6 instructs that vegetation should not be cut during the bird breeding season. Under certain conditions, the instructions in these two biodiversity measures may be conflicting; it is very likely that ground nesting birds will occupy habitat that is also suitable for reptiles. The conflict might be resolved by contracting the intentional reptile dispersal window to September-October.	The Applicant is aware that different species have different clearance seasons. It will be for the Ecological Clerk of Works for the Proposed Project to provide specific advice to the contractor as to the suitable period for clearance. To avoid conflict between reptiles and nesting birds this will generally be in September/October.
2.3.5	Impacts on Stone-curlew	It should also be noted that Stone-curlew <i>Burhinus oedichnemus</i> are present in the area and could be attracted to nest on bare ground created under measure B24 APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) discussed above. Presence of this species should be considered in any areas of suitable acidic grassland or arable farmland, with particular consideration given to the potential for colonisation of any areas of bare ground created as part of the enabling works or during the construction of the cable route. Stone-curlew are Amber listed on Birds of Conservation Concern and listed under Schedule 1 of the Wildlife and Countryside Act. Surveys will be required to check for presence of Stone-curlews and, should nesting occur, suitable measures (which may need to include cessation of works in the area) would need to be put in place to avoid disturbing nesting birds.	Comment is noted. This will be factored into the pre-construction and annual bird surveys and the duties of the Ecological Clerk of Works (see response above).
2.3.6	Impacts on Turtle Dove	The cable corridor also passes through areas which may support Turtle Doves <i>Streptopelia turtur</i>. We are disappointed to see that this has not been addressed in PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity, other than to note their presence in the vicinity of the cable corridor. This species is on the Birds of Conservation Concern Red List due to its dramatic decline and the RSPB has been working with partners and land managers through Operation Turtle Dove to try to halt this decline through improvements to breeding and foraging habitats. Due to the fragile state of the breeding population, impacts on key habitats for these species (including scrub and mature hedgerows) should be avoided and minimised as far as possible, as reinstatement through replanting of young trees after up to 5 years is likely to mean that the habitat would not be sufficiently mature to support breeding Turtle Doves for some time beyond this. Reduction and/or mitigation of this impact is also likely to be beneficial for breeding Nightingale <i>Luscinia megarhynchos</i>. We recommend that suitable mitigation should be proposed for this potential impact. Paras. 6.5.7 (p38, ep44) and 6.6.6 (p39, ep45) of AS-059 Outline Landscape and Ecological Management Plan – Suffolk discuss the management of new woodland and hedges to be planted as part of the mitigation package. The following statements are made: <i>“management of bramble will be carried out to prevent encroachment into adjacent areas”</i> and	Impacts on scrub and mature hedgerows have been minimised as much as possible and the Proposed Project will result in a considerable net increase in woody planting (woodland, scrub and hedgerows) particularly in the vicinity of the Converter Station and Substation.

Reference	Matter	Points Raised	Applicant's Comments
		<i>“hedgerows will be managed and maintained at a height of between 2.5 m and 3.5 m (allowing for individual trees within the hedgerow to establish and reach maturity)”</i> To benefit Turtle Doves, we recommend that the hedges be maintained at a height of 3m or more and allowed to grow at least 4m wide. Following establishment, the retention of brambles and other thorny climbers may help facilitate the development of a thick, impenetrable scrub which is attractive to both Nightingale and Turtle Dove.	
2.4	Suffolk Onshore Scheme – Cumulative/in-combination effects with other projects		
2.4.1	Co-location	Whilst the current approach does not include provisions for co-ordination with other projects within the Application, APP-363 Coordination Document discusses how this could be achieved, including through co-location of infrastructure as discussed in para. 6.2.17 (p28, ep32). Whilst the RSPB is supportive of the principle of trying to reduce impacts through project co-ordination, we are extremely concerned that co-location in this instance could have significant additional impacts on the proposed landfall area within the LeistonAldeburgh SSSI and RSPB North Warren. Our main concerns around co-location are around the repeated periods of disturbance associated with the works, the additional infrastructure required for construction (including access routes), impacts of the potentially increased width of cable corridor through the site and the increased level of risk associated with any failure/faults which could require damage to habitats to resolve. With regard duration of the works, we are concerned that works are likely to be consecutive rather than temporally co-ordinated (as discussed for example in para. 8.2.5 (p125, ep131) of AS-007 Habitats Regulations Assessment Report. Extending the duration of the works required at the landfall could increase the significance of impulsive and chronic noise and visual disturbance impacts to Leiston-Aldeburgh SSSI and RSPB North Warren. We would also be concerned about the sequencing of work and the potential for work to cross into several bird breeding/wintering seasons. Repeated periods of disturbance (and any repeated impacts on habitats) would exacerbate the effects of the proposals on designated sites significantly, with a longer duration of impacts potentially more likely to result in longer term changes to breeding and/or wintering bird populations. The Co-ordination Document and HRA should acknowledge the need to robustly assess such impacts.	The Applicant agrees that the co-location of infrastructure can bring benefits, subject to an assessment of environmental impacts. However, the Applicant is ultimately only responsible for its impacts and cannot control other projects. Each project must ensure that it can address its impacts in terms of noise and visual disturbance and other impact pathways. If the Applicant has ensured that their disturbance and other impacts are not-significant (see other responses regarding noise and visual disturbance in this document) that is all that can reasonably be required of the Applicant. If the Applicant's impacts are not significant and subsequent developers can also mitigate their impacts such that they are also not-significant then ultimately no significant impact will arise even if projects are undertaken sequentially. In addition to consideration of in-combination effects within the HRA (Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]), an assessment of the likely significant effects of the Proposed Project with other development in the area is provided in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060].
The2.4.2	White-fronted Geese	Para. 4.2.26 (p57, ep63) of AS-007 Habitats Regulations Assessment Report acknowledges that the wetland part of RSPB North Warren is functionally-linked to the MinsmereWalberswick SPA/Ramsar. Table 13.37 (p162, ep166) in APP-060 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter Project Cumulative Effects acknowledges the potential for cumulative impacts on White-fronted Geese of the Minsmere-Walberswick SPA with a number of projects, including Sizewell C, but concludes that material disturbance will not arise due to the limited wetland area affected by noise from Sea Link construction. However, we are concerned that impacts could be more significant than assessed. Whitefronted Geese associated with the SPA commute from their main feeding areas at North Warren and the roosting sites at Minsmere around 2-3 hours after sunset and a direct flight will take birds over the construction works at Sizewell C main	See previous comments on noise disturbance.

Reference	Matter	Points Raised	Applicant's Comments
		development site. Early sunsets in winter mean that these flights are likely to be exposed to levels of construction noise associated with normal working hours at both sites (and including the highest levels of noise associated with construction compound enabling works at RSPB North Warren). This should be fully considered within the Habitats Regulations Assessment.	
2.4.3	Disturbance to Sandlings SPA	Para. 8.2.3 (p124, ep130) of AS-007 Habitats Regulations Assessment Report discusses potential in-combination noise impacts on the Sandlings SPA: <i>“Disturbance of Sandlings SPA would only arise if multiple projects were to cause noise levels exceeding the 60 dB threshold agreed with Natural England and were to do so during the nightjar and woodlark nesting season. In combination effects would not arise due to works being undertaken for multiple projects in the same location at the same time, as space constraints would not allow for works close to the SPA to be undertaken for multiple projects simultaneously, even if the programme for the other schemes were to accelerate. Moreover, the noise zone of influence for East Anglia ONE North and East Anglia TWO is further north than that for Sea Link, and LionLink and therefore would not overlap.”</i> We disagree with these comments as they do not take account of the impacts of multiple projects disturbing multiple areas of the SPA. An increase in the area affected (by impulsive noise exceeding the 60dB threshold, by an increase of more than 3dB or by an increase in chronic noise levels) could mean that there is a significant reduction in nesting and foraging habitat available for Woodlark and Nightjar across the SPA. This should be recognised in the HRA.	The Applicant is addressing the Proposed Project’s contribution to cumulative and ‘in combination’ effects as set out in Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071], by ensuring noise levels within the SPA do not exceed the 60 dB L_{Amax} threshold agreed with Natural England. Impacts may arise on other locations from other developments unrelated to the Proposed Project. However, since the Applicant is reducing the Proposed Project’s impact on the SPA to ‘not-disturbing’, the cumulative ‘in combination’ effect will remain not significant.
2.4.4	Deer pressure	The potential for increased deer pressure on designated sites arising from exclusions of animals from some areas or other restrictions on deer movements (e.g. through fencing) during construction has been discussed above in relation to the landfall construction compound. Consideration should also be given to this impact in-combination with other projects in the area, particularly the construction of Sizewell C. We recommend that the projects liaise with each other and with site managers around potential impacts on the movement of deer around the landscape and mitigation of potential effects of increased deer pressure on designated sites.	See previous comments on deer. Ultimately the Applicant only has control over the impacts of the Proposed Project . However, the Applicant has been in discussion with Sizewell C about their approach to deer management. The Applicant is aware of the importance of coordination with other projects and has set out its approach to coordination within Application Document 7.10 Coordination Document [APP-363]. This document provides an overview of the various coordination approaches that have been considered and, where practicable, implemented by the Proposed Project.
2.5	Suffolk Onshore Scheme – Monitoring and Additional Mitigation	We have commented elsewhere about monitoring required for specific elements of the project but also wish to note the general point such monitoring should form part of a broader programme of monitoring of project impacts on designated sites and important species populations. This is necessary to provide assurance that agreed thresholds are not being exceeded (e.g. in the case of noise) or that inadvertent impacts are not occurring (e.g. on water quality) and to enable additional mitigation to be put in place should unforeseen impacts occur. The results of the monitoring will be particularly important to inform the assessment of impacts of any similar projects coming forward in this area or elsewhere affecting similar habitats. In relation to this, we recommend that oversight of the outputs of such monitoring and any requirement for additional mitigation should sit with an Ecology Working Group, including stakeholders with relevant expertise.	The comment is noted. Section 7 of Application Document 7.5.7.1 (B) Outline Landscape and Ecological Management Plan – Suffolk [AS-059] specifically discusses monitoring pre and post-construction, including that ‘<i>A post-construction monitoring programme and reporting procedures will be formalised, agreed with the relevant planning authority and included within the detailed LEMP, prior to construction works commencing</i>’.

Reference	Matter	Points Raised	Applicant's Comments
2.6	Suffolk Onshore Scheme – Habitat Enhancement and Biodiversity Net Gain		
2.6.1	Biodiversity Net Gain Parameters Line	We welcome the commitment in para. 1.6.14 (p15, ep20) of AS-055 Biodiversity Net Gain Feasibility Report to deliver net gain by at least 10% for this project. However, the geographical basis for BNG, as described in para. 2.2.2 (p17, ep22) of this document, seems somewhat limited. Whilst we acknowledge that using the full Order Limits as a basis would generate a BNG requirement in excess of the requirement if it were possible at this stage to base the calculation on the area to be actually built out, reducing the geographic basis to the area “ <i>where permanent or temporary impacts to habitats are reasonably expected to occur</i> ” appears to be an unambitious target. We are also concerned that basing the calculation on the area of habitats impacted appears to conflate BNG with mitigation. We consider that the scale of BNG delivery proposed is not commensurate with the scale of the project.	The assessment boundary used for Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] excluded the locations to be used specifically for mitigation for protected species and Functionally Linked Land and as such does not conflate BNG with mitigation. The BNG Assessment will be revisited at detailed design stage to ensure that the final biodiversity unit requirement to achieve a 10% net gain will consider the final permanent footprint and locations to be temporarily affected during the construction programme.
2.6.2	Details of BNG proposals	We are disappointed to note that no firm proposals for habitat creation to fulfil the project’s commitment to BNG have been included at this stage. Whilst we welcome the intention to deliver “... <i>meaningful and targeted provision of BNG... that may work towards any targets within the incoming Local Nature Recovery Strategy...</i> ” (para. 5.2.8, p65, ep70 of AS-055 Biodiversity Net Gain Feasibility Report), we would expect to see significantly greater detail of the plans for delivery as part of the Application. We request that plans for ambitious BNG which contributes to landscape-scale conservation of important habitats and species within Suffolk are submitted as part of the Examination.	The applicant can confirm its commitment to deliver 10% BNG. Habitat creation and enhancement measures are included within Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] for the land surrounding the converter station as this is land within the ownership of the applicant. This is because the Proposed Project presents an opportunity to deliver more ambitious BNG that contributes to landscape-scale conservation and restoration as you have also identified. The Applicant will continue to explore a range of options to deliver BNG for the Proposed Project which provide the best choices and outcomes for nature and wider environmental and societal benefits, and provide value for money for consumers. These outcomes will be secured and in place prior to the Proposed Project being operated as part of the high voltage electricity transmission network.
2.6.3	Habitat enhancements for farmland birds	This project has potential to contribute to the conservation of important farmland bird species, including Turtle Dove. We recommend that habitat enhancements include planting targeted at providing nesting, foraging and watering habitat for farmland birds, where appropriate. Further details of the types of measures that could be employed can be found on the Operation Turtle Dove website¹⁵. We also recommend that the Applicant liaises with local communities about opportunities to improve biodiversity along the cable route, in ways that benefit both wildlife and communities. This could include for example, considering the initiatives developed by Saxmundham Town Council.	Comment is noted. Proposals for habitat creation and enhancement are set out in Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] and Application Document 7.5.7.1 (B) Outline Landscape and Ecological Management Plan - Suffolk [AS-059] .
2.7	Suffolk Onshore Scheme – The RSPB’s Landownership	The RSPB owns the freehold of 400ha of land between Aldeburgh and Thorpeness on the Suffolk Coast, known as the RSPB North Warren Reserve. The proposed Sea Link cable will dissect part of this Reserve and as such this section of the RSPB written	Comment noted.

Reference	Matter	Points Raised	Applicant's Comments
		representations sets out its concerns raised by the DCO application in relation to its land ownership interests.	
2.7.1	Compulsory Purchase Powers (CPO)	If consented, the DCO will grant CPO powers to National Grid. The RSPB are concerned that the range of powers that would be granted are quite wide-ranging and would be damaging to the RSPB Reserve if exercised. (PDA-009 Statement of Reasons, Section 4.5, p25 ep30). Whilst the RSPB are seeking a private arrangement with National Grid to provide for access to the Reserve that ensures the RSPB's landowner rights are protected (should the project be consented), we are concerned that the Applicant can fall back on the CPO powers, as such they must be restricted to only those necessary. Of specific concern to the RSPB is para. 4.5.8 (p26, ep31) Article 20 Discharge of water, which allows the right to discharge into any drain or ditch system. The hydrology of the RSPB Reserve and Leiston-Aldeburgh SSSI is of such importance that such use could be massively destructive. Para. 4.5.16 (p27, ep32) Article 51 Felling or lopping allows the right to manage any tree, shrub, shrubbery, hedgerow or important hedgerow. On a protected site a blanket consent is not suitable or feasible.	The Applicants have sought to minimise all areas of Compulsory Acquisition and as such have only applied for the land rights necessary to construct, operate and maintain the Sea Link project. The Applicant also, as stated, prefers to seek, secure and rely on voluntary agreements with affected parties and will honour those agreements where they are secured and in place. There are no drainage works proposed for the North Warren reserve, and in terms of vegetation management reference should be made to the Application Document 2.12 Trees and Hedgerows to be removed or managed plans – Suffolk [APP-036] for details on the hedgerows within the reserve that have been identified for potential management to keep the PRow clear for access. There are no trees or hedgerows to be removed within the reserve.
2.7.2	Horizontal Directional Drilling (HDD)	The REAC is clear that the method of construction on the RSPB Reserve is via HDD, however the documentation does not detail what alternatives are available if there is a change in circumstances. The RSPB are concerned that the Applicant could revert to open trench installation at a later date. The impacts on the designated site, in such a circumstance, would be catastrophic. Whilst we appreciate the draft DCO including a restriction, we would like to suggest the wording is more specific on ensuring that no open trenching is permitted across the RSPB Reserve. Alternatively, should HDD fail part way through, there is a risk that an emergency plan would have to be put in place. This could feasibly include an access onto the RSPB Reserve to allow a trench to be dug. Whilst the RSPB accepts that failures can happen through no fault, without an adequate contingency plan, our concerns remain as an objection.	Please see response to comment 2.2.1.1 above regarding the risk of needing to open trench through the RSPB reserve. Mitigation measures for equipment stuck in an HDD is addressed in Paragraph 2.9.8 of Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047]. The recovery of the stuck equipment is all undertaken from the HDD entry site, with no need for trenching in the RSPB Reserve.
2.7.3	The RSPB's Reserve Management	The RSPB operates the Reserve as a quiet visitor haven, a home to thousands of ducks, swans and geese in the winter, whilst spring brings breeding Bitterns, Marsh Harriers, Woodlarks and Nightingales. The Reserve is visited by RSPB members and the wider public, for quiet tranquillity and connection to nature. Below we detail our comments and concerns that directly impact on the RSPB operation including use of the Reserve for the RSPB charitable purpose and business of protecting nature and providing accessibility to the public and the RSPB membership.	Comment noted.
2.7.4	Designated Site	The part of the RSPB Reserve within the red line boundary is designated as part of a Site of Special Scientific Interest (SSSI), National Landscape and local nature reserve. PDA-009 Statement of Reasons makes no mention of these designations and therefore the RSPB are concerned that the implications of these designations have not been fully understood and accommodated within the plans.	See above responses and those below. The Statement of Reasons deals with compulsory acquisition and land rights not the wider impact on designation which are covered elsewhere as stated in the application.
2.7.5	Grazing	The RSPB's habitat management includes the provision of grazing animals, which are provided through third party graziers, who move the animals across the Reserve	

Reference	Matter	Points Raised	Applicant's Comments
		through the season to meet the objectives set out in the Management Plan. The DCO application makes no reference to this operation and therefore does not provide any detail on the implications of the construction on this use. We are concerned about impacts on the grazing with the proposed vehicle movements (mentioned below). There is also no provision for the consideration of the impact of an emergency on the operations, such as a potential frac out from the underground drilling. There is no confirmation as to how third-party graziers will be communicated with and how any impact on their business will be considered. As a minimum there should be no restriction on the ability of graziers, and their animals, to freely move about the Reserve. There must be no severance of herds or grazing areas and there must always be the ability for grazing animals to access drinking water.	The Applicant acknowledges these concerns and will collaborate with the landowner to minimise disturbance to grazing activities wherever practicable.
2.7.6	Fencing	There is lack of clarity over whether and where any fencing is proposed on the RSPB Reserve. Therefore, we are concerned that if there becomes a requirement for fencing (see APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) provision GG26), that this is installed with due consideration of the implications. The Reserve is managed as a grazing marsh, and installation of fencing should take account of the designated site and the use as such.	There will be no fencing required within the RSPB Reserve, unless agreed with the RSPB as a requirement for livestock management, see response to 2.2.10 above.
2.7.7	Vegetation Management	The Application details vegetation management along the scheme, some of which might be clearance. The RSPB are concerned that management of vegetation as shown on the RSPB land (APP-036 Trees and Important Hedgerows to be Removed or Managed Plans) is only required to enable access for vehicles (as detailed separately in this response). There is no clearance required nor necessary for the installation as this will be by Horizontal Directional Drilling (HDD). We are concerned that even with vegetation management, the proposed access routes would still not be suitable for vehicles, even quad bikes due to ground conditions. Without the vegetation management the routes are already accessible on foot. It should be noted that RSPB North Warren is home to Schedule 1 breeding birds and so vegetation management must be carefully controlled and minimised as much as possible. Reinstatement must be agreed with the RSPB as landowner, and it would be preferable to adopt a natural regeneration methodology on this designated site. If new planting is required, it must be with native species agreed with Natural England and the RSPB.	See above vegetation management comments. Any management would simply be a continuation of the RSPB's existing management to keep paths open.
2.7.8	Water Control	The Applicant states that a drainage management plan will be developed for the scheme (APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) provision W14). The RSPB require that such a plan should be developed in consultation with the RSPB as landowner and Natural England. Drainage and water management on the reserve is of paramount importance due to the SSSI habitats present on site. The RSPB are aware that the Environment Agency are currently replacing a sluice and underground drainage channel, discharging into the Sea. This is situated along the northern boundary of the DCO area. There are concerns that if the DCO works impact on this structure, through vibration or interference, the hydrology of the RSPB Reserve could be negatively impacted, breaching SSSI management prescriptions and disrupting protected species.	There are no drainage works proposed on the RSPB site.
2.7.9	RSPB Visitors	We query whether the parking bay on Thorpe Road near access point S-AP-1 will be closed during construction of the scheme as this could result in increased pressure	

Reference Matter		Points Raised	Applicant's Comments
		elsewhere. Should fly-parking subsequently increase elsewhere along the Thorpeness-Aldeburgh road, this could lead to safety concerns for road users. In addition, there could be potential for damage to the SSSI where drivers pull off the road to try to find a safe spot. It is not clear in the documents whether this parking area will remain open and whether any mitigation measures are required to manage this pressure. This is of particular concern to the RSPB as the organisation relies on its 1 million plus members, whose ability to enjoy the site could be directly impacted.	S-AP-1 is at the parking bay on Thorpe Road and is required for monitoring access to the foreshore during the drilling works. Although an element of the car park will need to remain clear for access it is not considered likely that the entirety of the car park will need to be closed. The use of this access will only be for a short period whilst drilling progresses under the foreshore and Thorpe Road.
2.7.10	Schedule of Condition	The RSPB welcomes the requirement for a photographic schedule of condition prior to construction starting on site (APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) provision GG06). This must be compiled with the ability to locate individual photographic points.	Comment is noted by the Applicant.
2.7.11	Construction Compound	The proposed compound is not situated on RSPB land; however, it is located in close proximity. There will be disturbance to the RSPB Reserve, which will include, but is not limited to dust, noise, vibration and lighting. Whilst it is noted that equipment that produce these impacts will be sited away from residential property and ecological sites where practical (APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) provision GG10) we are concerned that this will not be practical or feasible at this location. Despite mitigation measures, there could be an impact on bird species, throughout the year, particularly during the breeding season, from these nuisance activities and this is discussed in full elsewhere in these Representations.	See above responses on disturbance in 2.2.31 to 2.2.41.
2.7.12	Intrusive Surveys	There is mention in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) provisions GH01 and GH11 of a need for more intrusive surveys prior to construction, however we are concerned that there is no detail as to what these surveys are and the method for completing them. Noting that the RSPB Reserve is designated and is used for a specialist purpose, it is imperative that any required surveys are proposed in consultation with the RSPB and Natural England. Primarily we will be concerned with the impact on the features for which the site is designated, Schedule 1 breeding birds and any interaction with our grazing operation. Linked to the intrusive surveys we note that there will be ongoing non-intrusive works. Specifically, we request that ongoing monitoring of the scheme is undertaken including soil testing, ground level monitoring and hydrological impacts as a minimum.	The Applicant is committed to working with the RSPB on agreeing any access required for ongoing survey works. As was the case for the preliminary ground investigation and numerous ecology surveys within the reserve, the Applicant would look to agree the scope, location and timing of any survey works with the RSPB prior to those works being undertaken.
2.7.13	Access Requirements	There are two access tracks included within the limits of the DCO Application, in the vicinity of the RSPB land. There is one track from the compound located to the west of the RSPB Reserve, and a second track located not far from Sluice Cottage on the eastern edge of the RSPB site (APP-018 Location Plan, ep7) and (PDA-005 Land Plans Part 1, ep10 and 11). The DCO Application does not make clear exactly what the purpose is of these tracks. It is noted that they are detailed as being permanent rights that will exist post construction, but there does not appear to be any justification to support this position. It is not clear what access should be required once the cables are in situ.	Details relating to the access point to the east of Thorpe Road (Bellmouth S-BM13) and the access point to the west of B1122 Leiston Road (Bellmouth S-BM02) are provided within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] and Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk [AS-008] .
2.7.13	Access Requirements	In relation to access during construction, these tracks may well be required, however the DCO Application lacks information and clarity on the level of their use during this period. APP-057 Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism para. 10.9.42 details the track to the west of the RSPB Reserve, which connects onto the RSPB land, as being used by up to 10 HGVs per day. Given that the same	The forecast levels of construction traffic (including HGVs) associated with the access point to the east of Thorpe Road (Bellmouth S-BM13) and the access point to the west of B1122 Leiston Road (Bellmouth S-BM02) are provided within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7

Reference	Matter	Points Raised	Applicant's Comments
		paragraph references the crossing of the permissive path to the east of the construction compound, it is unclear whether the discussion of HGV access is only relevant to the west of the compound or whether access for HGVs is also proposed to the east of the compound and crossing onto the RSPB Reserve. Considering that the method of construction, on the RSPB Reserve, is via horizontal directional drilling (HDD) it is not clear why 10 HGVs might require this access. The RSPB would strongly object to access across a designated site by such vehicles and request that the exact nature of the access proposed is clarified. Para. 10.9.41 (p54, ep58) of Suffolk Chapter 10 Socio-Economics, Recreation and Tourism details that monitoring of the HDD during construction will be conducted using quad bikes, 4x4s or on foot. Access by foot will do far less damage than access by 4x4 or quad bike, furthermore; the distances to be covered and ground conditions of the Reserve mean access by foot is the best option for all parties. There are no details on what surfacing is proposed for these access tracks, and of the tracks that run through the working width. Without appropriate agreement on this surfacing the RSPB must object to the tracks' use.	Traffic and Transport [APP-054] and Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk. [AS-008].
2.7.13	Access Requirements	There are no details on the crossing points to be constructed to facilitate access across ditches on site. Any crossing points need to be agreed with the RSPB to ensure minimal impact on SSSI management and the hydrology of the site.	No new crossing structures will be installed within the RSPB Reserve, Access is only required for monitoring either on foot or by 4x4 vehicle (e.g. quad bike). Existing crossings will be used.
2.7.13	Access Requirements	There is no consideration that the RSPB Reserve is a wetland site, and not all areas of the property are accessible. The method of access to monitor the progress of the HDD is by quad bike. However, even with surfacing, and vegetation clearance, parts of the route are not accessible. The RSPB are keen to avoid clearance and surfacing operations taking place which will ultimately not lead to the destination required.	Noted, access will be taken on foot where it is not possible to gain access by quad bike.
2.7.13	Access Requirements	It is noted that where the footpath is impacted by the access mentioned above, the footpath will be diverted (APP-089 ES Appendix 1.4 A Crossings Schedules, p14, ep17 Table 1.5 Crossing reference S/FO/0011.2). As the track effectively bisects the footpath, there is no ability for the path to be diverted, it would be more favourable to install a controlled crossing to allow users of the footpath to cross safely over the access track. We seek confirmation that the PRoW will not be utilised as a route for vehicles. It is unclear why a section of vegetation alongside that footpath, that is currently passable on foot, has been identified for cutting back. We request further detail in order to provide comment.	This footpath is a permissive path (not a Public Rights of Way) and will only be temporarily diverted for a short period if required, to safely manage users of the footpath, in the unlikely event that investigation or protection works are required to utility assets within the permissive path. The location at which the access for monitoring crosses the permissive path is already a crossing point, however this will be controlled when used by the Applicant. Details relating to the management of Public Rights of Way (PRoW) are set out within Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk [APP-352]. The only PRoW in this area is PRoW E-103/006/0, where a trenchless HVDC crossing will be carried out to avoid any temporary closures or diversions to this PRoW. Access along the HVDC alignment will be carried by foot or quad bike for monitoring purposes during construction and operation.

Reference	Matter	Points Raised	Applicant's Comments
			Vehicles will only be taken to suitable locations, access beyond these points will be on foot.
2.7.14	Incidents and Emergencies	It is recognised that there will be a need for the Incident Response Plan as mentioned in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments GG24. The RSPB require that any plan for works on or adjacent to RSPB land will include provision for the RSPB to be notified immediately should an unplanned event occur (this should include, but not be limited to, site flooding, pollution incidents, drilling fluid breakout, or the drill head becoming stuck). National Grid should ensure that any Emergency/Incident Response Plan is in accordance with recommendations laid out by and approved by Natural England, as well as the RSPB. The plan should include details of the RSPB graziers, and the potential impact on their operation should remediation activities need to take place. There is no definition in the documents as to what constitutes emergency access. There is no provision around ensuring that any emergency access does not cause greater damage or disturbance to the protected site. The RSPB Reserve is a very wet site and access routes are crossed by ditches. Plans need to ensure that consideration is given to soil damage and the physical ability to travel across the landscape.	Site visits with the Proposed Project and RSPB representatives have already been undertaken at the RSPB North Warren/Leiston-Aldeburgh SSSI to understand the works and RSPB requirements. The results of the visit, along with ongoing discussions, are informing the development of voluntary land agreements between the parties. The Applicant's land agents (Dalcour Maclaren) are organising meetings with landowners to discuss agri-environmental schemes and compensation provisions. They are also compiling a list of Accommodation requirements which will be shared directly with the Main Works Contractor. This Accommodation Works requirement will also include an Incident Response Plan.
2.7.15	Unexploded Ordnance (UXO)	During World War II RSPB North Warren was used for military purposes, we are concerned that UXO may be present on site and require removal. This will impact on the Leiston-Aldeburgh SSSI and RSPB North Warren. We can see only limited references in the Application suggesting that any assessment of this risk has been considered, with no measures identified to address this risk. For this reason, the RSPB remain considerably concerned.	The Applicant has undertaken a detailed UXO risk assessment for the project including at the RSPB reserve. The risk assessment notes that a maximum penetration depth of between 10-12m can be taken for WWII bombs at the site. With the trenchless crossing anticipated to be approximately 16-18m below the RSPB reserve it is considered very unlikely that a UXO will be encountered by the drill. Consequently, the risk of encountering a UXO in the RSPB reserve may be considered reduced to As Low as Reasonably Practicable (ALARP), and therefore no excavations within the RSPB reserve/SSSI are anticipated. The Applicant is planning to reduce the UXO risk for working areas and the complete length of the landfall route to ALARP by the appointment of a UXO Consultant and additional pre-construction UXO survey works. This approach was undertaken during the intrusive ground investigation works completed previously by the Applicant and will be used for future surveys and construction works. Where required, pre-construction surveys, such as UXO surveys (including relocation / removal where required) and additional landfall ground investigations, will be consented separately and are therefore not covered or assessed in the ES and/or the HRA. This is standard practice for some pre-construction preparatory surveys. If UXO clearance is necessary, the activity would be undertaken in accordance with approved industry practices for removal and disposal/waste management of ordnance, particularly the use of low deflagration methods during clearance. These considerations

Reference	Matter	Points Raised	Applicant's Comments
			will also be included in any separate consents/permist (e.g. SSSI Assent / HRA) and associated impact assessments.
2.8	Conclusions Regarding the Suffolk Onshore Scheme	In summary, we object to the project making landfall at RSPB North Warren/Leiston-Aldeburgh SSSI. The reasons for our objection are: • Insufficient consideration given to avoidance of designated sites during the route selection process. • Exploration of ecologically less-damaging alternatives too constrained geographically and on the basis of (now removed) need for co-location. We also have significant concerns about the following: • Ecological impacts of the proposed landfall including disturbance, damage to habitats and constraints on future management of the Leiston-Aldeburgh SSSI (and functionally-linked SPAs) and RSPB reserve, along with potential impacts on the Sandlings SPA from the associated cable route • Impacts of the project on the RSPB's landownership interests at RSPB North Warren. However, given that the project may be consented despite these concerns, we have made a number of recommendations in our comments above regarding the adequacy of the assessments and the proposed mitigation which should be addressed through the Examination of the Application. These can be summarised as follows:	See response to comments above.
2.8.1	Recommendations: Suffolk Onshore Scheme – Description of Baseline		
2.8.1.1	Proximity to Designated Sites	Need to recognise within PDA-017 Part 2 Suffolk Chapter 2 Ecology and Biodiversity that the project is not merely adjacent to RSPB North Warren and Leiston-Aldeburgh SSSI but instead includes parts of these sites within the Order Limits.	See response to comments above.
2.8.1.2	Ecological importance of North Warren	We recommend that the area east of Leiston Road is considered to be of national importance for non-breeding birds, with European White-fronted Goose being of international importance We recommend that the breeding Lapwing population is considered to be of county significance Habitat mapping should recognise importance of ditches, footdrains, acid grassland and scrub/bramble habitats.	See response to comments above.
2.8.1.3	Designated sites – errors	PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Report should be corrected to state that wintering European White-fronted Goose is a feature of the Minsmere-Walberswick SPA and not the Alde-Ore Estuary SPA, and Woodlark is a feature of the Sandlings SPA, not the SAC.	See response to comments above.
2.8.1.4	Bird Surveys	For the 2024 Lapwing and Redshank figures, methods and limitations should be discussed and it should be acknowledged that the territory distribution maps may not accurately reflect the real locations of favoured areas.	See response to comments above.

Reference	Matter	Points Raised	Applicant's Comments
		Maps used to show the abundance and distribution of wintering birds recorded during 2022/23 in APP-216 should clearly indicate that the wet grasslands were not formally surveyed on the dates shown in the legend. Annex 2.B.2 (p63, ep67) of PDA-025 ES Appendix 2.2.B Suffolk Wintering Bird Report is a compendium of WeBS data from Kent and not Suffolk and requires correction.	
2.8.1.5	Other ecological surveys	Given the decision not to survey the vegetation across the SSSI, any impacts on the vegetation, including due to proposed access routes or potential incidents such as frac-out need to be carefully considered. It should be recognised that Water Voles are present at RSPB North Warren	See response to comments above.
2.8.2	Recommendations: Suffolk Onshore Scheme – Landfall at North Warren		
2.8.2.1	Use of trenchless techniques for landfall	Seek reassurance that open-trenching across the SSSI would not be pursued in any circumstances (including via subsequent Change Applications or other applications to facilitate open-trenching). For clarity, we also request that the Draft DCO at Schedule 16, Part 2, Para. 10 (3) is updated to specify the ‘seaward’ HDD exit. Request confirmation that the list of additional activities and infrastructure required as part of the construction swathe and listed in para. 4.6.138 (p50, ep54) of AS-093 Part 1 Introduction Chapter 4 Description of the Proposed Project does not apply to the trenchless crossing of RSPB North Warren/Leiston-Aldeburgh SSSI.	See response to comments above.
2.8.2.2	Risks associated with trenchless techniques	Query the confidence around the statement that HDD feasibility is not likely to be affected by the presence of gravel as well as the potential impacts of any changes to drilling methodology. Seek reassurance that the available onshore borehole data is sufficient to give confidence in the conclusions that the HDD within the RSPB Reserve and SSSI will remain above the London Clay layer. Request for additional information to be provided to explain the freeing process should the drill head become stuck, any additional impacts on the RSPB reserve and SSSI (including from extending the construction duration and subsequent noise effects) and how these can be mitigated. Request that provision (B22) in APP-342 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) regarding measures to avoid the trenchless drilling equipment getting stuck is updated to include details of mitigation measures. A report detailing the outcomes of hydrofracture modelling should be a required Obligation to be discharged before construction commences. Measure GH10 (drilling fluid breakout plan) in APP-342 REAC should include provisions that Natural England and ourselves are consulted with regard appropriate procedures within RSPB North Warren/Leiston-Aldeburgh SSSI; also that these procedures should include notification of both NE and ourselves of any incidents at the earliest opportunity.	See response to comments above.

Reference	Matter	Points Raised	Applicant's Comments
		Request clarity regarding the likelihood of dewatering at launch pits being required and mitigation to be proposed to ensure that any dewatering does not affect water levels within RSPB North Warren/Leiston-Aldeburgh SSSI. The hydrogeological risk assessment referred to in GH10 of APP-342 REAC should be available to inform the assessment of impacts on the RSPB reserve and SSSI during the Examination. Information should be provided in order to understand the likelihood of occurrence (or multiple occurrences) of cable faults along with an assessment of the likely impacts of additional duct installation itself or the impacts of cable fault remedial action (including additional cable pulling). Further information about the risks and subsequent remedial procedures in the event of the empty cable duct collapsing or becoming unsuitable for use should be provided.	
2.8.2.3	Noise and disturbance – noise modelling	Recommend that it is clarified that noise thresholds proposed within the HRA refer to impulsive noise, represented by dB LAmax Meaning of the mapped ‘average LAmax’ contour should be clarified. We also seek reassurance that the map ‘for the project as a whole’ represents the worst-case scenario for impulsive noise and not an average level for the duration of the whole project. As contours have been calculated for all phases of the work, these should be made available to the Examination. It would be helpful for mapping to be supplemented by larger scale maps of the noise contours where they overlap designated sites, to aid identification of areas and species which may potentially be impacted	See response to comments above.
2.8.2.4	Noise and disturbance – impacts during construction	Given the broad timespan for reinstatement activities and the potential for these to cause disturbance, we query both when any reinstatement needed in the vicinity of RSPB North Warren/Leiston-Aldeburgh SSSI would be completed and the nature of any such works. Recommend that the potential for increased sensitivity of birds to disturbance at dawn, dusk and during the night during winter should be considered in the assessment of noise impacts. It should be made clear whether any piling activities could be required at the compound close to RSPB North Warren/Leiston-Aldeburgh SSSI and whether the current modelling and proposed mitigation take account of this. Given our concerns about the adequacy of the noise modelling information presented, we request that further consideration is given to the potential for disturbance of White-fronted Goose, Eurasian Curlew and other wetland birds on the basis of the additional information requested. We query whether the possible requirement for use of a pneumatic casing hammer at the seaward end of the HDD drill has been considered in the noise modelling and assessment of impacts on designated sites. The assessment of noise from continuous working during the HDD drilling process (which is planned during the bird breeding season) should consider potential impacts of work during hours of low light and darkness, when birds may be more sensitive to noise while they are roosting or through increased vulnerability to predation.	See response to comments above.

Reference	Matter	Points Raised	Applicant's Comments
		The HRA should consider potential noise impacts on breeding birds during the drilling process, particularly Marsh Harrier • We recommend that average (chronic) noise levels affecting the Sandlings SPA, LeistonAldeburgh SSSI (and Minsmere-Walberswick SPA/Ramsar and Alde-Ore Estuary SPA/Ramsar through functional linkage) during the HDD drilling process are quantified to aid the assessment of impacts on breeding birds. Request that specific mapping of the noise contours for the drilling phase is provided including a range of noise contour levels. Also to include a map based on average sound level (dB LAeq) as well as a separate map showing impulsive noise levels (using dB LAmax). It is crucial that the mitigation required by measure B23 (such as acoustic fencing) is constructed at the beginning of the construction period, especially as the enabling works could have the highest noise impacts on designated sites. We also recommend that B23 should include identification of further mitigation should noise modelling indicate that thresholds have been exceeded. Given the potential reduction of impact afforded by an acoustic shed enclosing the HDD equipment, we suggest this should measure be included in the proposed mitigation. Recommend that bird distribution should be monitored during construction to indicate whether any changes are occurring and again, help to inform any need for further mitigation. Where GG10 (lighting) is applied to designated conservation sites, the phrase “where practicable” should be removed to comply with the mitigation hierarchy and GG21 (lighting) should explicitly include designated conservation sites. Further information regarding lighting and work at height is required to adequately inform this assessment, as fencing will not screen or reduce light spill from any activities taking place at height. Recommend that mapping of areas affected by visual disturbance is provided using a suitable threshold based on visibility of lighting, people and mobile infrastructure and the sensitivity of ecological receptors.	
2.8.2.5	Noise and visual disturbance – impacts during operation	Include measures in the REAC to carry out noisy and/or disturbing maintenance activities in August and September where this is practicable, to avoid disturbing breeding or wintering birds.	See response to comments above.
2.8.2.6	Access routes and emergency access	The exact nature of access routes at RSPB North Warren, along with any works required to facilitate it, should be made clear, and potential impacts require proper assessment and mitigation. Request clarity on the exact scope of vegetation management proposed within the RSPB reserve and SSSI and note that suitable mitigation would be required to protect Schedule 1 species. It should be clarified that no surfacing of access routes is proposed within RSPB North Warren/Leiston-Aldeburgh SSSI. The section on construction phase habitat loss in Chapter 2 Ecology and Biodiversity should include implications of regular and emergency access and vegetation management.	See response to comments above.

Reference	Matter	Points Raised	Applicant's Comments
		Request clarification of the circumstances which might require emergency access and the methods and equipment required, also of how the Applicant proposes to be able to reach all parts of the cable route in the event of a fault, and what effect this could have on habitats within the RSPB reserve and SSSI?	
2.8.2.7	Construction compound	Request that more detail is provided of the locations of any noise/visual mitigation screening at the construction compound is provided, so that impacts on the Sandlings SPA and Leiston-Aldeburgh SSSI (including RSPB North Warren) can be more fully understood. Due to the potential for disturbance impacts during the construction period (particularly from cable drilling), the location of the transition joint bay needs to be confirmed in order to adequately inform the assessment of impacts. Measures GG14, GG15, GG16, GH05 in APP-342 REAC around control of contamination from runoff, wash down, storage areas etc should include explicit requirements to protect wetland habitats. Potential impacts of increased deer pressure arising from exclusions or restrictions to deer movement should be assessed and any required mitigation should be proposed. Impacts on the reinstatement and enhancement of habitats should be considered along with any necessary protection. The statement that air quality impacts from generators on Leiston-Aldeburgh SSSI lasting up to 3 years should be considered a temporary impact requires further justification and supporting evidence to be provided.	See response to comments above.
2.8.2.8	Public access and recreational impacts	Should any changes to public access or parking be required, potential impacts of changes in visitor use, including on designated sites, should be included in the assessment.	See response to 2.2.8.
2.8.2.9	Unexploded Ordnance (UXO)	Assessment required of potential presence of UXO and any need for excavations within RSPB reserve/SSSI. This should include assessment of potential damage to habitats and disturbance to the SSSI and the nearby Sandlings SPA from any detonations required.	See response to comment above.
2.8.2.10	RSPB land management	Request clarity as to whether any restrictions will be imposed on our land management activities during the construction (e.g. during cable installation) or operational periods which could limit our ability to manage and maintain habitats within RSPB North Warren/Leiston-Aldeburgh SSSI	See response to comments above 2.2.10.
2.8.3	Recommendations: Suffolk Onshore Scheme - Cable Corridor Impacts	For the restored/enhanced acid grassland, we would encourage a mostly short sward with some bare ground retained if possible (around 5-10%), and provision of some areas with a sward of less than 3cm will optimise foraging for Woodlark. Arisings from mowing should be placed around the perimeter of the site. Provision B24 in the REAC (clearance of vegetation to deter nesting birds) is not guaranteed to be effective in our view and surveys and mitigation before construction takes place will still be required to avoid damage or disturbance to nests. Measure B35 (commence work during winter to deter nesting birds) also may not be successful and monitoring will be necessary to inform the construction programme, particularly as construction noise levels and types may vary.	See response to comments above.

Reference	Matter	Points Raised	Applicant's Comments
		Measures B05 (clearance of vegetation to deter reptiles) and B02 (avoidance of vegetation clearance during the bird breeding season) may conflict in some locations – in this instance the reptile dispersal window could be reduced to September-October to avoid conflict. Surveys of bare ground during construction will be required to check for presence of Stonecurlews and, should nesting occur, suitable measures (which may need to include cessation of works in the area) would need to be put in place to avoid disturbing nesting birds. Impacts on key habitats for Turtle Dove and Nightingale (including scrub and mature hedgerows) should be avoided and minimised as far as possible and mitigation proposed for loss of habitat during time taken for re-establishment. To benefit Turtle Dove and Nightingale, we recommend that newly planted hedges be maintained at a height of 3m or more and allowed to grow at least 4m wide with brambles and other thorny climbers encouraged/retained	
2.8.4	Recommendations: Suffolk Onshore Scheme – Cumulative/in-combination effects with other projects	The Co-ordination Document and HRA should acknowledge the need to robustly assess impacts of potential co-location on designated sites including repeated disturbance, additional infrastructure, potentially increased width of cable corridor and the increased risk associated with any failure/faults. The assessment of cumulative impacts from Sea Link and Sizewell C on White-fronted Geese of the Minsmere-Walberswick SPA should consider combined disturbance to commuting flights in winter. The HRA should consider the impacts of multiple projects disturbing multiple areas of the Sandlings SPA as this could result in a significant reduction in nesting and foraging habitat being available for Woodlark and Nightjar. The Applicant should liaise with Sizewell C and with site managers around potential impacts on the movement of deer around the landscape and potential effects of increased deer pressure on designated sites during the construction periods for these projects.	See response to comments above.
2.8.5	Recommendations: Suffolk Onshore Scheme – Monitoring and additional mitigation	A programme of monitoring of project impacts on designated sites and important species populations is required to provide assurance that agreed thresholds are not being exceeded or that inadvertent impacts are not occurring and to enable additional mitigation to be put in place should unforeseen impacts occur. Recommend that oversight of the outputs of such monitoring and any requirement for additional mitigation should sit with an Ecology Working Group.	See response to comments above.
2.8.6	Recommendations: Suffolk Onshore Scheme – Habitat enhancements and Biodiversity Net Gain	We request that plans for ambitious BNG which contributes to landscape-scale conservation of important habitats and species within Suffolk are submitted as part of the Examination. We recommend that habitat enhancements consider planting targeted at providing nesting, foraging and watering habitat for farmland birds (particularly Turtle Dove), where appropriate. Recommend that the Applicant liaises with local communities about opportunities to improve biodiversity along the cable route, in ways that benefit both wildlife and communities.	Options for BNG delivery through either the purchase of units from commercial registered providers or collaborative delivery off-site with trusted partners are currently being explored. As such the submission of plans showing locations/proposals for BNG delivery would not be possible. The applicant takes note of the points raised here around habitat enhancements for farmland birds, and the creation of habitats in advance and will take them into account when developing a strategy for off-site BNG delivery.

Reference	Matter	Points Raised	Applicant's Comments
			As the linear components of the Proposed Project are primarily routed across third party land these areas tend to not lend themselves to on-site BNG delivery as this would result in small areas of habitat enhancement that would require legal agreements with a number of different landowners and this may not represent the best outcome for nature recovery or the best use of consumer funding. BNG delivery off-site will be targeted in a small number of large areas where landscape scale habitat restoration can be delivered.
2.8.7	Recommendations: Suffolk Onshore Scheme – The RSPB's Landownership		
2.8.7.1	Compulsory Purchase Powers (CPO).	CPO powers must be restricted to only those necessary. Article 20 Discharge of water and Article 51 Felling or lopping are not appropriate for a designated site.	Application Document 4.2 (D) Statement of Reasons [REP1-040] sets out the details on the approach toward compulsory purchase including the use of the powers and why they are both legitimate and proportionate. The Applicant is actively seeking to secure the necessary rights through voluntary agreement to negate the need to use or rely on any of the compulsory powers applied for. Its Land Rights Strategy sets out why the voluntary rights sought must be on a consistent basis and that they are applied across the board to all DCO, CPO and voluntary negotiations.
2.8.7.2	Horizontal Directional Drilling (HDD).	Contingency plans must be in place for any potential HDD failures which avoid any future need for open trenching at RSPB North Warren	The Applicant has committed to a trenchless crossing technique to be used under the RSPB reserve. The Applicant has designed in sufficient capacity to accommodate failed drills within the DCO Order Limits.
2.8.7.3	Designated Site	PDA-009 Statement of Reasons should recognise that part of the RSPB Reserve within the red line boundary is designated as part of a SSSI, National Landscape and local nature reserve	See comments above.
2.8.7.4	Grazing	There should be no restriction on the ability of graziers, and their animals, to freely move about the RSPB Reserve. There must be no severance of herds or grazing areas and there must always be the ability for grazing animals to access drinking water.	The Applicant acknowledges these concerns and will collaborate with the landowner to minimise disturbance to grazing activities wherever practicable.
2.8.7.5	Fencing	Any requirement for fencing should be clarified and any installation should take account of the designated site and its management as grazing marsh.	Comment is Noted by the applicant. See response to 2.7.6.

Reference	Matter	Points Raised	Applicant's Comments
2.8.7.6	Vegetation Management	The Application should recognise that, even with vegetation management, the proposed access routes would still not be suitable for vehicles, even quad bikes due to ground conditions. Vegetation management must be carefully controlled and minimised. Reinstatement must be agreed with the RSPB and preferably adopt a natural regeneration methodology. If new planting is required, it must be with native species agreed with Natural England and the RSPB.	See response to comments above.
2.8.7.7	Water Control	The drainage management plan should be developed in consultation with RSPB as landowner and Natural England. Works should avoid impacting the sluice and drainage channel along the northern boundary of the DCO area at the landfall.	The drainage management strategy will not impact the sluice and drainage channel along the northern boundary of the Order Limits at the landfall with no drainage works proposed in this location. The closest drainage works to the RSPB reserve will be the infiltration drainage associated with the trenchless drilling compound to the west of the RSPB reserve.
2.8.7.8	RSPB Visitors	Clarity is required regarding whether the parking bay on Thorpe Road near access point SAP-1 will be closed during construction of the scheme. Mitigation of visitor impacts may be required.	S-AP-1 is at the parking bay on Thorpe Road and is required for monitoring access to the foreshore during the drilling works. Although an element of the car park will need to remain clear for access it is not considered likely that the entirety of the car park will need to be closed. The use of this access will only be for a short period whilst drilling progresses under the foreshore and Thorpe Road.
2.8.7.9	Schedule of Condition	The photographic schedule of condition must be compiled with the ability to locate individual photographic points.	Comment is noted by the Applicant.
2.8.7.10	Intrusive Surveys	Any further intrusive surveys require consultation with the RSPB and Natural England and assessment of impacts on the designated sites, Schedule 1 breeding birds and any interaction with our grazing operation. We request that ongoing monitoring of the scheme is undertaken including soil testing, ground level monitoring and hydrological impacts as a minimum.	Where required, pre-construction surveys, such as UXO surveys (including relocation / removal where required) and additional landfall ground investigations, will be consented separately and are therefore not covered or assessed in the ES and/or the HRA. This is standard practice for some pre-construction preparatory surveys. If further intrusive surveys are required, these activities would be undertaken in consultation with RSPB and Natural England, and in accordance with approved industry practices and will be subject to the relevant consents/permits (e.g. SSSI Assent / HRA) and associated impact assessments. This will be in line with the approach for intrusive surveys undertaken to date. The Applicant will agree the scope, timing and access arrangements of any intrusive surveys, if these are required, with RSPB and relevant stakeholders through the formal consent process. Post-installation soil testing and hydrological monitoring of the HDD would not normally be undertaken given the duct is at 12m minimum depth beneath the RSPB land and well below

Reference Matter		Points Raised	Applicant's Comments
			sea level and water table, sealed with bentonite, so no changes to soil chemistry or hydrology are expected.
2.8.7.11	Access Requirements	Clarity is required regarding the nature, surfacing, purpose and proposed level of usage of the proposed access tracks in and around the RSPB Reserve. Access during HDD drilling operations across the reserve should be on foot rather than vehicle due to access difficulties and potential impacts. The RSPB are keen to avoid clearance and surfacing operations taking place which will ultimately not lead to the destination required. Any ditch crossing points need to be agreed with the RSPB to ensure minimal impact on SSSI management and the hydrology of the site. With regard crossing reference S/FO/0011.2), it would be more favourable to install a controlled crossing to allow users of the footpath to cross safely over the access track. We seek confirmation that the PRoW will not be utilised as a route for vehicles.	Please see previous responses on each of these individual points above (2.7.13 Access Requirements).
2.8.7.12	Incidents and Emergencies	The Emergency/Incident Response Plan relevant to works on or adjacent to RSPB land should be approved by Natural England and RSPB and should include provision for the RSPB to be notified immediately should an unplanned event occur and consideration of access limitations and impacts and impacts on and contact with graziers.	The Applicant shall produce an Incident Response Plan in accordance with REAC measure GG24 (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) that will include how landowners and stakeholders will be informed of any issues that may impact them.
2.8.7.13	Unexploded Ordnance (UXO)	A full assessment of the potential presence of UXO is required, with suitable mitigation proposed.	See response to this comment above
Detailed Comments – 3 Kent			
3.1	Kent Onshore Scheme - Designated Sites		
3.1.1	Designated Sites under threat and Key Species	The RSPB is seriously concerned about the impacts of the Sea Link proposals on internationally designated sites in Thanet, their species and supporting functionally linked land. These internationally important sites must be avoided unless there is no other option. National Grid's preferred route for landfall and the connection to the substation further inland, threatens Thanet Coast and Sandwich Bay SPA, Sandwich Bay SAC and Sandwich Bay to Hacklinge Marshes SSSI. Thanet Coast and Sandwich Bay SPA is designated such for breeding Little Tern, wintering Turnstone and Golden Plover. Terrestrial grassland and arable habitats in the area are important for roosting and feeding Golden Plover, while the intertidal area with its mudflats and sand provide rich feeding and roosting opportunities supporting Turnstone and other16 species may use a combination of wetland and terrestrial habitats (both within and outside of designated sites) and move between locations, such as Golden Plover ranging widely across the area to feed and roost. The area is extremely important for waders and wildfowl in winter and during migration times, with the mudflats supporting large	Noted

Reference	Matter	Points Raised	Applicant's Comments
		numbers of Dunlin <i>Calidris alpina</i>, Curlew, Oystercatcher <i>Haematopus ostralegus</i>, Redshank, Ringed Plover <i>Charadrius hiaticula</i> - occurring in nationally important numbers during passage migration, Sanderling and Grey Plover <i>Pluvialis squatarola</i> – during winter, the latter two species present in nationally important numbers. This importance is recognised in the SSSI designation, and this also lists Ringed Plover, Oystercatcher and Little Tern as breeding. The Kent Onshore Scheme has a landfall point in the highly designated Pegwell Bay, cabling onshore to connect to a 2 GW HVDC converter station near Minister, a new substation, associated infrastructure, two new sections of HVAC overhead lines and modifications to existing overhead lines. Impacts include direct loss of habitat, pollution, noise disturbance to designated features, loss of functionally linked land for Golden Plover and collision risk.	
3.2	Kent Onshore Scheme - Baseline Information	Detailed comments below	
3.2.1	Description of baseline	The description of baseline conditions in PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity is misleading with regard the description of proximity of the project to designated sites. Para. 2.7.1 (p43) states: <i>“Application Document 6.6 Habitats Regulations Assessment Report identifies that there are three European sites within 10km of the Kent Onshore Scheme Order Limits: Thanet Coast & Sandwich Bay SPA/Ramsar/Sandwich Bay SAC, 470 m east of the landfall...”</i> The proposals cross and directly impact these designations as illustrated in APP-027 Statutory and Non Statutory Sites of Nature Conservation Geological and Landscape Importance – Kent. In addition, AS-007 Habitats Regulations Assessment Report (Ex 1.4.6) screens in direct loss of habitat as a result of the construction for the Kent Onshore Scheme at Thanet Coast & Sandwich Bay SPA/Ramsar site and Sandwich Bay SAC. It is essential that the ES provides clarity of impacts and does not attempt to downplay these. This text should be amended. The same misleading description issue applies to para. 2.7.2 re description of the Sandwich Bay to Hacklinge Marshes SSSI as <i>“approximately 20m south of the proposed Minster Converter Station.”</i> before later identifying that the proposals are within this designation. This text should also be amended to provide clarity.	The Kent Onshore Scheme starts at the landfall, which is the HDD compound and is west of the golf course. Works within Pegwell Bay are part of the Offshore Scheme. Sandwich Bay to Hacklinge Marshes SSSI is 20 m south of the Converter Station. Therefore, this text is not incorrect.
3.2.2	Description of Impacts	There is a general issue with lack of clarity and misleading statements in the discussion of impacts. For example, APP-290 Habitats Regulations Assessment Report in the summary of the first paragraph under “Loss of functionally-linked land” (4.4.17, p76) states: <i>“Therefore, the SPA/Ramsar is located too far from the Kent Onshore Boundary for functionally-linked land associated with the SPA/Ramsar to be affected and is thus screened out of further assessment”</i> This is in relation to Stodmarsh SPA/Ramsar site, which is much further away from the proposed project compared to the functionally linked land which will be lost associated with the Thanet Coast & Sandwich Bay SPA/Ramsar which is later discussed para 4.4.18-4.4.22. The closest and directly impacted functionally linked land should be discussed first and the SPA/Ramsar site needs to be named given there is more than one being discussed.	Read in context it is clear that this statement relates to Stodmarsh SPA/Ramsar site.

Reference Matter		Points Raised	Applicant's Comments
3.2.3	Stodmarsh SPA	We also query the screening out of Stodmarsh SPA, particularly given the record of Hen Harrier along the River Stour during the wintering bird survey (Para. 1.5.45 of AS-097 ES Volume 6 Environmental Statement Document Appendix 3.2.B Wintering Bird Survey Report 2022-2023) and Table 1.4 documents individual birds on two occasions overflying habitats along the River Stour canal, yet Table 1.5 records only one; again, there is an inconsistency of number of observations. Even using the one observation Table 1.6 identified, this would constitute 11.1% of the SPA Mean Peak. Para. 1.6.46 states that “<i>The recording of a single harrier may be attributable to birds dispersing from Stodmarsh SPA...</i>”. Yet the following paragraph, 1.6.47, suggests the Hen Harrier is more likely to be associated with Pegwell Bay based on dispersal distance guidance from Natural England, field observations, WeBs data and proximity. Given Annex 2.B.1 Table A.1 shows no records for Hen Harrier for the latest WeBs low-tide count data for Pegwell, it is unclear how WeBs data supports this conclusion. Furthermore, para. 1.6.51 suggests the record of the Hen Harrier is likely to be a widely roaming bird only occasionally using the Study Area. We remain unconvinced that there is sufficient clarity to exclude the potential of impacts to Hen Harrier as a result of this scheme due to habitat loss particularly given the inconsistencies of interpretation of the Hen Harrier record(s) in the documents. This is particularly disappointing given the rarity of this species. In addition, we are aware that observations are made fairly regularly of Hen Harrier during autumn and winter at Minster Marshes and Abbey Farm, with for example records on eight occasions between 16 October 2024 and 10 April 2025 by farm staff with ornithological knowledge (data are available from iRecord database).	As per paragraph 4.4.17 of the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071], given the 6.9 km distance between Stodmarsh and the Order Limits, and the fact that hen harriers are not purely found in SPAs, there is low likelihood that these are birds from Stodmarsh. Natural England has not identified any concern about impacts on Stodmarsh in their Relevant Representation.
3.3	Kent Onshore Scheme – Landfall	Detailed comments below	
3.3.1 3.3.1.1	Risks associated with trenchless techniques HDD feasibility and methodology	The proposed route was preferred partly because it was stated that trenchless techniques could be used to “avoid” damage to the designated sites (APP-044 Part 1 Introduction Chapter 3 Main Alternatives Considered). National Grid notes that Horizontal Direct Drilling (HDD), a trenchless technique, may be used to minimise harm to terrestrial habitats. Whilst the proposal of such techniques as an alternative to open-trenching is welcomed (subject to the caveats discussed below), our concerns include that this assumption does not adequately consider potential impacts such as noise disturbance and risks of technical issues associated with trenchless techniques, therefore we consider that it is far from certain that direct effects on designated sites can be avoided. In our view, avoidance of impacts would require geographic avoidance of designated sites and the use of trenchless techniques should be considered as mitigation. 68 While we welcome HDD to reduce impacts, our concerns include that this is not guaranteed, and this may result in other, far more damaging trenched options being used instead, should HDD fail or ultimately be discounted for any reason. This would result in serious harm to important intertidal and coastal habitats as happened previously with the nearby Nemo Link project, resulting in disturbance to and loss of habitat within the designated area where trenched techniques were used. Impacts of trenched techniques can affect the invertebrates in the substrate, alter the saltmarsh vegetation community, and impact water flows across the area.	Measure W22 in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] commits to a trenchless solution passing at depth beneath the saltmarsh and wetlands so as to avoid adverse impacts on these areas. There is no provision in the DCO (Application Document 3.1 (E) draft Development Consent Order [REP1-036]) for trenched options to be used. Technical issues associated with trenchless techniques such as risk of frac-out or stuck drilling rigs, and noise disturbance have been considered in the DCO Application Documents such as the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] and Kent Ecology and Biodiversity ES chapter. In the Habitats Regulations Assessment the use of trenchless techniques is considered as mitigation.

Reference	Matter	Points Raised	Applicant's Comments
3.3.1 3.3.1.1	Risks associated with trenchless techniques HDD feasibility and methodology	We also seek clarification that trenching will not take place within the intertidal zone on the mudflats at Pegwell Bay. The AS-020 6.2.4.2 (B) Part 4 Marine Chapter 2 Benthic Ecology (Clean), para. 2.6.3 states that the trenchless approach will avoid saltmarsh but will be exiting "...within intertidal mudflats." It must be remembered that this is a Special Protection Area of enormous importance to wading birds, and that the Applicant has a legal duty under Regulation 63 of the Habitats Regulations to avoid adverse effects on the integrity of a European site. It also appears inconsistent with the approach to the Suffolk landfall, where the entry and exit point is within the subtidal area, thus avoiding damage to the intertidal benthic ecology of that site. Intertidal habitats should be avoided at the Kent end of the route in the same way as with the Suffolk end, to align with the Habitats Regulations principles of equivalence and precaution	By necessity, at Pegwell Bay the cable must be buried through the intertidal area from the HDD exit seaward to Mean Low Water Springs; therefore this section of the intertidal mudflats will be a trenched installation. Further detail on working methods at the HDD exits and cable installation through the intertidal mudflats are provided in Application Document 9.13 Pegwell Bay Construction Method Technical Note [REP1-108]. The project has examined extending the length of the trenchless landfall at Pegwell Bay to exit east of MLWS, however it would require a 2.5 km length landfall. The longest cable landfall in the UK to date is 1.6 km length. The 2.5 km length would represent a very significant (non-linear) increase in risk, programme and cost with complex HDD or full sized tunnelling being the only potential options. When all impacts are considered a 2.5 km landfall is not a practical solution. Additionally, a 2.5 km cable pull in through a duct is expected to be at the limit of the allowable cable pulling tension.
3.3.1 3.3.1.1	Risks associated with trenchless techniques HDD feasibility and methodology	We wish to understand the potential impacts should drill equipment become stuck for any reason. There is limited information around the implications of stuck drilling equipment. We therefore request that additional information is provided to explain the freeing process, any additional impacts on the designated areas (including from extending the construction duration and subsequent noise effects) and how these can be mitigated.	Paragraph 2.9.8 of Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] includes further text explaining what would happen in the unlikely event of stuck drilling equipment. Durations required to free strings depend on the length of string that is stuck, but typically require between 1 and 7 additional shifts, so they have a small impact on the overall programme for the landfalls.
3.3.1 3.3.1.1	Risks associated with trenchless techniques HDD feasibility and methodology	There is justification for caution around the lack of guarantee of trenchless techniques, and the need for a clear contingency plan to avoid habitat damage. In PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity (p42, ep46, Table 2.10, Flexibility Assumptions), there are no considerations included of trenched options, and therefore the assessment of impacts supporting these proposals would no longer be valid should that become an option. Ecology consultants Biocensus found there was still damage years later to habitats at Pegwell Bay due to the Nemo Link infrastructure project using trenching, after commitments had been given that it would be using trenchless techniques. We welcome the confirmation that open-trenching has not been included as a fall-back option within the draft DCO, however, we remain concerned that any failure of trenchless techniques could lead to subsequent Change Applications or other applications to facilitate open-trenching. We also seek reassurance that trenching would avoid all the designated site area and functionally linked land, including the intertidal zone, rather than only the saltmarsh portion. This would be of major concern because works to install a cable via open-trenching, along with the associated haul route and vehicle movements, could cause long-term damage to coastal and wetland habitats which support SSSI/SPA/Ramsar interest features (and are significantly outside the envelope of the current Environmental Impact Assessment). We therefore	See response two comments above regarding trenched installation through the intertidal mudflats. The Sea Link project has committed to trenchless installation of the landfall beneath the saltmarsh and lagoon, exiting in the intertidal mudflats. The commitment is provided in Measure W22 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].

Reference	Matter	Points Raised	Applicant's Comments
		seek reassurance from the Applicant that open trenching across the SPA would not be pursued in any circumstances. We also seek more detail on how, if trenchless techniques are used, the installation across the intertidal zone would avoid or mitigate disturbance to the nationally significant waterbird assemblage around the Stour Estuary.	
3.3.1.2	Shadow HRA (sHRA)	The intertidal zone is of considerable importance for wading birds and other wetland, shoreline and coastal species and it is essential that this zone is not damaged. Questions around trenchless techniques and the risk to this zone have been raised above. In Ex 1.5.36 (p11, ep17), AS-007 Volume 6 Environmental Information Document, 6.6 Habitats Regulations Assessment Report, the applicant notes that “...<i>trenchless techniques such as HDD are feasible... Therefore, no AEoSI of the SPA would arise through habitat loss.</i>” The word ‘feasible’ does not provide a guarantee that trenchless techniques will be used, which would avoid adverse effects on site integrity (AEoSI) to the ecologically important intertidal zone, and we reiterate our serious concern over the mention in AS-020 of the route exiting via open-trenching within the ecologically important intertidal area; we seek clarification that this will not take place. The Applicant also argues there is a small risk of needing to excavate the intertidal area for stuck drilling equipment, with the chance of needing to excavate in the first / last 45 m estimated at 1 in 200 based on previous projects: “<i>The chance of needing to excavate in the last 45 m is estimated at 1 in 200 (i.e. very low) based on professional judgement and experience from other projects.</i>” (p60, ep64, Paragraph 2.9.8, Table 2.1 PDA-021 Part 3 Kent Chapter 2 Ecology and Biodiversity). We have not seen a ‘plan B’ for either if trenchless techniques fail or prove unfeasible, or if the 1 in 200 chance of stuck equipment occurs, and in the latter case we have not seen how those estimates were arrived at and whether the “previous projects” are truly comparable. We cannot therefore agree with the sHRA that there will be no AEoSI (Ex1.5.37) AEoSI for the qualifying features of the Thanet Coast and Sandwich Bay SPA/Ramsar. Given the high stakes involved, and the problems that occurred with Nemo Link, there also needs to be evidence provided regarding what “professional judgement” means in this instance, and exactly which previous experiences have been used to reach such a conclusion, including the appropriateness of the comparisons chosen - for example the similarity of the topography and substrates to the present site. In p11, Ex.1.5.35 AS-007 Volume 6 Environmental Information Document, 6.6 Habitats Regulations Assessment 70 Report, the Applicant considers that that this level of risk is enough to rule out an adverse effect on site integrity (AEoSI) for the qualifying features of the Thanet Coast and Sandwich Bay SPA/Ramsar. While this level of risk may appear relatively low, it is still considerable (1 in 200) given the importance of the SPA habitats involved, and not enough to rule out AEoSI. There need to be clear details provided as to the contingency plans and remediation works that would be enacted should an accident occur. There must not be any risk to the internationally important intertidal habitat zone, as open-trenching would create serious surface level impacts disturbing birds and damaging habitat. Avoidance of this sensitive nationally and internationally designated site in the first place would reduce the risk to zero. We seek reassurance that there would be no ability for the Applicant to revert to open trenching across the Thanet Coast & Sandwich Bay SPA through any changes requested after any DCO is granted.	See above responses regarding commitment to trenchless methods through the saltmarsh and the impacts of stuck drilling equipment. Further detail is provided in Application Document 9.37 Applicant’s Responses to Supplementary Agenda Additional Questions for Issue Specific Hearing 1 [REP1A-033].

Reference	Matter	Points Raised	Applicant's Comments
3.3.1.3	HVDC Cable – risk of habitat loss	We have similar concerns regarding habitat loss at Thanet Coast & Sandwich Bay SPA/Ramsar and Sandwich Bay SAC. In p90, ep94, Ex 2.9.174, PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity it is stated that the marine HVDC cable would pass through the ecologically important intertidal zone of the SPA, with its significant aggregations of wading birds, but it would be buried. We acknowledge that an extra duct would be installed as a spare to reduce future risk of further digging or drilling in the event of any cable faults. While the claim is made (Ex 2.9.175) that no habitat loss is expected at the intertidal zone, calculations need to be provided to evidence the reasonable estimated risk of this spare duct collapsing, or becoming damaged or blocked, unsuitable for use for any other reason, or multiple occurrences of this, and a duct needing to be reinstalled. This is needed to fully assess the likely impacts to the SPA of additional duct installation or the impacts of cable fault remedial action (including significant impacts associated with any additional drilling, digging, or cable pulling). This information should be provided in order to understand the full risks and implications to the SPA of the project.	The duct specifications will be designed with wall thickness that is more than sufficient to resist both short-term and long-term soil and groundwater pressures, therefore it will not collapse. The duct will be sealed at both ends and buried so that it cannot become blocked. In the unlikely event that a cable installation is later required in the spare duct, the onshore entry point and offshore exit point will be excavated to expose the ends of the ducts. The sealing ends will be removed from the duct, the cable installed, and the duct ends sealed and buried, as per the initial landfall cable installation procedure for the Proposed Project. In the unlikely event that these repair/emergency works for cable installation are required in the future, then the impacts to ecological features would be similar to those assessed during construction in the ES, but noting that the duration would be greatly reduced from the assessed construction case because only cable installation for a single duct would be involved, and there would be no HDD installation works, that form the majority of the durations for the planned works during construction.
3.3.1.4	Pollution	It is acknowledged that there is a potential risk of frac out whilst undertaking trenchless techniques beneath Pegwell Bay (Habitats Regulations Assessment Report). Thanet Coast & Sandwich Bay SPA/Sandwich Bay SAC is a highly sensitive area and whilst note the mitigation measures set out in AS-007 Habitats Regulations Assessment Report 7.4.11- 7.4.13 further detail on how any frac out event is managed e.g. what is defined as “a safe location”, what areas are suitable to create a sump to minimise impacts and how this is recorded, reported and communicated to Natural England, Kent Wildlife Trust etc.	Commitments to mitigation measures being implemented to minimise and address the risk of surface frac out or break out are contained in Measure B09, Measure B59, and Measure B61 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. In particular, Measure B59 commits to preparing an HDD landfall Method Statement and Drilling Fluid Management Plan to be shared with Natural England.
3.4	Kent Onshore Scheme – Cable Route, Converter Station and Substation		
3.4.1	Noise and machinery disturbance	Table 2.12, PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity identifies that there will be a moderate adverse significant effect to Sandwich Bay to Hacklinge Marshes SSSI as a result of disturbance, and it is proposed to provide seasonal restrictions to works for the Converter Station, Substation and permanent access road to avoid March to June. Whilst this is welcomed, we would flag that these areas are also important for overwintering interest and timings of works should be restricted to avoid these sensitive times too. We note the noise modelling and assumptions that have been included to determine anticipated noise impacts with the assumption of a 10dB reduction as a result of standard noise mitigation. However, para. 4.6.1 AS-133 Outline Construction Noise and Vibration Management Plan – Kent states that currently there are no proposals for routine noise and/or vibration monitoring during the construction period. We would	Natural England have confirmed that the affected part of Sandwich Bay to Hacklinge Marshes SSSI (Weather Lees Hill) is designated for its breeding bird interest. Therefore, this has driven the seasonal restriction on works. An amended REACmeasure at Natural England’s request has been introduced (see measure B45 of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) to ensure works exceeding 60dB L_{Amax} at Weather Lees Hill do not take place during the core breeding season. Therefore, noise monitoring will be undertaken.

Reference	Matter	Points Raised	Applicant's Comments
		urge that some monitoring at the closest sensitive receptors at Minister Marshes and the designations is employed to establish that the modelled noise levels and effectiveness of the mitigation used for this assessment are accurate and there is not residual disturbance to these sites as a result of noise and vibration or inform additional mitigation required.	
3.4.2	Mitigation for loss of functionally linked habitat	The 28-metre-high planned converter station and new substation site covers much of Minster Marshes, and this will impact wintering species including Golden Plover, a designated feature of the Thanet Coast and Sandwich Bay SPA, and species such as Curlew, as functionally linked land though habitat loss and disturbance. We fundamentally question the choice of low-lying floodplain wetlands for the converter station, and the associated risk from pollutants to surrounding wetland ecology. Habitats to be lost or impacted include an extensive area of wetland scrapes (at Abbey Farm Wetland), as well as broadleaved woodland, arable, hedgerow, and wet ditches. In PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity, we welcome that the Applicant acknowledges this area to be functionally linked land to the Thanet Coast and Sandwich Bay SPA. The choice of Minster Marshes for the converter station is of serious concern given the need to fill and considerably raise the land level. In AS-018 Sea Link Volume 6: Environmental Statement Document: 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project, para. 4.6.19, the scale of the required works are outlined: <i>“In Kent, the Minster 400 kV substation and Minster Converter Station would require approximately 250,000 m3 of fill and approximately 40,000 m3 of cut, to create a platform on which the structures would be built.”</i> This will result in loss of wetland habitat, and the potential for pollution of surrounding wetland environments. We question whether this location is appropriate given the drastic measures required to make this site suitable for the converter station structure, and the attendant pollution risks involved. There would need to be in-depth consideration of the pollution mitigation required should this construction be permitted to go ahead.	The comments regarding site selection are addressed in Table 6.13 of Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]. Pollution mitigation is secured through a range of commitments set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].
3.4.2	Mitigation for loss of functionally linked habitat	Wintering Golden Plover associated with the Thanet Coast and Sandwich Bay SPA are particularly known to use fields outside the SPA at high tide. The frequency and scale of use of functionally linked land varies year on year and based on a variety of factors but is known to be particularly important for feeding during cold weather. The assessment of loss of functionally linked land to Golden Plover is only based on two years survey work which provides a limited snapshot of the long term value of this site, and we question whether the network function of this site - when considered as part of the wider landscape of areas important to supporting Golden Plover and providing resilience - is understood. The Applicant has discussed (2.9.179) methods of addressing loss of functionally linked land around Minster Marshes for Golden Plover and decided that as wet grassland was unlikely to be viable in that area, it would be feasible instead to manage an area of arable land. As the Golden Plover in the surveys were found in flooded fields, we strongly query whether it can be assumed that dry mitigation land – a very different habitat to wet grassland - would be sufficient to deliver similar function for these birds. The flooded fields are also likely to support a different range of other species, for example including waders such as Snipe <i>Gallinago gallinago</i>, Woodcock <i>Scolopax rusticola</i> and Curlew, compared to dry arable. Wet grassland is likely to be	Two years survey is standard for assessing functionally-linked land and Natural England have been content with the survey effort. Arable land as an acceptable alternative habitat was proposed by Natural England, on the basis that the habitat being lost is arable land (not wet grassland).

Reference	Matter	Points Raised	Applicant's Comments
		more suitable for feeding, with more worms near the soil surface, whereas direr, more compacted arable land may be more suitable for loafing and roosting.	
3.4.2	Mitigation for loss of functionally linked habitat	We also have serious concerns about the calculations around carrying capacity used to inform the area of habitat mitigation to be created. The peak Golden Plover count cited in the calculations in para. 2.9.182 PDA-021 is given as 370 birds, which is significantly less than the peak total of “more than 700” birds recorded in 2022-2023 in the fields northeast of the Stour, as reported in the PEIR Volume 1 (Table 3.3.15 preliminary assessment, Part 3 Kent Onshore Scheme, Ch. 3 Ecology and Biodiversity). The calculation given in para. 2.9.182, to confirm the area of habitat mitigation required, used a calculation to determine the carrying capacity of arable land for Golden Plover, based on the winter 2022-23 survey. This concluded a 3.80 ha habitat creation requirement, but (2.9.184): <i>"... to allow for the fact that some areas of a given land parcel may not be suitable (due for example to proximity to field hedgerow and tree boundaries or illumination of the field boundaries by artificial lighting), the need to avoid leaving ‘orphaned’ fragments of land, any existing use by birds, the fact that golden plover prefer large open areas, and the fact that a larger parcel would also offset any temporary habitat losses due to construction, a 10 ha minimum parcel size was identified as being necessary."</i> However, using the original PEIR peak count of 700 birds gives an annual peak mean of 59.915 individuals over two years of surveys, and - following the calculations used but replacing the 370-bird figure with 700 throughout - leads to a figure of around 7.03 ha of habitat creation requirement. Even following this ‘peak mean’ approach, given the concerns and safeguards factored in para. 2.9.184, the total provided would need to increase accordingly, to exceed well beyond 10 ha, in order to provide an adequate area of suitable quality mitigation habitat for the higher number of birds potentially using the land. Mitigation must provide suitable habitat for the maximum number of birds that occur, rather than taking a contrived average figure. Regarding the stipulations for the quality of this land listed in para. 2.9.185, we have concerns over the underestimation of the size of land needed, distance from the original area, and the replacement of wet land for dry arable, as noted above. It is concerning that the chosen location is very close, only 60 metres, to Discovery Business Park (APP-349 Outline Landscape and Ecological Management Plan - Kent) with its attendant light and noise pollution, and the Stour along the western border with its numerous house boats as a potential disturbance source. In PDA-021 para. 2.9.188 it is stated that this will be sufficient as it is a large area of land compared to the calculated area needed for mitigation, therefore allowing a buffer zone from the busy A256 dual carriageway and business park. Road noise from these features are close enough to potentially create edge effects of anthropogenic disturbance impacting, in particular, nocturnal feeding by Golden Plover. As already noted above, however, this “buffer room” may be based on flawed calculations through underestimating the peak number of Golden Plover using the area in winter, and a considerably larger area may need to be factored in to account for this to protect peak counts of this highly mobile designated SPA feature, and to achieve the stated ecological objectives. There are also long-term concerns around the need for guarantees that this land will be managed appropriately by the farmer, with suitable functionally linked habitat available every winter. More organic matter being added would enrich the soil for invertebrates and topping would keep it short, both of which would benefit feeding Golden Plover, but it is unclear if these would happen. Consistently appropriate management does not appear to be possible with the plan as it stands. For example, in p92, ep96, para	See line 2.8.4 of Application Document Applicant's Response to Kent Wildlife Trust in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] where it has been explained that the reference to 700 birds was an error at PEIR that was subsequently corrected within the ES. See line 2.8.13 of Applicant's Response to Kent Wildlife Trust in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] regarding the suitability of the identified mitigation land for golden plover.

Reference	Matter	Points Raised	Applicant's Comments
		2.9.185 it is implied that in some years the site may not provide suitable habitat for Golden Plover. There is reference to ploughing, and this management needs to be carefully assessed regarding where and for how long this occurs - there is a positive relationship between worm density in the surface soil layer that plovers use and the length of time since a field was last ploughed (Barnard and Thompson 198518). The management of the site and its anticipated suitability as stable habitat therefore need to be factored in to assessing its suitability as mitigation. Accordingly, this needs to be built into the assessment of the size of area required and assessment of other sites that could be used within the local area. This is of particular significance given that nearby fields in the wider area are subject to plans for solar energy generation and, during times when bare ground is unavailable at the mitigation site, the alternative habitat options for Golden Plover may be reduced compared to previous years.	
3.4.2	Mitigation for loss of functionally linked habitat	The chosen mitigation site is surrounded by two proposed solar farms: Goshall Valley (84 ha and 400m to the southwest) and the RBL2 (62 ha and directly to the north). Taken in combination with Sea Link itself, a total loss of approximately 160ha of functionally linked land is likely, and this must be adequately accounted for when assessing overall, cumulative, impacts on the SPA. Again the “additional” size of the mitigation area is relied upon to as a “precautionary approach” to avoid any in combination effects as a result of loss due to other plans and projects (p136, ep142, para. 8.4.5 AS-007 Habitats Regulations Assessment Report). We consider there is an overreliance on the “additional” area to address all potential issues from adequacy of the site, disturbance, to in combination issues, when as discussed, we consider the area calculations are flawed and we do not consider that there has been a sufficient assessment of in-combination effects and how the other potential projects could impact the function of the proposed mitigation site.	Goshall Valley Solar Farm is explicitly discussed in section 8.4 of the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] on in combination effects, and the assessment presented for the eleven developments discussed in that section regarding in combination loss of functionally linked habitat for golden plovers would apply to any other projects such as RBL2 when an application is submitted. If those areas support significant populations of wintering golden plover on their own account, it is their responsibility to deliver mitigation. The Proposed Project is only required to mitigate for its own contribution to any ‘in combination’ effect. Note that if a project would have an adverse effect on integrity alone, which has then been mitigated, as is the case for the Proposed Project, no ‘in combination’ assessment is strictly needed. Natural England have made this point in their Relevant Representation.
3.4.2	Mitigation for loss of functionally linked habitat	Further detail as to why this location was chosen and how it would function appropriately and consistently as mitigation is required, particularly given constraints from industry including solar farms in the surrounding landscape, as discussed. There appears to be no indication provided of how many years this area might be usable by Golden Plover, and more certainty is needed before this could be considered as acceptable mitigation. There is also need for greater clarity and evidence from the Applicant around what monitoring would be involved, what qualifies as ‘success’ for the mitigation site, and what contingency plan is in place should these criteria for ‘success’ not be met by the mitigation site. The proposed mitigation site must also be monitored to fully understand its current use by Golden Plover, to rule out the possibility it is functionally linked land and to understand if it is appropriate to use it for mitigation.	The area proposed and its location were discussed and agreed with Natural England. Management is based on initial prescriptions from Natural England based on measures to address functionally linked land that have been implemented elsewhere. As with other mitigation, the amount of habitat required to address loss of functionally-linked land has been quantified based upon calculations presented in the ES chapter and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]. Regarding monitoring and enforcement, Sections 7.1 to 7.3 of Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] set out the process involved in monitoring and, if necessary, rectifying any mitigation. A wintering bird survey report for the Enhancement Area will be submitted at Deadline 2 (see Application Document 9.28 Wintering Bird Survey of Golden Plover Mitigation Land (Kent)). It confirms golden plovers are present in the area but are not using the enhancement area as currently farmed.

Reference	Matter	Points Raised	Applicant's Comments
3.4.2	Mitigation for loss of functionally linked habitat	Given the above concerns, it cannot be concluded from the evidence provided so far that, as claimed in p94, ep98, para. 2.9.191, PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity, that: <i>“loss of functionally-linked habitat for Thanet Coast & Sandwich Bay SPA/Ramsar is a negligible impact on a receptor of international importance, resulting in a negligible effect that is not significant.”</i> We cannot agree with the Habitats Regulations Assessment (sHRA) (AS-007) that there will be no AEoSI for the qualifying features of the Thanet Coast and Sandwich Bay SPA/Ramsar due to loss of functionally linked land for Golden Plover associated with the SPA/Ramsar. The RSPB remains concerned that the proposed mitigation for SPA designated feature Golden Plover appears based on misleading data and calculations and may not be of suitable size or quality, not like-for-like habitat, nor in a suitable location to offset loss of functionally linked land.	See above responses on 3.4.2.
3.4.3	Functionally linked land – Pylons and powerlines in the Minster Marshes area	We remain concerned about the impact of new pylons across the Stour on flying birds moving between designated sites such as Thanet Coast and Sandwich Bay SPA and functionally linked land, through collision and displacement. The application assesses that the new pylons when operational will have little impact on bird assemblage in the area. Given the large numbers of waders and wildfowl using this area, there are serious concerns that the collision and displacement risk may have been underestimated, particularly given the 370 figure is used for Golden Plover and an average count used to assess, rather than the far higher total of 700 birds reported in the PEIR and the peak count used to assess, so the evidence produced for this claim is uncertain (Paragraph 2.9.165, PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity). In addition, there are potential issues with the thoroughness of the survey methodology as detailed in Table 2.7 Survey summary (type, extent and timing), PDA-021. We query whether one year of vantage point surveys is sufficient to inform such a large project, and whether four months of bird corpse searches, together with the low peak count of Golden Plover provided, are sufficient to adequately inform the collision risk assessment for the new section of overhead line, and request that the evidence to support this as being sufficient is provided. We therefore question the sHRA conclusion (Ex1.5.52, AS-007 Habitats Regulations Assessment Report) that operational period collision risk and associated displacement AEoSI on the qualifying features of either Thanet Coast and Sandwich Bay SPA or Stodmarsh SPA/Ramsar due to collisions with the new section of overhead line would not occur, given the limited surveys conducted.	See above responses on 3.4.2 regarding numbers of golden plover recorded on Minster Marshes. With regard to bird survey effort, a single season of observations for recording flight activity is sufficient and proportionate for the short section of new overhead powerline, given that multiple seasons of wintering and breeding bird surveys have been undertaken, a wealth of existing data is available from other sources and birds are already interacting with existing overhead powerlines in the landscape around Minister Marshes. Natural England have accepted the Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] as it relates to bird-strike and impact on golden plover through loss of functionally-linked land.. The carcase search of the existing overhead line was used to provide contextual information.
3.4.4	Habitat creation plans	The Minster Marshes area currently holds a rich assemblage of wetland, farmland, woodland and scrub birds, many of which are declining nationally and many of the Red and Amber listed Bird species of Conservation Concern recorded in the 2023-2024 breeding bird surveys are found here (73 Red and Amber listed species were recorded in the 2024 survey). For example, Red-listed species Skylark, Mistle Thrush Turdus viscivorus, Yellow Wagtail Motacilla flava, Nightingale, Linnet and Yellowhammer (<i>Emberiza citrinella</i>) were all recorded in or very close to the proposed converter station site according to the survey results maps The Birds of Conservation Concern (BoCC) Red, Amber and Green lists (Stanbury, et al., 202119 .) assigns UK species to those categories in accordance with criteria based on their population status and	See above responses on 3.4.2 and 3.4.3 on golden plover numbers at Minster Marshes. The Proposed Development will result in a substantial net increase in woodland, scrub, grassland and wetlands other than ditches. While these habitats are all currently present in smaller numbers, the landscape is primarily arable.

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	stability. Their conservation status should be taken into account in determining the likely impacts of the proposed development. The farmers are managing much of the Minster Marshes land with biodiversity in mind, with Abbey Farm in Higher Level Stewardship, working with Operation Turtle Dove, and utilising cover crops, for example. In 2018 the farmer created 48,000m2 of scrapes for overwintering birds along the North side of the River Stour. The farm and surrounds hold established habitats including grazing marsh, ponds, wetland scrapes for wintering waders, scrub, dense hedgerow, wet woodland and more, and there is a scrub area nearby owned by Network Rail. It is therefore welcome that ringing data covering Abbey Farm Wetlands have been used to supplement the 2023 and 2024 surveys, helping to inform assessment of the plans for the site, and to ensure the rich and varied birdlife found in the Minster Marshes area is appropriately recognised. Ringing data publicly available²⁰ lists some impressive totals for Abbey Farm. At Minster Marshes 1120 birds of 37 species were ringed in 2024, for example, including 127 Reed Warblers <i>Acrocephalus scirpaceus</i> and 252 Blackcaps <i>Sylvia atricapilla</i>, as well as scarcer birds like Grasshopper Warbler <i>Locustella naevia</i> (2 were ringed in 2024). These ringing data include several declining farmland and scrub species and Red-listed Birds of Conservation Concern, as stated in para. 2.7.18 PDA-021 ES Volume 6 Ornithology, such as Nightingale, Yellowhammer, Skylark, Woodcock, Grey Partridge (<i>Perdix perdix</i>), and Common Snipe. In particular, the farm rings high numbers for Kent of Jack Snipe (<i>Lymnocyptes minimus</i>; 14 ringed in 2024), Woodcock (6 ringed in 2024), and Skylark (29 ringed in 2024); Abbey Farm Bird Ringing Report 2024²¹). This rich assemblage should be thoroughly accounted for when planning mitigation, and some planting and habitat creation tailored towards benefiting the conservation of declining farmland birds, as well as species found in the area but scarce in Kent such as breeding Long-eared Owl (<i>Asio otus</i>), where appropriate. The site of the proposed Converter and adjoining designated area provides dense scrub areas which supports both breeding Turtle Dove and Nightingale. The RSPB's Kent Turtle Dove Advisor Nicole Khan reports that in 2024 there were 7 singing male Nightingale in this area, although in 2025 this was down to only 3 singing males, possibly due to disturbance from building works close by. The Applicant claims that new habitat creation would offset short-term losses inland, including to non-breeding birds (Para. 2.9.73, PDA-021 ES Part 3 Kent Chapter 2 Ecology and Biodiversity). As discussed above, the potential under-counting of the peak winter Golden Plover count could mean that this calculation is flawed, and a larger compensation area will need to be calculated using the higher count noted in the PEIR document. In para. 2.9.65, the Applicant claims there will be a long-term overall increase in woody and wetland habitats which would increase the ecological value of what is currently a not very varied arable landscape. However, habitats in the Minster Marshes area are already varied, as noted above.	
	Secondly, it is not clear where these habitats would be created and whether they would be in an appropriate location close to the losses. In Vol 6 ES, p72, ep76, para. 2.9.66 PDA-021 is stated that there would be “a longterm moderate beneficial residual effect which is significant.” In para. 2.9.14 it outlines plans for the creation of scrapes and other habitats in order to provide enhancement to the Ash Level and South Richborough Pasture Local Wildlife Site, and to provide other habitat improvement along the River Stour, as well as Azolla control. Given the importance of the Minster Marshes area as a well-established rural site holding an impressive range of birds including many Red-listed species, the area should in fact be avoided altogether –	Refer to Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] where these habitats are discussed and maps showing their location are included.

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		especially as there are inevitably risks associated with any replacement of varied and complex habitats becoming successfully established and used by target species as intended. This species-richness is evidenced by the ringing reports mentioned above, and surveys revealing that inland wet fields are being used by significant numbers of waders including Golden Plover and Red-listed Curlew (PDA-021, paras. 2.7.28 and 2.7.29, for example). While avoidance is preferred, if not then mitigation of the same habitat type should be provided. If even like-for-like mitigation is not to be undertaken, then this must be accounted for in terms of over-provision of mitigatory habitat and confidence that the replacement habitat can deliver the same function as that currently existing. Mitigation land must not be currently functionally linked land, and the chosen area must be monitored to establish this before it is selected for mitigation. It must be appropriately monitored to assess its long-term success or otherwise and must also enhance the area for the rich assemblage of birds of various habitats currently thriving at the Local Wildlife Site, in addition to the species cited as features of the designated areas.	
3.4.5	Impacts on Turtle Doves	Turtle Dove is a RSPB priority species due to its significant population decline, both in the UK and across its European breeding range. The Turtle Dove is the UK's fastest declining breeding bird and is threatened with global as well as national extinction (IUCN Red List of Endangered Species and UK Red List of Conservation Concern). Kent is the stronghold for Turtle Doves in England. The 2021 national Turtle Dove survey for England revealed that Kent supports approximately a third of the total England population with approx. 700 territories recorded in Kent. The RSPB is a lead partner on the Operation Turtle Dove (OTD) project which seeks to offer practical evidence-based solutions to halt the decline of Turtle Doves across England. The foundation of this work is based on working with landowners and communities in areas that still support breeding populations of Turtle Doves, which are known as Turtle Dove Friendly Zones (TDFZs). There are 29 zones across England, 12 of which are in Kent. The site falls within the Ash TDFZ. Within this TDFZ the OTD project is working at a landscape scale to restore and protect habitat for this declining species. This includes working with Abbey Farm which borders the proposed development site and Kings End Farm to the South, both of which support breeding Turtle Doves. The area of the proposed converter site is also known to support breeding Turtle Doves (a pair was recorded in 2024). It is noted however that the breeding surveys of the study area failed to identify Turtle Dove as a breeding bird in 2024: APP-151 ES Appendix 3.2.E Breeding Bird Survey Report 2024. For a vulnerable species such as Turtle Dove, habitat connectivity at a landscape level is key. Any loss of crucial habitat could severely impact the recovery of this species. The hedgerow in the middle of the proposed converter area is a thick and mature hedgerow that currently provides breeding habitat to key Red-listed species such as Nightingale and Turtle Dove, as do thick dense scrub areas on the SSSI. The hedge in the middle of the proposed convertor site is roughly 300m long by about 17m wide. It is the view of the RSPB's Kent Turtle Dove Advisor that this is an important piece of habitat that has taken many years to establish, and it would take at least 25 years to replace by establishing this elsewhere. Due to the significant national declines in both Turtle Dove and Nightingale, it is of high importance that key nesting sites are protected, any loss of such habitat could negatively impact the recovery of these sensitive and declining species. It must be explained how the mitigation will work if the	The purpose of the surveys for the ES is to enable an overall evaluation of the ornithological importance of the area, rather than undertake a detailed census of individual species. The Proposed Project will result in a considerable net increase in woody planting (woodland, scrub and hedgerows) and wetlands, particularly in the vicinity of the Converter Station and Substation. These will be well connected to the existing scrub and woodland along the rail corridor and at Weather Lees Hill. Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] recognises that it will take time for the woodland to mature (10 years) and therefore recognises a significant moderate adverse habitat loss effect on ornithology in the short-medium term.

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		habitats for such species are not able to reach a suitable condition before the existing habitats are lost. If permission were granted for this application, then we believe known breeding habitat should be retained. Alongside this there is certain mitigation that could be undertaken to improve the site for Turtle Doves. This could include the creation of a network ponds near to known Turtle Dove breeding sites, the creation of new breeding habitat for the future (dense areas of scrub or dense overgrown hedgerows), and the creation of foraging habitat (such as annual cultivated margins).	
.3.5	Kent Onshore Scheme - Habitat Enhancements and Biodiversity Net Gain	Detailed comments below	
3.5.1	Biodiversity Net Gain Parameters Line	We welcome the commitment in para. 1.6.14 (p15, ep20) of AS-055 Biodiversity Net Gain Feasibility Report to deliver net gain by at least 10% for this project. We do however, consider using the “BNG Parameters Line”, as described in para. 2.2.2 (p17, ep22) of this document for the purpose of any calculation has underestimated BNG requirements. We consider that the scale of BNG delivery proposed is not commensurate with the scale of the project.	The use of a BNG parameters line is a widely accepted methodology when undertaking BNG Assessments on DCO applications. The order limits for Suffolk and Kent are a total of 290 ha and 157 ha, respectively. With the BNG parameters line for Suffolk and Kent being 212 ha and 96 ha, respectively. This reduction in assessment boundary represents a total of 26% and 38% of the order limits excluded from the BNG assessment (as there are no permanent or temporary impacts in these areas) for Suffolk and Kent. It is considered that this methodology represents the appropriate way to undertake BNG assessments for projects of this scale. Further refinements to the BNG parameters line will be undertaken at detailed design to ensure that any changes to the type, duration and location of temporary and permanent impacts are captured.
3.5.2	Biodiversity Net Gain Calculations	Given the scale of the project, we think it is appropriate for BNG requirements to be considered separately for Kent and Suffolk. As detailed in para. 4.1.1 (p61, ep66) of the Biodiversity Net Gain Feasibility Report that there will be a net gain in hedgerow and watercourse units in Suffolk and a net loss in these for Kent, therefore in considering the project as a whole Kent will have received less BNG enhancement that would be anticipated. This is particularly disappointing when we consider there is considerable potential in the local area to deliver habitat enhancement, which would benefit declining species such as Turtle Dove and hedgerow enhancement.	The applicant has committed to delivering 10% BNG in both Suffolk and Kent. Tables Ex 1.3 and 4.3 of Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] present the combined result for both areas for information only.
3.5.3	Details of BNG proposals	We are disappointed to note that no firm proposals for habitat creation to fulfil the project’s commitment to BNG have been included at this stage. Whilst we welcome the intention to deliver “...meaningful and targeted provision of BNG... that may work towards any targets within the incoming Local Nature Recovery Strategy...” (Para. 5.2.8, p65, ep70 of AS-055 Biodiversity Net Gain Feasibility Report), we would expect to see significantly greater detail of the plans for delivery as part of the Application. We request that plans for ambitious BNG which contributes to landscape-scale conservation of important habitats and species within Kent are submitted as part of the Examination.	The applicant can confirm its commitment to deliver 10% BNG. Habitat creation and enhancement measures were included within the BNG assessments for the location surrounding converter station as this is land within the ownership of the applicant. This is because the Proposed Project presents an opportunity to deliver more ambitious BNG that contributes to landscape-scale conservation and restoration as you have also identified. The Applicant will continue to explore a range of options to deliver BNG for the Proposed Project which provide the best choices and outcomes for nature and wider environmental and societal benefits, and provide value for money for consumers. These outcomes will be secured and in place prior to the

Reference	Matter	Points Raised	Applicant's Comments
			Proposed Project being operated as part of the high voltage electricity transmission network.
3.5.4	Habitat enhancements for farmland birds	This project has potential to contribute to the conservation of important farmland bird species, including Turtle Dove. We recommend that habitat enhancements include planting targeted at providing nesting, foraging and watering habitat for farmland birds, where appropriate. Further details of the types of measures that could be employed can be found on the Operation Turtle Dove website. We also recommend that the Applicant liaises with local communities and nature conservation groups to consider opportunities to improve biodiversity along the cable route and proposed converter station, in ways that benefit both wildlife and communities. This would need to be carefully thought through to ensure that recreational disturbance does not undermine the value of these habitats but allows people the opportunity to appreciate nature.	Comment is noted. Proposals for habitat creation and enhancement are set out in Application Document 6.2.2.2 (C) Part 2 Suffolk Chapter 2 Ecology and Biodiversity [REP1-047] and Application Document 7.5.7.1 (B) Outline Landscape and Ecological Management Plan - Suffolk [AS-059] .
3.6	Kent Onshore Scheme - Risks of Further Problems in the Future		
3.6.1	Co-location	Concerns remain regarding the cumulative impacts of infrastructure developments in Kent and whether future works will take place to co-locate with the current proposals and previous developments, and to prolong disturbance impacts on the birds of the designated areas. We would like to see effective coordination and long-term planning of such impacts to be able to adequately assess the suitability of individual projects such as Sea Link.	The Applicant as part of its submission has produced a report on coordination which covers how it approached coordination with other projects with the aim to reducing the impact on the environment and local communities. Further details are set out in Application Document 7.10 Coordination Document [APP-363] .
3.7	Conclusions Regarding the Kent Onshore Scheme	In summary, given the likely impacts of the Sea Link proposals on internationally and nationally designated sites in Thanet (Thanet Coast and Sandwich Bay SPA, Sandwich Bay SAC and Sandwich Bay to Hacklinge Marshes SSSI), their species and supporting functionally linked land, we object to this project. The reasons for our objection are: • There is insufficient evidence to justify excluding other alternative routes in less sensitive locations; • Less damaging route options appear to have been too easily discarded, at the expense of designated wildlife sites; • Ecological impacts of the proposed landfall include direct loss of habitat, pollution, noise disturbance to designated features, loss of functionally linked land for Golden Plover and collision risk. However, given that the project may be consented despite these concerns we have made a number of recommendations which are summarised below.	See previous responses to these points.
3.7.1	Recommendations: Kent Onshore Scheme – Description of Baseline		

Reference	Matter	Points Raised	Applicant's Comments
3.7.1.1	Proximity to Designated Sites	Need to recognise within PDA-021 Part 3 Kent Chapter 2 Ecology and Biodiversity impacts on Thanet Coast & Sandwich Bay SPA/Ramsar, Sandwich Bay SAC and Sandwich Bay Hacklinge Marshes SSSI	See earlier responses.
3.7.1.2	Description of Impacts	There is need for clarity and transparency within the AS-007 Habitats Regulations Assessment Report regarding impacts, discussion of designations which are closest and most impacted first and clearly state which designation e.g. SPA, conclusions are referring to.	See earlier responses.
3.7.1.3	Stodmarsh SPA	Further assessment required to justify screening out of impacts to Stodmarsh SPA given Hen Harrier record(s) and, if appropriate, consideration of mitigation.	See earlier responses.
3.7.2 3.7.2.1	Recommendations: Kent Onshore Scheme - Risks associated with trenchless techniques HDD feasibility and methodology	We seek reassurance that open-trenching across the Sandwich Bay SPA/Ramsar/SAC/SSSI site area and functionally linked land would not be pursued under any circumstances (including within the intertidal zone, and via subsequent Change Applications or other applications to facilitate open-trenching). We request further clarification is required regarding the potential impacts should drill equipment become stuck – freeing process, any additional impacts on the designated area and mitigation requirements. We request additional information to be provided to explain the freeing process should the drill head become stuck, any additional impacts on the Sandwich Bay SPA/Ramsar/SAC/SSSI (including from extending the construction duration and subsequent noise effects) and how these can be mitigated. Further information about the risks and subsequent remedial procedures in the event of the empty cable duct collapsing or becoming unsuitable for use should be provided. Further detail is needed on how any frac out event is to be managed	See earlier responses.
3.7.3 3.7.3.1	Recommendations: Kent Onshore Scheme – Cable Route, Converter Station and Substation Noise and machinery disturbance	There is need to consider overwintering interest in noise mitigation timings of works to reduce disturbance to Sandwich Bay to Hacklinge Marshes SSSI. There must be inclusion of construction noise and vibration monitoring at the closest sensitive receptors at Minister Marshes and the designations, in order to assess accuracy of 82 the modelling and confirm effectiveness of the mitigation, and/or inform additional mitigation requirements. There is need to consider the appropriateness of the converter station site, given the large quantity of fill and cut required to render it suitable, and the attendant risk of pollution. Robust consideration must be given to mitigation for any pollution impacts.	See earlier responses.
3.7.4	Recommendations: Kent Onshore Scheme – Functionally Linked Habitat Mitigation	We request additional survey data to support assessment of the value of functionally linked land for Golden Plover or a more precautionary approach. Use of the peak count for Golden Plover reference in the PEIR is needed in calculations around carrying capacity. The maximum number of birds that occur must be used rather than an average. Further detail is needed as to why this location was chosen and how it would function appropriately. This must include sufficient monitoring of its current use by Golden Plover; if it is currently functionally linked land it cannot be used as mitigation.	See earlier responses

Reference	Matter	Points Raised	Applicant's Comments
		Consideration of a larger area of mitigation land is required to address concerns about indirect impacts and adequacy of the site. Clarification is required regarding how success of the mitigation land will be monitored, what success looks like and if not successful what would be the alternative. Further consideration is required regarding the long-term suitability of this site and its management, including variations in land use and whether it is appropriate to mitigate wet grassland with dry arable habitat, rather than like-for-like replacement.	
3.7.5	Recommendations: Kent Onshore Scheme - Functionally linked land – Pylons and powerlines in the Minster Marshes area	Caution should be applied to conclusions drawn from only one year's vantage point survey and four months' bird corpse surveys re collision risk and displacement.	See earlier responses
3.7.6	Recommendations: Kent Onshore Scheme - Habitat creation plans	Caution should be applied re conclusions of increase in ecological value of habitats in the long-term as the baseline value may be underestimated. We request clarity of where new habitats are proposed to be created to better assess the long-term value. Consideration is needed of wider species use of any created habitats to maximise their value. Impacts on key habitats for Turtle Dove and Nightingale (including scrub and mature hedgerows) should be avoided and minimised as far as possible and mitigation proposed for loss of habitat during time taken for re-establishment. To benefit Turtle Dove and Nightingale, we recommend that newly planted hedges be maintained at a height of 3m or more and allowed to grow at least 4m wide with brambles and other thorny climbers encouraged/retained, creation of new ponds and creation of foraging habitat. Liaison is urged with conservation and community groups about habitat creation/enhancement opportunities.	See earlier responses
3.7.7.	Recommendations: Kent Onshore Scheme – Habitat enhancements and Biodiversity Net Gain	We request that plans for ambitious BNG which contributes to landscape-scale conservation of important habitats and species within Kent are submitted as part of the Examination. We recommend that habitat enhancements consider planting targeted at providing nesting, foraging and watering habitat for farmland birds (particularly Turtle Dove), where appropriate. We urge that habitats that take time to establish such as scrub and hedgerows, if being delivered off-site as part of BNG, are created as soon as possible. We recommend that the Applicant liaises with local communities about opportunities to improve biodiversity along the cable route, in ways that benefit both wildlife and communities whilst considering any potential recreational disturbance implications on sensitive habitats.	Options for BNG delivery through either the purchase of units from commercial registered providers or collaborative delivery off-site with trusted partners are currently being explored. As such the submission of plans showing locations/proposals for BNG delivery would not be possible. The applicant takes note of the points raised here around habitat enhancements for farmland birds, and the creation of habitats in advance and will take them into account when developing a strategy for off-site BNG delivery. As the linear components of the Proposed Project are primarily routed across third party land these areas do not lend themselves to on-site BNG delivery as this would result in small areas of habitat enhancement that would require legal agreements with a number of different landowners and this may not represent the best outcome for nature recovery or the best use of consumer funding. Therefore, BNG delivery off-site

Reference	Matter	Points Raised	Applicant's Comments
			will be targeted in a small number of large areas where landscape scale habitat restoration can be delivered.
3.7.8	Recommendations: Kent Onshore Scheme – cumulative/ in-combination effects with other projects	The Co-ordination Document and HRA should acknowledge the need to robustly assess impacts of potential co-location on designated sites including repeated disturbance, additional infrastructure, potentially increased width of cable corridor and the increased risk associated with any failure/faults.	See previous responses.
Detailed Comments – 4 Marine			
4.1	Comments on the Marine Scheme	Further to our comments in December 2023 in response to the Sea Link Preliminary Environmental Information Report (PEIR), the RSPB is particularly concerned about the disturbance and displacement impacts of construction, installation, maintenance and decommissioning of the subsea high voltage cable (HVDC) on Red-throated Diver <i>Gavia stellata</i> in the Outer Thames Estuary SPA. Our concern is reinforced by the Secretary of State's recognition in the East Anglia ONE North (EA1N) and East Anglia TWO (EA2) Decision Letters of a likely; <i>“adverse effect on integrity ... in relation to:... alone and in-combination impacts on red-throated diver from displacement/disturbance, a qualifying feature of the Outer Thames Estuary SPA24”.</i>	Comment is noted by the Applicant
4.1.1	Sensitivity of Red-throated Diver to disturbance	As PINS also noted in the Sea Link Scoping Report (para. 5.3.3), the Outer Thames Estuary SPA <i>“qualifying features include species such as red-throated diver which are known to be vulnerable to disturbance and which could be affected by construction and maintenance activities”.</i> Paras 5.9.3 and 5.9.4 in AS-115 Part 4 Marine Chapter 5 Marine Ornithology explain that; <i>“...with consideration of the absence of permanent infrastructure on the sea surface, as well as the profile of construction activities and associated vessel movements set out above, that for the offshore scheme installation, displacement from any construction activities is highly unlikely to occur beyond 2 km and as presented in statutory consultation documents, represents an appropriate worse case.”</i> We disagree with those assumptions as Red-throated Divers are known to be particularly sensitive to disturbance, including that specifically from vessel movements. Mendel et al. (2019)²⁵ assessed the effects of offshore windfarms and shipping on the distribution and density of diver species (predominantly Red-throated Diver) in the German North Sea. They found significant reductions in abundance of divers around shipping areas and noted that one in three divers are likely to leave an area as a ship approaches, resulting in a significant reduction in diver densities within 5km of vessel activity. Schwemmer et al. (2011)²⁶ also reported high avoidance of shipping lanes by Red-throated Divers, noting that habituation to vessel disturbance is unlikely to occur and categorised the flush distance of Red-throated Divers in response to vessels as “very high”. Irwin et al. (2019)²⁷ also noted strong avoidance of shipping lanes by Red-throated Diver in their aerial surveys of the Outer Thames Estuary SPA. We therefore consider that the assessment should be based on the application of a 5km buffer around the vessel routes and their related activity.	The Applicant maintains that the profile of vessel movements is different to that associated with offshore wind farms as there are no repeat movements backwards and forwards along a particular route. Similarly, this is not comparable to the reduction in Red-throated Diver densities along shipping routes where the displacement distance is driven by the frequent movements of vessels through a particular area and therefore, repeated potential disturbance to individuals. The installation of the cable will require vessels to undertake a one-way movement along the route transect. A 2 km displacement zone is, therefore, suitably precautionary.

Reference	Matter	Points Raised	Applicant's Comments
		We consider that given the concerns above and the acknowledged “high sensitivity” of non-breeding Red-throated Diver “to anthropogenic sources of disturbance, including shipping traffic and offshore windfarms” (Para 5.9.11, AS-115 Part 4 Marine Chapter 5 Marine Ornithology) and that “if a vessel passes through or close to a group, it has the potential to disturb and displace many individuals at once” (para. 5.9.12) the conclusion that “the displacement of red-throated diver during construction of the offshore scheme alone ... will only result in a minor adverse effect that is not significant” (para. 5.9.15) is incorrect, based on scientific references and recent NSIP decisions set out above.	
4.1.2	Distribution of Red-throated Diver	Furthermore, the assessment that the displacement of Red-throated Diver during construction and the effect of the Proposed Project on Red-throated Diver is “minor (not significant)” (AS-115 6.2.4.5 Part 4 Marine Chapter 5 Marine Ornithology, para. 5.9.15) is also extremely likely to be an underestimate of the actual impacts. We do not agree that sufficient evidence has been provided to substantiate the statement in para. 5.9.13 that; <i>“...the Offshore Scheme does not pass through areas recorded as having the highest concentrations of red-throated diver within the Outer Thames Estuary SPA, with the majority of the route passing through areas with limited or no recorded occurrence”.</i> This paragraph refers the reader to Figure 6.4.4.5.5 Red-throated diver counts (individuals) and densities (number km2) in the Outer Thames Estuary SPA (found in APP-280 ES Figures Marine Ornithology), however, the figure only shows divers recorded in February 2018, which does not give a sound basis for conclusions about longer term distribution patterns.	It is acknowledged that there are limitations to the data available on Red-throated Diver distributions within the Outer Thames Estuary SPA. However, the data is considered suitably robust to designate the boundaries of the SPA. Within which the distribution of Red-throated Diver is already heavily influenced by existing shipping lanes and renewable energy schemes. The available data would suggest that areas of higher Red-throated Diver densities within the SPA are outside the Order limits.
4.1.3	Embedded mitigation measures	Therefore we do not share the confidence of the Applicant that the cumulative “likely significant effects” on Red-throated Diver from Sea Link along with EA1N, EA2 and others will be reduced to “not significant” by the embedded measures proposed. There are a number of factors that need further consideration and in respect of which more detailed mitigation measures should be proposed.	As the Applicant has committed to a seasonal restriction on offshore cable burial activities (excluding pre-lay grapnel run activities) in the Outer Thames Estuary SPA between 1 November – 31 March, thus avoiding disturbance during the core non-breeding period when the species is present, any potential for cumulative effects have affectively been mitigated.
4.1.3.1	Seasonal restriction	We welcome the provision of APP-361 Red Throated Diver Protocol, however, whilst we acknowledge the commitment in para. 1.5.3 to reduce disturbance to Red-throated Diver by implementing a full seasonal restriction between 1st November – 31st March for offshore cable burial activities (excluding pre-lay grapnel run activities) in the Outer Thames Estuary SPA and a reduced seasonal restriction between 1st January – 31st March for landfall cable installation activities at the Suffolk Landfall in Aldeburgh, this in itself does not go far enough. Natural England’s Advice on Seasonality for the Outer Thames Estuary SPA²⁸ indicates that “significant numbers [of Red-throated Divers] are most likely to be present at the site during a typical calendar year...” from October through to May (not just from January to March), so within the SPA it is essential that this longer overwintering period is observed and that construction, installation, maintenance and decommissioning activities, and any project-related vessel movements, avoid this period. If there is any possibility, which we assume there could be, that such activities and vessel movements may occasionally need to take place in the SPA between October	Whilst Red-throated Diver may be present in the Outer Thames Estuary SPA in months outside November-March, this is the core period when numbers are greatest and environmental conditions are tougher on birds, therefore, disturbance is likely to have a greater effect on individuals. However, as set out above, the profile of vessel movements, alongside reduced densities of birds present, mean that a restriction between November-March is proportionate and maintains the conservation objectives of the Outer Thames Estuary SPA. As set out in Application Document 7.8 Red-Throated Diver Protocol [APP-361], the Applicant has included a commitment to develop a Vessel Management Plan (VMP) post consent. This will be prepared in consultation with Natural England in accordance with requirements of the dML.

Reference	Matter	Points Raised	Applicant's Comments
		and May, a vessel management plan should set out detailed measures to include exactly what route or routes are to be used, how vessel operators will be made aware of the importance and sensitivity of the birds to disturbance, how vessel operators will recognise and steer clear of rafting birds and areas with high densities of birds, and how all such measures are to be monitored and enforced. This plan would benefit from more updated data on the species distribution for those months within the SPA.	
4.1.3.2	Red-Throated Diver Protocol and Outline Vessel Management Plan	The RSPB would like to see a more detailed Red-Throated Diver Protocol to include comprehensive measures throughout not only the construction phase, but also operation, maintenance and decommissioning of the project, similar to that presented to the Examination for the East Anglia ONE North Offshore Windfarm project. Either additionally or as part of the Red-Throated Diver Protocol, a detailed Outline Vessel Management Plan covering construction, operation, maintenance and decommissioning should be presented to the Examination to enable consideration prior to any grant of a DCO, and in a similar format to the Sizewell C Outline Vessel Management Plan. The addition of an OVMP as a basis for and in advance of the post-consent Vessel Management Plan proposed in para. 1.5.4 (p6, ep9) of APP-361 Red Throated Diver Protocol would enable the mitigation proposed to be considered as part of the Examination process. Both the Red-Throated Diver Protocol and the Outline Vessel Management Plan should be a specific DCO requirement and include consultation with Natural England and the MMO along with other relevant organisations, such as the RSPB, prior to the grant of a Marine Licence.	The total number of vessels, number of vessel movements and duration of activities associated with the Sea Link project during all phases (construction, operation and maintenance, and decommissioning) will be substantially lower than those required during the construction, operation and maintenance and decommissioning of offshore wind farms and Sizewell C which involve repeat movements back and forth along a particular route for extended periods of time (several years). The Applicant has also committed to a full seasonal restriction between 1 November – 31 March for offshore cable burial activities (excluding pre-lay grapnel run activities) in the Outer Thames Estuary SPA. Maintenance requirements are expected to be minimal. Other than post-installation surveys at 12 and 24 months, no regular maintenance works are planned for the Offshore Scheme. There is potential that cable repairs may be required during operation (either due to damage or cable fault). However, the location of any repairs or remedial works, and therefore routes used to access the location of the repair or remedial works, will not be known until the fault / damage occurs. As set out in the Red-Throated Diver Protocol, the Applicant has included a commitment to develop a Vessel Management Plan (VMP) post consent. This will be prepared in consultation with Natural England in accordance with requirements of the dML. This approach reflects the key points noted above and is considered appropriate and proportionate for a subsea cable project.
4.2	Conclusions regarding the Marine Scheme	The 'adverse effect on integrity' from displacement and disturbance impacts on Red-throated Diver as a qualifying feature of the Outer Thames Estuary SPA, is well known and formally acknowledged in the context of other infrastructure projects. Due to this and the known high sensitivity of this species to vessel movements, the following recommendations are made.	Position and recommendations are noted by the Applicant.
4.2.1	Recommendations: Marine Scheme	Project-related vessel movements and cable installation, maintenance or decommissioning activities during the Red-throated Diver overwintering period, from October to May, should be avoided. In case of any, even occasional, need for project-related vessel movements within that period, they should also be subject to clearly detailed and practical bird avoidance measures to be set out in a detailed Vessel Management Plan. All proposed measures should be more fully detailed in the draft Red-Throated Diver Protocol and Outline Vessel Management Plan.	These comments have been dealt with the responses above.

Reference	Matter	Points Raised	Applicant's Comments
5	Overall Conclusions	In conclusion, based on the above concerns, we consider that significant impacts from the Application alone and cumulatively with other projects are likely on the following sites: • Leiston-Aldeburgh SSSI, Suffolk • Sandwich Bay to Hacklinge Marshes SSSI, Kent We also do not agree that adverse effects on integrity can be excluded for the following sites for impacts from the Application alone: • Sandlings SPA, Suffolk • Minsmere-Walberswick SPA and Ramsar site and Alde-Ore Estuary SPA and Ramsar site (through impacts on functionally-linked land) • Thanet Coast and Sandwich Bay SPA and Ramsar site and Sandwich Bay SAC, Kent In relation to the Application in combination with other plans and projects, we do not agree that adverse effects on integrity can be excluded for the following sites: • Sandlings SPA • Minsmere-Walberswick SPA and Ramsar site and Alde-Ore Estuary SPA and Ramsar site (through impacts on functionally-linked land) • Thanet Coast and Sandwich Bay SPA and Ramsar site and Sandwich Bay SAC • Outer Thames Estuary SPA We will continue to work with the Applicant on these concerns through the agreement of a Statement of Common Ground and/or a Principal Areas of Disagreement Summary Statement, setting out clearly the initial areas of disagreement and revised near the end of the Examination to show our final position to aid the Examining Authority. However, for now we have serious concerns about the potential environmental impacts of the project and the adequacy of the information currently available and consider that the Application should not be consented in its current form.	Conclusions and position acknowledged by the Applicant.

2.10 The Coal Authority [REP1-161]

Table 2.11The Coal Authority [REP1-161]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a	The Applicant acknowledges the written representation submitted by the Coal Authority and can confirm that the Applicant is aware of the Coal

Reference	Matter	Points Raised	Applicant's Comments
		statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.	Authority's Standing Advice relating to unrecorded coal mining related hazards.
N/A	N/A	We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.	
N/A	N/A	However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.	

2.11 Maritime and Coastguard Agency [REP-162]

Table 2.12 Maritime and Coastguard Agency [REP-162]

Reference	Matter	Points Raised	Applicant's Comments
Introduction	Role of MCA and SUNK Area	The Maritime and Coastguard Agency (MCA) is an Executive Agency of the Department for Transport (DfT) and is responsible throughout the UK for implementing and developing the UK Government's maritime safety and environmental protection policy. This includes co-ordinating maritime Search and Rescue (SAR) through His Majesty's Coastguard 24 hours a day. The MCA is also the National Competent Authority for Vessel Traffic Services (VTS) appointed by DfT under SOLAS Chapter V - Regulation 12. VTS Centres are either operated by Ports or lay outside of the legal authority of a port and thus must be operated by a Coastal State. The MCA operates two 'Coastal' VTS Centres, the SUNK and Channel VTS. His Majesty's Coastguard (HMCG) have responsibility for the day-to-day operation of Sunk and Channel. The SUNK area is very busy with converging marine traffic with many vessels, including some of the largest in the world, heading in or out of some of the busiest ports in the UK. The SUNK region is highly constrained with dense maritime traffic, challenging environmental conditions, specialist pilot boarding arrangements, and the presence of deep-draught vessels potentially up to 20m draught in the future. The risks of collision or running aground here could have catastrophic consequences. The MCA would like to ensure that our position is progressed through the Statement of Common Ground and ensure that the required risk mitigation measures are secured appropriately	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		through conditions of the Development Consent Order Deemed Marine Licence. The Statement of Common Ground (SoCG), Navigation Risk Assessment (NRA), the Shipping and Navigation chapter of the Environmental Impact Report and the draft Development Consent Order (DCO) have been reviewed, and we would like to comment as follows:	
SoCG	Statement of Common Ground	1) The SoCG has not been discussed between the UK Technical Services Navigation team at MCA and the applicant despite MCA reaching out on multiple occasions requesting further discussion. Our requests were sent to National Grid in March, June, and in July 2025.	This is noted by the Applicant. We can confirm that a meeting with the MCA has been scheduled for 11 December 2025 to further discuss the SoCG.
Mitigation-1	Shipping and Navigation Mitigation Measures	The MCA would request the following to be implemented by the project: 1) Construction and installation activities for Sea Link should not coincide with those of the Five Estuaries and North Falls Offshore Windfarm projects (and other future projects) to avoid cumulative impacts and navigational risks.	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
Mitigation-2		2) No activities involving vessels Restricted in Ability to Manoeuvre (RAM) should run concurrently with activities involving RAM vessels planned by the Five Estuaries and North Falls project developers in the SUNK area (or other future projects). This is mainly near the SUNK Pilot Boarding Ground (PBG).	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112].
Mitigation-3		3) No project vessels with Restricted Ability to Manoeuvre (RAM) (cable laying, UXO clearance, survey etc) are to operate in the wider Sunk area when visibility is below nautical 2 miles.	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
Mitigation-4		4) The cable (and any covering material e.g. rock armour) must be at least 22 metres below Chart Datum in the vicinity of the Deep-Water (DW) Route and DW Anchorage to allow future vessels with a draught of 20 metres. The MCA would expect a post-lay cable burial survey to be carried out to confirm where the target depths have or have not been met and secured in the DCO.	A response to part of this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>Sunk Pilot Boarding area</i>”, where 22 m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London Gateway Port. However, this area which has been agreed with ports does not include the direct vicinity of the Sunk Deep Water Anchorage. In the vicinity of the Sunk Deep Water Anchorage, the Applicant can confirm that the methodology for protecting the cable is by lowering the cable below the seabed to the proposed Target Depth of Lowering (TDOL) within a cable trench. The trench along this high-risk section – specifically KP 38 to KP 58

Reference	Matter	Points Raised	Applicant's Comments
			– is proposed to be backfilled using rock to a level 20% below the original seabed level. There are no in-service or planned cable assets that cross the Offshore Scheme in the vicinity of the Sunk Deep Water Anchorage. The proposed cable installation and protection methodology would preserve existing water depth within this region of the cable route. The Applicant can confirm that the Sea Link project does not cross the Sunk Deep Water Route or the Trinity Deep Water Route. The Applicant can confirm that a base-line as-built DOL survey will be undertaken after installation and protection is completed. Further details of post installation survey and reporting is described in Application Document 6.2.1.4 (B) Part 1 Introduction Chapter 4 Description of the Proposed Project [AS-018].
[Note]	Supplementary Question Response	The MCA will respond to the two supplementary questions at AA - 26th November. This will address the request for “ <i>information on the existing depth below chart datum in those key areas, and how they may be affected by cable crossings and any other protections in terms of reducing under keel clearance</i> ”. This was requested by the ExA at the ISH1 on 11th November 2025.	This is noted by the Applicant.
DCO	Development Consent Order	It is the MCA's view that the controls are not currently adequate in the draft DCO to address the reduction of navigation depth and Under Keel Clearance (UKC). 1) The draft DCO (AS-088) references the reduction in navigable depth by more than 5% within Schedule 16 Part 2 (12.3). We would like to highlight that as per MCA Relevant Representation (RR5382) submitted on 23 June 2025, any depth reduction in areas where deep-draught vessels operate must be reviewed. Any reduction caused as a result of the cable lay or any associated cable protection measures should be discussed and agreed by the local ports and MCA and secured through consent conditions. This condition also only deals with maintenance, and for installation we would like a bespoke condition to ensure the 22m below chart datum is secured. Therefore, we would like to amend the condition in Schedule 16 Part 2, 12 (3) and add a new condition which is to be discussed and agreed between the applicant, the ports and the MCA. This requirement is particularly critical near North Shipwash, the SUNK area (including W1, precautionary areas, SUNK Deep Water Anchorage, and the Long Sand Heads two-way route), west of Thanet OWF, and approaches to Pegwell Bay.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. This matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. A meeting with the MCA has been scheduled for 11 December 2025 to further discuss the SoCG, and this matter can also be discussed at this meeting.
DCO-2		2) The cable (and any covering material e.g. rock armour) must be at least 22 metres below Chart Datum in the vicinity of the Deep-Water (DW) Route and DW Anchorage to allow future vessels with a draught of 20 metres. The MCA would expect a post-lay cable	This is noted by the Applicant. A response to this comment can be found above in 'Mitigation-4'.

Reference	Matter	Points Raised	Applicant's Comments
		burial survey to be carried out to confirm where the target depths have or have not been met and secured in the DCO.	
DCO-3		3) To maintain adequate burial depth in this area, the project must implement timely remedial measures if cable exposure occurs due to seabed mobility and promptly notify all relevant operators of the exposure. We would like to amend the DML condition under Schedule 16 Part 2 (3.12)) to: “In case of exposure of cables on or above the seabed, the undertaker must, within five days following identification of a cable exposure, and within SUNK Area and especially near the SUNK DW Anchorage as soon as reasonably practicable notify mariners and port authorities in the SUNK region by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, Kingfisher Information Service of Seafish and UK Hydrographic Office within seven days of the exposure identification”. We have identified that there are large container ships (up to 400m LOA) anchoring to the edge of the SUNK DW anchorage to ensure they can be closer to the Pilot Boarding Ground. On certain occasions, they are around 300m North of the proposed cable route. If these large container vessels are to drag anchor (in an adverse weather scenario) onto an exposed cable, there will be damage to the cable and potentially a vessel incident within an already complex area. If such a notice is issued, the vessels can stay clear of the area, and authorities can track any vessels approaching to anchor close to the cable.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
DCO-4		The MCA would like to confirm that we wish to be consulted for the relevant shipping and navigation related conditions within the DCO. Confirmation was requested by the ExA at the ISH1 on 11th November 2025.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. A meeting with the MCA has been scheduled for 11 December 2025 to further discuss the SoCG, and this matter can also be discussed at this meeting.
Cable Burial	Cable Burial Risk Assessment	The draft Cable Burial Risk Assessment (CBRA) (PDA-039) states within Table 24 that from KP 35.089 (North of Storm Buoy) to KP 56.887 (SUNK Outer Precautionary Area, NW of Sunk S2 Buoy) the Depth of Lowering will be at least 2.0m, and further within the CBRA it is stated that <i>“The maximum recommended depth of lowering has been calculated as 2.5 m within the areas of highest risk in the vicinity of</i>	A response to this comment can be found in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038]. The Applicant can confirm that it has been in discussion with the Port of London Authority and received the Area of Safeguarded Depth “<i>Sunk Pilot Boarding area</i>”, where 22 m below Chart Datum is required to be preserved. This area has also been agreed with Harwich Haven Authority and London

Reference	Matter	Points Raised	Applicant’s Comments
		<i>the SUNK deepwater anchorage and the shipping channels associated with the SUNK Vessel Traffic System (VTS) and the southeastern approaches to the Outer Thames Estuary adjacent to the North Foreland”.</i> As per above, we would like the project to bury the cable to 22m below chart datum in the vicinity of the DW route and SUNK DW Anchorage to be in line with the burial depths agreed within the Navigation Installation Plan of other projects in the area to ensure any future dredging can be undertaken to accommodate vessels up to 20m draught can safely navigate in this area in future. We believe that a bespoke condition to ensure compliance with this requirement should be secured within the DCO-DML. Where burial depths as informed by the Cable Burial Risk Assessment (CBRA) cannot be achieved in the maintained depth channels, any potential reduction in surrounding depths referenced to Chart Datum will need special attention and further consultation with the MCA, Ports in the area and other relevant stakeholders. Any consented cable protection works must ensure existing and future safe navigation is not compromised.	Gateway Port. However, this area which has been agreed with ports does not include the direct vicinity of the Sunk Deep Water Anchorage. In the vicinity of the Sunk Deep Water Anchorage, the Applicant can confirm that the methodology for protecting the cable is by lowering the cable below the seabed to the proposed Target Depth of Lowering (TDOL) within a cable trench. The trench along this high-risk section – specifically KP 38 to KP 58 – is proposed to be backfilled using rock to a level 20% below the original seabed level. There are no in-service or planned cable assets that cross the Offshore Scheme in the vicinity of the Sunk Deep Water Anchorage. The proposed cable installation and protection methodology would preserve existing water depth within this region of the cable route. The Applicant can confirm that the Sea Link project does not cross the Sunk Deep Water Route or the Trinity Deep Water Route. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.
EMF	Electromagnetic Deviation	The MCA confirms that the offshore section complies with our requirements; less than 3° deviation for 95% of the route and less than 5° for the remaining 5%, as detailed in Table 5.2 of the Electric and Magnetic Field Compliance report. In nearshore areas where the cables are separated by 45m and buried to a depth of 10m (approximately 2.435 km in total—1.524 km along the Suffolk coast and 0.911 km in Pegwell Bay), no detailed EMF assessment has been provided. While this segment represents only 2% of the total route and vessel traffic is mostly perpendicular (minimising interaction), the separation may result in compass deviations exceeding 5°. Although the navigational impact is expected to be minimal, the MCA requests that the project team ensure maximum burial depth throughout the trenchless phase and to consider bundled lay as much as practically possible to further reduce any potential EMF effects on vessel navigation. Should anything change with the current cable route, and it cannot be demonstrated that MCA deviation requirements can be met preconstruction, MCA should be consulted, and a post-construction compass deviation survey of the ‘as laid’ Offshore Cable Corridor may be required.	This is noted by the Applicant. We will engage with the MCA should anything change with the current cable route, and it cannot be demonstrated that MCA deviation requirements can be met preconstruction.
NIP	Navigation Installation Plan (NIP) document 9.12	In response to MCA and stakeholder concerns at the Hazard Identification workshop, PEIR and subsequent additional meetings, a Navigation Installation Plan (NIP) has been proposed by the applicant. This plan seeks to mitigate further any potential increases in the risk of collision in association with project vessels involved in cable laying works, especially in the Sunk	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.

Reference	Matter	Points Raised	Applicant's Comments
		Precautionary and Pilot boarding areas during simultaneous operations. Full consultation on the NIP is essential. Given the complexity of the area, effective communication and timely dissemination of information between the project team, Vessel Traffic Services and port authorities are vital. The NIP must be discussed and agreed with the PLA, Harwich Haven Authority (HHA), Medway Port, London Gateway Port and the MCA and must address the SIMOPS within the SUNK region, specially near the DW routes and PBG. A key concern is possible multiple projects in the SUNK area at the same time with vessels in RAM status. This leaves very little room for the Ultra Large Vessels that enter daily into London and Harwich, restricted to one of three narrow channels. This is made worse in periods of good weather with sailing vessels crisscrossing, often not responding to SUNK VTS on VHF (out of range) and if they do, with poor English and/or lack of any idea of the risks around them and understanding of the COLREGs.	
NIP	Navigation Installation Plan – Specific Comment 1	Although not in the Channel TSS, the Southern AOI is partly and Kent Landfall AOI fully within the Channel VTS monitoring area. Therefore, Channel VTS needs to be added under Interested Parties.	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
NIP	Navigation Installation Plan – Specific Comment 2	Under Section 3.2, Key Project Protocols, add reference to compliance with the SUNK Rules as applicable as documented in the ALRS, Page 447 (NP286(1), Vol 6, 6th Edition, 2025.	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
NIP	Navigation Installation Plan – Specific Comment 3	The document references an Emergency Plan and Contingency Plan – further discussion required here, as soon as developed in first draft.	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.
NIP	NIP Suggestion	In previous surveys / similar operations, the below has greatly assisted which the MCA would like to see considered in the NIP: • Daily morning call with all stakeholders (10mins) to outline the day's activities and 24 hrs look-ahead (This was useful as plans were made/ adjusted around the pilotage operations) • The vessels maintain a strict watch on Ch14/16 and in regular comms with SUNK VTS • The vessels involved only show RAM when in fact Restricted in their Ability to Manoeuvre. • Where possible, the vessels clear the pilot boarding area at least 30mins (ideally 1 hr) before pilot operations. • An understanding of time in position/ speed of work • Minimum requested Closest Point of Approaches (CPA)	This is noted by the Applicant. The Applicant will provide an updated version of Application Document 9.12 Outline Navigation and Installation Plan [AS-104] at Deadline 4.

Reference	Matter	Points Raised	Applicant's Comments
		- An understanding of who has priority in 'concurrent RAM activities' - Role and responsibilities of any Guard Vessels- where assessed as necessary and in compliance with the COLREGs, including the requirement that any Guard Vessels do not drift or loiter in the vicinity of any Deep-Water Routes within the SUNK area, when not engaged on active tasking.	
NRA	Navigation Risk Assessment process	The Applicant has undertaken a detailed Navigation Risk Assessment (NRA) in accordance with the International Maritime Organization (IMO) risk assessment methodology. We have no concerns to raise with regards to the assessment methodology. However, we would like to recommend additional risk mitigation measures to ensure the risk to shipping and safe navigation is As Low As Reasonably Practicable (ALARP). Once further details have been provided by the applicant, as requested by the ExA at the ISH1 on 11th November, and we have reviewed them, the MCA will then confirm whether the risk mitigation measures are relevant and appropriate, and will serve to reduce identified risks to ALARP.	This is noted by the Applicant. The Applicant can confirm that a meeting with the MCA has been scheduled for 11 December 2025 to further discuss the SoCG, and this matter can also be discussed at this meeting.

2.12 Marine Management Organisation [REP1-164]

Table 2.13 Marine Management Organisation [REP1-164]

Reference	Matter	Points Raised	Applicant's Comments
1. Notification by statutory parties of their wish to be considered as an IP by the ExA.			
1.1	Notification of Interested Party Status	The MMO wishes to be considered as an Interested Party by the ExA.	This is noted by the Applicant.
2. The applicant's updates – refer to annex E of the Rule 6 Letter			
2.1	Applicant Updates Review	The MMO has reviewed the Applicant's updates within annex E of the Rule 6 Letter. The MMO currently has no concerns regarding these and will provide relevant comments (if required) in due course.	This is noted by the Applicant.
3. Written Representations (WR)			

Reference	Matter	Points Raised	Applicant's Comments
3.1	Written Representation Summary	Please refer to the MMO's Relevant Representation (RR-3476) which includes our Written Representation. The MMO has provided a summary of our keys concerns detailed in this representation in points 3.2 to 3.6 below.	This is noted by the Applicant.
3.2	DML Transfer Provisions	The MMO objects to the provisions relating to the process of transferring and/or granting the DML set out in the draft DCO. We do not consider that the 2008 Act allows the DCO to make a provision to transfer the benefit of the DML in the way that it is proposed and as such the MMO considers that all such references must be removed.	A response to this comment can be found in Application Document 9.34.2 Applicants Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
3.3	Arbitration Provisions	The MMO must not be subject to arbitration provisions, and this must be removed from the DCO to state, "Any matter for which the consent or approval of the Secretary of State of the MMO is required under any provision of this Order is not subject to arbitration".	A response to this comment can be found in Application Document 9.34.2 Applicant's Response to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
3.4	Timeframes for MMO Approvals	Any instances of timeframes, for example timeframes for complex technical documents, should be removed from the DCO, as such determinations depend on the quality of the application made and the complexity of the issues. Therefore, it is inappropriate to apply a strict timeframe to any approvals the MMO is required to give.	A response to these comments can be found in Application Document 9.34.2 Applicant's Response to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
3.5	Force Majeure Provisions	The MMO does not consider provisions on Force Majeure to be necessary as Section 86 of Marine and Coastal Access Act 2009 (MCAA) provides a defence for action taken in an emergency in breach of any licence conditions. The MMO will provide further information regarding this at Deadline 2.	This is noted by the Applicant.
3.6	Pending Applicant Response	In our RR, the MMO made several comments regarding the Environmental Statement (ES) for the Project. The MMO is expecting the Applicant to provide their responses to these comments at Deadline 1, and therefore we will provide further information and comments regarding these concerns at future deadlines.	This is noted by the Applicant.
4. Comments on Relevant Representations (RRs)			
4.1	Ongoing Engagement	The MMO has reviewed the RRs and notes the comments made. The MMO will continue to maintain a watching brief and liaise with the Applicant for future submissions and will provide comment in future where necessary.	This is noted by the Applicant.
4.2	SoCG Updates	The MMO continues to liaise with the Applicant regarding the proposal and is aware of a number of documents that will be submitted as part of their future submissions, including an updated Statement of Common Ground and responses to the MMO's RR. The MMO will provide further comment on these at Deadline 2.	This is noted by the Applicant.
5. Other information			
5.1	Other information	On 10 October 2025 the Applicant provided the MMO with a Landfall Sediment Modelling Report for Pegwell Bay and Aldeburgh and a Cable Burial Risk Assessment. The MMO is currently reviewing the documents and will provide comments in due course.	This is noted by the Applicant.

2.13 Aldringham-cum-Thorpe Energy Action (ACTEA) [REP1-169]

Table 2.14 Aldringham-cum-Thorpe Energy Action (ACTEA) [REP1-169]

Reference	Matter	Points Raised	Applicant’s Comments
1	Introduction Re: Cable Drum AIL Construction Traffic through Aldringham, Suffolk	The applicant plans to use the narrow B1353 (Aldringham Lane) between a road junction at Knodishall on B1069 and a four way road junction at Aldringham at the Parrot Pub on B1122 (Aldeburgh Road, in order to deliver large Cable Drums, on Carriers to and from S-BM01 and S-BM02 to the north of Aldeburgh. The route from the Parrot junction would then continue through Aldringham in a southerly direction along the B1122. The swept path required for a cable drum carrier 25.44m long may be difficult to achieve at both ends of Aldringham Lane. Following its own 2018 survey of Aldringham Lane, Scottish Power Renewables decided that: <i>‘The B1353 (Aldringham Lane) between Aldringham and Coldfair Green is not wide enough for two HGVs to pass one another. Widening at this location will not be possible due to the proximity of residential properties to the edge of the road. HGVs will not travel between Aldringham and Coldfair Green’.</i> Reference: Paragraph 8 of EA1N & EA2 Traffic and Transport Factsheet (October 2018) - enclosed with this representation.	The B1353 at Aldringham will only be used by cable drum abnormal vehicles under careful management, as set out within Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk [AS-008] and shown within Application Document 6.4.2.7 ES Figures Suffolk Traffic and Transport [APP-234]. Otherwise, this route will not be used by Heavy Goods Vehicles (HGV’s), avoiding construction traffic and specifically two HGVs trying to pass each other. Further details of construction vehicle routing and the limitations of construction traffic vehicle movements on these parts of the network are set out within Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk [AS-008]. A specialist haulage service will be employed to allow Abnormal Indivisible Loads (AILs) to be transported with the necessary escort, permits and traffic management, with the Applicant consulting the relevant highways authorities to ensure the correct permits are obtained. The police will also be given advanced notification of these journeys under the Road Vehicle Authorisation of Special Types Order 2003 and will provide escort where required. The maximum number of AILs movements proposed to use this route would be 8 movements, 4 in each direction, with all movements planned under controlled and escorted conditions.
2.1	Further References - Cable drum delivery vehicle dimensions	These are specified in APP-037 2.13.1 Design and Layout Plans – Suffolk: <i>‘Overall Length 25.440m, Overall Width 4.500m, Overall Body Height 3.695m, Min Body Ground Clearance 0.332m, Track Width 2.500m, Lock to lock time 6.00s, Kerb to Kerb Turning Radius 14.500’</i>	
2.2	Further References - Cable Drum Routing Plan	APP-234 6.4.2.7 Application Document 6.4.2.7 Traffic and Transport – Figures, 6.4.2.7.3 Abnormal Load Routing Plan - Suffolk Onshore Scheme Indicates that the Applicant intends to route Cable Drum Abnormal Loads via B1353 Aldringham Lane between junctions B1069 junction with B1353 (S-RJ13) at Knodishall and B1122 junction (S-RJ12) at Aldringham.	
2.3	Further References - Cable drum AIL access routes	AS-008 National Grid Electricity Transmission 7.5.1.1 (B) Construction Traffic Management and Travel Plan Suffolk - Accepted at the discretion of the Examining Authority states: <i>‘6.1.8 Cable drum AIL access routes: Routes marked as Cable Drum AIL Access Only indicate those routes to be used by the cable drum delivery vehicle (not the transformer AIL). This may be due to differing site entry requirements, or the geometry of the route. Smaller construction vehicles would also be expected to use the Cable Drum AIL access routes.’</i> <u>Ex Table 6.2 Constraints identified by ESDAL</u>	

Reference	Matter	Points Raised			Applicant's Comments
		'Ref.	Location	Constraint	
		AC10	B1069 through Knodishall	Tight geometry would require traffic management, parking restrictions, and junction widening	
		AC11	Aldringham Lane/Aldeburgh Road Junction	Tight geometry – widening and street furniture removal may be required, including street lighting, signposts and traffic islands'	
		'6.4.2 The swept paths (which have been provided separately as part of the DCO) provide indicative road and access dimensions required to safely transport vehicles and equipment throughout the project site and the surrounding area and demonstrate that all construction vehicles will be able to access the site without overrunning any kerb lines.'			
3	Conclusions	Since the Applicant has acknowledged that the geometry is 'tight' at both junctions AC10 / S-RJ13 and AC11 / S-RJ12, it is disappointing that a design has not been provided to demonstrate how Cable Drum Delivery Vehicles would navigate those junctions. The Applicant has omitted to provide within its DCO submission: 1. a design specifying those temporary and/or permanent modifications and alterations that would be needed along Aldringham Lane and at its junctions with B1069 and B1122 2. swept path illustrations for AC10 / S-RJ13 and AC11 / S-RJ12 as 'Indicative Bellmouth Access Arrangements' in APP-037 2.13 Design and Layout Plans, 2.13.1 Design and Layout Plans – Suffolk.			Detailed assessments of any mitigation works will be produced at detailed design stage once the exact size of the load and vehicle are confirmed. Consideration of typical AIL vehicle parameters formed part of the preliminary design process.

2.14 Anglian Water Services Ltd [REP1-170]

Table 2.15 Anglian Water Services Ltd [REP1-170]

Reference	Matter	Points Raised	Applicant's Comments
N/A	SoCG	The progression of a draft Statement of Common Ground (SoCG) to outline the key matters raised through Scoping and Statutory Consultations and our Relevant Representation. The submission of an agreed Statement of Common Ground (SoCG) would be beneficial to log matters under discussion, relating to the interfaces with our assets and any specific arrangements that are needed to be put in place. Anglian Water notes that the Statement of Commonality [APP-322] identifies Anglian Water as one of the stakeholders the Applicant is currently preparing SoCGs with, which will be progressed following submission of the DCO application. The Applicant has progressed discussion with Anglian Water on the matters raised in our Relevant Representation [RR-0334], and a draft Statement of Common Ground (SoCG) has been shared with Anglian Water for comment. Anglian Water has provided commentary on the draft SoCG and welcomes ongoing eengagement with the Applicant to address these outstanding matter through the examination period.	The Applicant acknowledges the comment raised and is reviewing the comments provided on the Draft SoCG and will look to share a updated Draft SoCG for Anglian Waters Review in due course.
N/A	Protective Provisions	The inclusion of bespoke Protective Provisions for Anglian Water under 'Schedule 15 Protective Provisions' [Draft DCO document ref. AS-043] to ensure that when the Project moves forward to delivery, the necessary protections and measures are undertaken by the Applicant's contractors in agreement with Anglian Water, in terms of interfaces between the Project and existing Anglian Water apparatus within the Project's order limits. This includes: Existing Anglian Water assets identified within the application boundary and in the Book of Reference [PDA-015]) where Anglian Water is identified as an 'Occupier' (e.g. In respect of underground sewage pipeline). These are in relation to works identified in Document 2.5.1: Work Plans – Suffolk [APP-021] and detailed in Schedule 1 Authorised Project – Part 1 Authorised Development of the draft DCO [AS-043], including: Work no. 3A – Sheet 1 of 6 - Access Road to the Suffolk Converter Station – including an access road including access from the B1121 including bridges and culverts. Work no. 6 – Sheet 5 of 6 – marine electric line works to include works to lay marine electric cables and fibre optic cables with trenchless entry/exit pits for the installation and pulling through of cables.	The Applicant acknowledges the comment raised and will continue to negotiate Protective Provisions with Anglian Water.
N/A	Changes to Application Documents	specific measures should be outlined in the Construction Environment Management Plan (CEMP) - Appendix A: Code of Construction Practice (CoCP) [APP-341] and Appendix B: Register of Environmental Actions and Commitments (REAC) [APP-342] to indicate how the interfaces with utility assets such as sewers within the Order Limits will be managed through the construction of the	The Applicant thanks Anglian Water for confirmation their interests are now correctly identified in the Book of Reference and will continue to engage with Anglian Water in their capacity as the statutory sewerage provider.

Reference	Matter	Points Raised	Applicant's Comments
		Project. Amendments to the Book of Reference [PDA-015] to provide an accurate account of both Anglian Water and Essex & Suffolk Water’s land interests within the Project order limits. Many of the deeds and interests in the land lie with Essex and Suffolk Water (Northumbrian Water Group) as the statutory water supplier within the Project's order limits, and not Anglian Water as the statutory sewerage provider. Managing Flood Risk - there is a secured commitment for provision of a detailed Drainage Management Plan to be prepared by the appointed contractor, which is listed under Schedule 3 Requirements of the draft DCO [AS-043] as part of the Construction Management Plans to be approved under paragraph 6 (r). As the draft DCO also includes the supplemental power for the discharge water (Part 4, paragraph 20) including to any public sewer or drain, then the Drainage Management Plan may require consideration of the use of the public sewer network to manage additional surface water flows. Anglian Water would seek to be included as a consultee to the drainage management plan, for any discharge of requirements in relation to drainage plans and surface water discharge and amend ID W14 and W19 of the REAC [APP-342] accordingly.	

2.15 Benhall and Sternfield Parish Council [REP1-171]

Table 2.16 Benhall and Sternfield Parish Council [REP1-171]

Reference	Matter	Points Raised	Applicant’s Comments
1	Introduction	Sea Link is described by National Grid Electricity Transmission (NGET) as being a grid reinforcement between Suffolk and Kent that will enable electricity to be transmitted from where it is generated to where it is needed. However, electricity being generated at the North Sea offshore windfarms is going to be transmitted by Scottish Power to where it is not needed in East Suffolk and Sea Link will then be taking it back offshore again to where it is needed in Kent. In other words, electricity will be taken onshore from where it has been generated offshore and then taken back offshore again and, rather than taking electricity from where it is generated to where it is needed, Sea Link will actually be taking it from where it is not needed to where it is needed. That Nautilus is now no longer due to connect at Saxmundham has diminished the needs case for Sea Link and slipping 250MW and 600MW solar parks and projects such as Lion Link into the mix to restore this needs case is clearly an example of back-to-front planning. Furthermore, since this retrospective method for establishing the need for Sea Link is predicated on the assumption that everything will shortly be consented for development, it also undermines the whole planning process.	The Proposed Project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. These are summarised below: <u>South East</u> The Proposed Project will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. This is driven by the interconnectors landing in Kent due to its proximity to mainland Europe, as well as growth in other renewable and battery storage projects. The Proposed Project has to connect on the network no further west than Canterbury North substation, to provide an additional route for power to flow out of Kent in a scenario where there is fault on the existing overhead line between Canterbury and Kemsley. <u>East Anglia</u> The Proposed Project will support the connection of additional low carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind. The Proposed Project has to connect in the Sizewell area in order to enable power flow from the generators connecting in these areas (referred to as the Sizewell Generation Group) in a scenario where there is a fault between Sizewell and Bramford.

Reference	Matter	Points Raised	Applicant's Comments
		Consenting Sea Link for development has the potential to result in a local electricity supply twenty times greater than demand as outlined in NGET's Strategic Options Back Check Report because it would effectively be opening the electricity transmission floodgates between East Suffolk and Kent. However, NGET's offer to connect Scottish Power's electricity to the grid at Friston was based on the understanding that there was enough capacity in the grid to be able to do this. Had it already been understood that Sea Link would be necessary to take excess power away from East Suffolk in order to free up grid capacity once Sizewell C and Lion Link came on line, would Scottish Power's EA1N and EA2 substations and National Grid's connection hub have even been granted consent for development in the first place because the projects were already balancing on an adverse impact knife edge?	There is a strong and urgent need for the delivery of the reinforcement provided by the Proposed Project. This need case is not predicated on the location of Nautilus connection at Saxmundham, and in fact the DCO Application was submitted in the full knowledge that the Nautilus connection would be located at the Isle of Grain. The 2023 needs case is set out in Application Document 8.3 Strategic Options Report (October 2023) [APP-370]. This back check was undertaken by the Applicant prior to the submission of the DCO application, to confirm that the needs case remains valid and that the strategic options considered continue to meet it. The Proposed Project is also particularly important because it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group). As an HVDC link can be configured to transfer power in both directions, it can benefit multiple areas in the East Anglia and South East regions. The Proposed Project represents a coordinated approach to solving the above issues using a single solution. Notwithstanding that the impacts of the Proposed Project application will be considered through the examination, the Applicant is confident that all the issues surrounding EA1 and EA2 were properly raised and considered at the time.
2	The Benhall Railway Bridge and the bridge over the River Fromus	NGET's approach to both the Benhall Railway Bridge and the bridge over the River Fromus provides evidence of a failure to adhere to the "worst-case scenario" principles as outlined in the Rochdale Envelope. This is not just a case of inadequate detail in either case, it is a complete lack of essential detail in both cases and indeed it appears that a "no-case" scenario was initially applied to both bridges. With regard to the Benhall Railway Bridge, the options for moving 300 tonne loads over a bridge only able to withstand loads of 46 tonnes have been described by NGET in loose descriptive terms that give the impression that all three methods would be achievable with minimal disruption. Clearly though, all three options would of course be hugely disruptive and none of them have taken vulnerable road users into account. It is also entirely possible that only Option 1 actually offers a potential solution because difficulties of working with Network Rail, adversely impacting Sizewell C's Green Rail Delivery Route, the challenging geometry of the bridge and its extreme proximity to the A12 and Whitearch Park posed by implementation of Options 2 and 3 may mean that these options are not even viable options at all.	See responses below with regards to the assessment of Benhall Railway Bridge and the proposed bridge over the River Fromus. As set out below, the Applicant is in ongoing discussions with the EA over the height of the River Fromus Bridge, and has used a Rochdale Envelope approach so retain the flexibility to minimise the height of the bridge subject to the agreement with the EA. A Change Request application, which included Change 4 – Benhall Railway Bridge, was submitted at Deadline 1A and has been accepted by the ExA on 5 December 2025. A description of Change 4 is provided within Application Document 9.76.2 (A) Change Request Report [CR1-052]. Two options are being considered for Benhall Railway Bridge: installation of a 'mini-bridge' within the highway boundary only; or minor works to repair the bridge. As a matter of principle, the Applicant thinks that it is sensible to retain the flexibility to implement both of these options currently under consideration; enabling joint working with SCC to explore the best option. The likely significant effects associated with the two options taken forward for Change 4 have been assessed and are presented within Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055]. This document provides additional information on the impacts associated with the temporary road closures at Benhall Bridge. Whilst information on the exact nature of temporary traffic management, road closures and diversions is not usually known until after consent is given, the Applicant set out areas to be affected by traffic management in Application Document 2.6 Traffic Regulation Order Plans [APP-024] (including the B1121 at Benhall Bridge) and

Reference	Matter	Points Raised	Applicant's Comments
			submitted Application Document 7.5.1.1 (B) Construction Traffic Management and Travel Plan Suffolk [AS-008]. The details of traffic management would be set out in the final Construction Traffic Management Plan submitted under Requirement 6. As part of the Change Request, the Applicant has made small amendments to these documents to provide clarity on how the closures would be managed.
		For the bridge over the River Fromus, the complete lack of design detail makes it impossible to perform a proper accurate assessment of impacts from the new bridge structure on water flow from upstream. This may lead to post-construction adverse impacts that fall outside the order limits which would not only be unacceptable, but would of course also be impermissible. It is therefore impossible to make meaningful impact assessments in the case of either bridge and the PC therefore questions NGET's design and planning principles for both of them.	The approximate dimensions for the two bridge options considered at application stage (i.e. 6 m and 4 m clearance of the bridge soffit from the Q95 flow level of the river), have been clearly set out in paragraph 4.2.34 and Table 4.4 within Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003]. The bridge design was illustrated in DCO/S/DE/SS/1210 of the Design and Layout Drawings (Application Document 2.13 Design and Layout Plans [APP-037]). The Applicant considers that it is correct to retain a degree of flexibility over the height of the bridge so that – subject to an agreement with the EA – the height can be minimised. Further information on the design approach to the proposed River Fromus Bridge has subsequently been set out in the update to Application Document 7.11.1 (B) Design Approach Document – Suffolk [REP1A-030]. This document describes how the design approach has been developed to show how the indicative crossing proposal shown in Application Document 2.14.1 Indicative General Arrangements Plans – Suffolk [AP-038], and Application Document 2.13 Design and Layout Plans [APP-037], could be designed in line with the design principles committed to in Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102], for the two initial options (6 m and 4 m clearance of the bridge soffit from the Q95 flow level of the river) and the new option (5 m clearance of the bridge soffit from the Q95 flow level of the river). As explained in Application Document 6.2.1.5 Part 1 Introduction Chapter 5 EIA Approach and Methodology [APP-052], the EIA assessment has been undertaken following the Rochdale Envelope approach. This allows flexibility to be maintained for the detailed design and construction of the Proposed Project whilst allowing for a realistic worst-case assessment to be undertaken. Under this approach, maximum design parameters (including those detailed in the above documents for the River Fromus bridge), representing a worst-case scenario, have been defined and assessed. This ensures that all potential impacts, including those on water flow and hydrology (see Application Document 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment [APP-051]), are considered even though detailed design will be finalised at a later stage. This methodology is specifically intended to provide robust and precautionary assessments where flexibility in detailed design is required. Therefore, contrary to the claim made, a meaningful impact assessment has been carried out. The worst-case scenario has been fully evaluated, ensuring that any future detailed design will fall within the assessed parameters and order limits and remain compliant with the DCO requirements.

Reference	Matter	Points Raised	Applicant's Comments
3	The Wood Farm Site	The site at Wood Farm is known locally as The Prairie because it is such a large expanse of land that sits at the highest point of the surrounding area. Notwithstanding that the family that has been farming the land for generations have spent a great deal of money on establishing effective drainage because the soil does not drain adequately of its own accord, at first glance, the site does appear to offer a large uninterrupted area suitable for the development of two, three or maybe even as many as four converter stations. However, that suitability only applies to the land itself and does not take into account the fact that the site is almost impossible to access without causing significant disruption to the local community. It is as if the site has been identified first and then accessing it and developing at it has been left to be considered as more of an afterthought. Therefore, it seems to the PC that the site has been chosen solely for what it offers in terms of being an attractive expanse of land and that the extreme problems with accessing it and the overwhelming burden that development at it will impose on the local community have been totally underestimated. Indeed, the PC would go so far as to suggest that the whole concept of developing at the Saxmundham site has been fundamentally flawed right from the start by these issues.	The consideration of alternatives is set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. Various options for accessing the Saxmundham Converter station site were available and their merits considered. The proposed access off the B1121 is considered to be the best on balance solution, and relies on very little use having to be made of smaller rural roads.
4	Enough is enough	Dealing with a single DCO would normally be a once-in-a-lifetime event for a councillor, but councillors at all levels in East Suffolk from Suffolk County Council to Benhall and Sternfield Parish Council are having to lurch from one DCO to another and are looking at many more to come. The consequences of this are already becoming untenable and will only get worse as more and more projects are forced in on top of each other. Some examples of how this is impacting the local community include: • 1) The cumulative harms of developing so many Nationally Significant Infrastructure Projects in one small area are adding up to an overall level of harm that is already unacceptable and risks becoming overwhelming. • 2) Logistical issues from such a large number of construction workers working in one small area – including where this workforce will eat, sleep, park, rest and play – is impacting on the dynamic of the local population, the housing market, the local economy, access to amenities etc in a way that is already becoming so extreme that, should it continue, risks overburdening the community. • 3) The extreme workload that a single DCO, (let alone several DCOs), generates at all levels of local government is already becoming unsustainable and this is resulting in resources being spread too thinly. • 4) The significant and serious effect that the stress associated with so much infrastructure development in East Suffolk is having on the mental health and wellbeing of local residents is very concerning and yet is not even being acknowledged let alone properly addressed as a problem.	Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] presents the assessment of cumulative impacts of the Proposed Project together with other relevant developments. Concerns regarding the logistical issues associated with an influx of construction workers to the local area have been noted. A complete assessment of socio-economic effects has been undertaken. Section 10.9 of Application Document 6.2.2.10 Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism [APP-057] of the Environmental Statement assesses potential effects of the Proposed Project on private and community assets, recreation and tourism. The assessment identified no significant effects on these receptors. The Applicant recognises that there is potential for noise, air quality, visual and traffic effects arising from construction of the Suffolk Onshore Scheme to impact on the amenity of residents, businesses, development sites, and users of open spaces and community facilities within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no significant effect on tourism assets arising from construction of the Suffolk Onshore Scheme and therefore no mitigation will be required. The potential impact of construction traffic on the surrounding highway network has been assessed within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] based on the peak construction phase of the Proposed Project. This includes an assessment of various criteria including severance, pedestrian delay, non-motorised user amenity, fear and intimidation, driver delay, road safety, hazardous/ large loads and Public Rights of Way (PRoW) diversions and closures. The construction

Reference	Matter	Points Raised	Applicant's Comments
			vehicle routing has been designed to minimise impacts across the highway network, and Heavy Goods Vehicles (HGVs) will avoid passing through Snape and Thorpeness, as shown by the HGV routing plan within Application Document 6.4.2.7 ES Figures Suffolk Traffic and Transport [APP-234]. Construction traffic through Aldeburgh will also be limited to 10 HGVs daily, as the majority of construction traffic will access the landfall location via the new haul road which will be constructed. The traffic and transport assessment within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] concludes that, with the management and mitigation identified within Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk [APP-337] and Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk [APP-352] that there is not expected to be the potential for any significant effects as a result of construction traffic associated with the Proposed Project. A response to this comment regarding impacts on local accommodation can be found in Table 7.13 (Reference 7.13.7) of Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116]. A response to this comment regarding mental health and wellbeing can be found in Table 2.28 (Reference <i>ESC – Mental Health and Wellbeing</i>) of Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].
5	In Conclusion	It is unreasonable and disproportionate to even think that infrastructure on the scale of Sea Link can be forced right into the middle of a community already struggling with the beginning of construction of Sizewell C and EA2, especially when EA1N, the National Grid connection hub, Lion Link, hundreds of new houses, an industrial retail unit, major water and road network upgrades, mega solar-hubs and multiple battery storage units are also due for development in the same small area in the near future. The local community is relying on the Examining Authority to consider how the adverse and cumulative socioeconomic and environmental impacts being imposed by concurrent construction of Sea Link at Saxmundham alongside so many other NSIPs in East Suffolk are affecting the local community and decide whether or not there is an appropriate balance here. If it appears that the balance has been tipped in the direction of over-development in this small area, then the issue of what can be done to reduce, mitigate or compensate for these adverse and cumulative impacts must be addressed as a priority. And, if it is not possible to achieve meaningful mitigation and compensation, then steps should be taken to avoid the impacts altogether by developing Sea Link at a more appropriate brownfield site	The Applicant acknowledges the importance of East Suffolk's tourism economy and the concerns raised regarding potential inter-project cumulative impacts from multiple Nationally Significant Infrastructure Projects. To address concerns, Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Inter-Project Cumulative Effects [APP-060] of the Environmental Statement assesses the cumulative impact of the Proposed Project in addition to other Nationally Significant Infrastructure Projects. The assessment of total cumulative effects for socio-economics, recreation and tourism has identified that there are six other developments that have potential to result in inter-project cumulative effects upon shared socio-economic, recreation and tourism receptors. Impacts on residential receptors, business premises, community facilities, visitor attractions, development land, PRow and recreational routes are assessed within a 500 m Study Area from the Proposed Project's RLB. Impacts on employment generation, GVA, tourist accommodation, local labour supply and social infrastructure were assessed within a 60-minute drive time of the Suffolk Onshore Scheme. The chapter concludes that no significant effects are expected when considering the impacts of the inter-project cumulative schemes in aggregation with the Proposed Project. The Applicant remains committed to minimising disruption and has proposed a series of embedded measures set out in Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341], such as GG27 commits to keeping members of the community and local businesses informed regularly of works through active community liaison.

2.16 Chilton Primary School [REP1-177]

Table 2.17 Chilton Primary School [REP1-177]

Reference	Matter	Points Raised	Applicant's Comments
	b) Impact on children's wellbeing, education and identity	Chilton Primary places wellbeing, outdoor experience and community engagement at the heart of learning. If the activity and access around Minster Marshes were lost to construction and industrialisation, a generation of children would lose something that cannot be rebuilt or relocated.	The Applicant notes the local concerns regarding the impact of construction activity and operational infrastructure on open space, the local Public Right of Way (PRoW) network and recreational routes, with particular concern regarding the impact around Minster Marshes. Section 10.7 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics Recreation and Tourism [REP1A-007] identifies a number of PRoW located within Minster Marshes, including Restricted byway TE35 and Restricted byway TE36, as well as open spaces including the River Stour. Section 10.9 assesses the potential effects of the Proposed Project on disruption to the use of open spaces, PRoW and recreational routes. Appropriate route diversions, closures and management measures are proposed as embedded mitigation and outlined in Section 10.8. Further detail on mitigation measures require to maintain operation of impacted PRoW is provided in Application Document 7.5.9.2 Outline Public Rights of Way Management Plan - Kent [APP-353]. The criteria for determining the sensitivity of users of PRoW and recreational trails and the magnitude of impact of disruption is outlined in Section 10.4. For example, recreational routes' sensitivity criteria considered several factors, including: • the quality of user experience; • quality of the route; • purpose of usage; and • potential for substitution. Overall, it is concluded that no significant socio-economic, recreation and tourism effects are anticipated and that access to Minster Marshes will be maintained.

2.17 CMS Cameron McKenna Nabarro Olswang LLP on behalf of Southern Gas Networks Plc [REP1-180]

Table 2.18 CMS Cameron McKenna Nabarro Olswang LLP on behalf of Southern Gas Networks Plc [REP1-180]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Compulsory Acquisition and Protective Provisions	The Promoter seeks powers within the DCO for the compulsory acquisition of land and rights in which SGN has interests. SGN therefore wishes to protect its position in light of existing apparatus which is both within, and in the vicinity of, the proposed Order boundaries through suitable protective provisions being secured in the Order. SGN's rights to retain its infrastructure in situ and rights	The Applicant acknowledges the comment raised and will continue to work with SGN on Protective Provisions within the DCO.

Reference	Matter	Points Raised	Applicant's Comments
		of access to inspect, repair and renew such apparatus within the limits of the respective Order must be maintained at all times, and access by SGN and its servants and agents to that apparatus for the purpose of its undertaking must not be restricted. Accordingly, SGN will require appropriate protective provisions to be included within the Order to protect its statutory undertaking and to ensure that public safety is not compromised. Equally both the Examining Authority and the Secretary of State will need to be satisfied that the Project will not cause a serious detriment to the carrying out by SGN of its statutory undertaking before granting consent to the proposed Order.	
N/A	The Draft DCO	SGN's preferred form of protective provisions are included at Appendix 1 (SGN's Protective Provisions). SGN's Protective Provisions are in SGN's standard form and have been developed to afford full protection to SGN and its undertaking. We, as solicitors for SGN, emailed the SGN Protective Provisions to the Promoter's solicitors in May 2025. To date, no substantive engagement has been had on the form of the protective provisions. The Promoter has not included a form of protective provisions in the dDCO for the benefit of SGN.	The Applicant acknowledges the comment raised and will review the attached draft of Protective Provisions and response in due course.

2.18
East Anglia Three Limited [REP1-188]

Table 2.19 East Anglia Three Limited [REP1-188]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	East Anglia THREE Limited was granted development consent order (“DCO”) on 7 August 2017 for the East Anglia THREE Offshore Wind Farm (“EA3”).	The Applicant acknowledges the comment raised.
N/A	N/A	EA3 is an offshore wind farm located approximately 69km from the Suffolk coast with an offshore export cable route making landfall near Bawdsey and an onshore cable route to transport energy to a convertor station in Bramford. Construction works for EA3 have commenced, including for the installation of export cables. The export cable route is shown in figure 1 below.	Applicant acknowledges receipt of Figure 1 attached to this Written Representation.
N/A	The cable route for the Project, as shown in the Work Plans – Offshore (APP-023) and Indicative General Arrangements Plans – Offshore (APP-	As a result, protective provisions are required for the benefit of EA3 within any DCO granted in respect of the Project. East Anglia THREE Limited anticipates this matter can be resolved through discussions with National Grid Electricity plc, as the applicant for the Project. However, until this matter is resolved, East Anglia	The Applicant acknowledges the requirement for protective provisions to safeguard EA3’s infrastructure where the Sea Link Project interfaces with EA3’s assets. Engagement with EA3 is ongoing, and the Applicant has provided its crossing agreement template, which is currently under review

Reference	Matter	Points Raised	Applicant's Comments
	040), will cross EA3's export cables.	THREE Limited wishes to participate in the examination of the Project, to ensure its interests are protected	by EA3. Further negotiations will determine whether standard protective provisions are sufficient or if bespoke provisions are necessary. Consideration on the requirements and conditions of the Deemed Marine Licence (DML) are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.

2.19 GridLink Interconnectors Ltd [REP1-195]

Table 2.20 GridLink Interconnectors Ltd [REP1-195]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	The subject of this representation is the interaction between the GridLink interconnector project and SeaLink in relation to a crossing of each other's subsea cables near the Kent coast. GridLink is a new electricity interconnector between the UK and France, currently in the development phase, and it likely to be implemented on a similar timescale to SeaLink. GridLink holds a Marine Licence and Crown Estate licence option for the installation of its subsea cable. These consents did not foresee this crossing (as SeaLink was not proposed at the time of granting). GridLink has made significant efforts to consult with PLA and fishermen associations related to its project and, as a result, incorporated mitigation measures into its project design and cable routing to minimise water depth reduction and the risk of snagging of anchors and fishing gear. Therefore, for the SeaLink-GridLink crossing, our representation is that SeaLink should comply with applicable PLA requirements and other industry good practice, specifically to preserve the ability to maintain a 12.5m water clearance above the top of any cable protection and, as far as practicable, a perpendicular crossing angle, and therefore to consider the crossing location and approaching cable route accordingly. Depending on which project is executed first, it is possible that GridLink's cable may need to be installed after SeaLink and it will most likely utilise a similar crossing design and installation approach. Therefore, SeaLink should not jeopardise GridLink's ability to be implemented, including its capacity to cross the installed SeaLink cables, if required, and to be granted the necessary consents to do so	The Applicant acknowledges the comment raised.

Reference	Matter	Points Raised	Applicant’s Comments
N/A	N/A	For the SeaLink-GridLink crossing, our representation is that SeaLink should comply with applicable PLA requirements and other industry good practice, specifically to preserve the ability to maintain a 12.5m water clearance above the top of any cable protection and, as far as practicable, a perpendicular crossing angle, and therefore to consider the crossing location and approaching cable route accordingly.	The Applicant refers to submitted Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038], which addresses under-keel clearance within the PLA’s “NE Spit area”. Particular consideration was given to the planned GridLink cable crossing in this area and maintaining 12.5 m water clearance above any cable protection The Applicant is currently in ongoing discussions with Grid Link, PLA and other relevant stakeholders about relocating the proposed crossing location with GridLink further to the east, into deeper water within the order limits to preserve the 12.5 m water depth after installation of both cable systems. This was agreed in principle with GridLink during a meeting held on 12/11/2025. The Applicant acknowledges that in line with standard industry practice, cable systems should cross as close to a perpendicular angle as practicable at the crossing location and on approach.
N/A	N/A	Depending on which project is executed first, it is possible that GridLink’s cable may need to be installed after SeaLink and it will most likely utilise a similar crossing design and installation approach. Therefore, SeaLink should not jeopardise GridLink’s ability to be implemented, including its capacity to cross the installed SeaLink cables, if required, and to be granted the necessary consents to do so	The Applicant is committed to continued consultation with GridLink and other relevant stakeholders, to address their concerns. Crossing of GridLink would be undertaken using agreed crossing designs in accordance with the agreed crossing agreement with GridLink and would be informed by the agreed requirements to safeguard under keel clearance, secured in Protective Provisions within the DML and DCO documents.

2.20 Harwich Haven Authority [REP1-197]

Table 2.21 Harwich Haven Authority [REP1-197]

Reference	Matter	Points Raised	Applicant’s Comments
Intro	Role and Context	Harwich Haven Authority (HHA) submits this representation to the examination of the Sea Link Development Consent Order (DCO) application. Our representation addresses navigational safety and pilotage concerns associated with the proposed cable route and marine works, particularly in relation to the Sunk area and approaches to Harwich Haven. We recognise and support the UK’s ambition for energy infrastructure development and appreciate the applicant’s engagement efforts. However, HHA remains concerned that the cumulative impact of this project, alongside other offshore and cable route schemes, introduces risks that have not been fully mitigated. HHA oversees one of the UK’s busiest maritime gateways, providing compulsory pilotage for vessels serving:	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		• Port of Felixstowe – UK's principal container terminal. • Harwich International Port – Ro-Ro and passenger services. • Ports of Ipswich and Mistley, and future Bathside Bay expansion. Our area includes deep-water approaches and a pilot boarding ground in the Sunk area, routinely used by Ultra Large Container Vessels (ULCVs) up to 400m length and 17.1m draft. These operations require significant sea room and precise pilotage under challenging conditions. Any reduction in navigable flexibility could have serious implications for safety and port efficiency.	
a	Key Concerns Navigational Safety & Pilotage	Potential navigational safety situations with vessels manoeuvring to board and land Pilots in an area close to vessels undertaking cable installation and maintenance. Risk of concurrent Restricted Ability to Manoeuvre (RAM) operations overlapping with critical shipping lanes and Pilot boarding area	A response to these comments can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
b	Key Concerns Cumulative Impact	The Sea Link project adds to existing and planned offshore works. A combined assessment of navigational risk across all projects is essential.	This is noted by the Applicant. An updated Application Document 6.2.4.11 (B) Marine Chapter 11 Inter-Project Cumulative Effects [REP1-015 and REP1-016] has been submitted.
c	Key Concerns	Current reliance on certified plans (e.g., Navigation and Installation Plan) is noted, but HHA believes enforceable DCO-level provisions are necessary for transparency and legal robustness.	This is noted by the Applicant. The Applicant is working with Harwich Haven Authority and other ports to secure commitments in Protective Provisions.
d	Future Proof of Navigational Depths	Cable burial depths should allow for future capital dredge projects to enable vessels with draughts of 20meters plus 10% under keel clearance to access the Port of Felixstowe.	A response to this comment can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112]. Additionally, this matter is the subject of Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].
Recommendations	Requested Actions	HHA request that the Examining Authority: • Requires a comprehensive Navigational Risk Assessment considering all planned cable route projects. • Ensures enforceable DCO provisions to control concurrent RAM operations and protect operational sea room. • Recommends that no infrastructure, safety zones, or project works impinge on pilotage boarding and landing areas. HHA supports the UK's energy transition but cannot endorse a scheme that compromises safe navigation and pilotage for the largest commercial vessels serving Haven ports. We remain	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3. The Applicant is working with Harwich Haven Authority and other ports to secure commitments in Protective Provisions.

Reference	Matter	Points Raised	Applicant's Comments
		committed to constructive engagement and welcome the opportunity to provide further detail during the examination.	

2.21 Historic England [REP1-199]

Table 2.22 Historic England [REP1-199]

Reference	Matter	Points Raised	Applicant's Comments
1 Introduction			
1.1	Introduction	This Written Representation sets out the views of Historic England on the proposed Development Consent Order (DCO) application made by National Grid Electricity Transmission for the proposed Sea Link project.	Comment noted. No response required.
1.2	Introduction	The project comprises of a new 2 GW high voltage direct current (HVDC) link between a proposed substation near Friston in Suffolk and the existing Richborough to Canterbury 400 kV overhead line close to Richborough in Kent. The offshore element of marine electric cable between Suffolk and Kent would be approximately 122 km long. Additional onshore infrastructure required to deliver the Proposed Project include converter stations, substations and new underground and overhead electricity lines. The Friston Substation, which has been separately consented as part of the East Anglia ONE North Offshore Windfarm Order 2022 and the East Anglia TWO Offshore Windfarm Order 2022, is also included in the Proposed Project to achieve a comprehensive consenting position. If the Friston Substation has already been constructed under another consent, only a connection into the substation would be constructed as part of the Proposed Project.	
1.4	Introduction	The submitted application includes an ES, dated March 2025, produced to satisfy the requirements of Environmental Impact Assessment (EIA) requirements, under the terms of European Union Directive 2011/92/EU (as amended by Directive 2014/52/EU)) on the assessment of the effects of certain public and private projects on the environment (EIA Directive). The EIA Directive is transposed into English law for Nationally Significant Infrastructure Projects (NSIPs) by The Infrastructure Planning (EIA) Regulations 2017.	
1.5	Introduction	In our Section 56 Relevant Representation (dated 23rd June 2025) we noted that this development has the potential to impact the historic environment, and that this impact could be significant in relation to several heritage receptors and in relation to EIA policy.	A response to Historic England (HE) Relevant Representations (RRs) can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
1.6	Introduction	The ES is broadly adequate for the purposes of the examination. The baseline and assessment are clearly set out in the accompanying ES chapters. It was agreed during the scoping process that detailed assessment of the impact of the proposal upon the historic environment would be	Comment noted.

Reference	Matter	Points Raised	Applicant's Comments
		required. We provided comments during the PEIR stage, and some additional comments are provided below.	
1.7	Introduction	We are broadly content with the overall approach to onshore archaeology in Suffolk. The Environmental Statement Part 2 Suffolk Chapter 3 Cultural Heritage (APP-050) confirms that the proposal would have a negative impact on a range of designated and undesignated heritage assets. Therefore, we are pleased to see inclusion of the Outline Onshore Overarching Written Scheme of Investigation (OWSI) in the application.	Comment noted.
1.8	Introduction	As the results of additional surveys have become available since submission of the application and changes to DCO application have been recently submitted, we are recommending that Archaeological Assessment within the ES should be revised.	See detailed response below
1.9	Introduction	Proposed mitigation measures contained in the OWSI (APP-343) should be amended as well to reflect changes to the scheme, additional archaeological information, and feedback from stakeholders. We would expect that these documents would be agreed with Suffolk County Council and Historic England prior to being adopted.	Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] is being updated to take account of proposed changes to Order Limits (proposed Change 3), additional archaeological information and stakeholder feedback, and will be submitted at a relevant deadline before the end of examination, pending acceptance of proposed Change 3 (Change to the Order Limits east of Friston to provide flexibility in relation to heritage feature, Suffolk) by the Examining Authority.
1.10	Introduction	The Kent onshore element of the project lies in highly sensitive area, which contains designated heritage assets and non-designated heritage assets of equivalent significance. Therefore, we are pleased to see inclusion of the Outline Onshore Overarching Written Scheme of Investigation (OWSI) in the application.	Application Document 7.5.4.2 (B) Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent [REP1-104] was updated in-line with comments received from Kent County Council and Historic England. Further updates to this document may be required as the mitigation strategy is developed through the examination process.
1.11	Introduction	While we are broadly supportive to the approach to onshore archaeology in Kent, we would recommend that further measures be taken to avoid or minimise impacts on the designated and undesignated heritage assets with archaeological interest.	The Applicant's Cultural Heritage team will continue to engage with Historic England and Kent County Council Archaeological Advisor to agree mitigation areas, as well as areas where avoidance of heritage features and 'preservation in situ' may be possible.
1.12	Introduction	Historic England understands that further information regarding views from the Richborough Roman Fort, updates to the Outline Written Scheme of Investigation for Kent Onshore, and several beneficial alterations to the Works Plan would be submitted. However, given that none of these alterations have been submitted as Application Documents, at this time we can only re-state our earlier representations. We would be happy to update our position as new information becomes available.	Application Document 7.5.4.2 (B) Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent [REP1-104] has been updated in-line with comments received from Kent County Council and Historic England . Further updates to this document may be required as the mitigation strategy is developed through the examination process. Illustrative visualisations (Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 2 of 2 [REP1-297]) have been produced to illustrate how a more realistic and detailed model of the Proposed Project would look rather than the block photomontages included within the Environmental Statement, which showed the maximum parameters for the Proposed Project. These illustrations have been provided to demonstrate the difference between the maximum parameters applied for (in terms of footprint and height) which represented the Rochdale Envelope, and a typical and more realistic design solution, based on the generic converter station massing provided in Application Document 2.13 Design and Layout Plans [APP-037] . These illustrative

Reference	Matter	Points Raised	Applicant's Comments
			visualisations include a view from the scheduled Richborough Roman Fort (see Viewpoint 8 - viewing tower within Richborough Roman Fort, looking north). These illustrative visualisations further demonstrate the limited potential for impacts on the setting of the Fort as a result of the Proposed Project.
1.13	Introduction	Outline Onshore Overarching Written Schemes of Investigation for Kent and Suffolk would also need to be amended to include provisions for inclusion of a programme geoarchaeological assessment in the mitigation measures.	As noted above, the Application Document 7.5.4.2 (B) Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent [REP1-104] has been updated in-line with comments received from Kent County Council and Historic England. Further updates to this document may be required as the mitigation strategy is developed through the examination process.
1.14	Introduction	We are seeking reassurance from the applicant that these documents and revised wording would be submitted prior to the end of the examination. The Examination Authority would also need to be satisfied that these are sufficient to mitigate the negative impacts of the proposal on the terrestrial historic environment, and submission of these revised documents would be essential to this.	An updated OWSI for Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] will be submitted prior to the end of the examination, and this will be based on consultation with Suffolk County Council and Historic England.
1.15	Introduction	Broadly we are content with the information submitted in relation to offshore archaeology to support the application for a DCO. We are pleased to see the inclusion of an Outline Offshore Written Scheme of Investigations, the provision to produce a post-consent WSIs within the DCO and associated dMLs.	Comment noted – no response required.
1.16	Introduction	We are also recommending that wording of the draft DCO requirement is revised before the end of the examination. The revised requirement should include provision for a Historic England's involvement in approval of the mitigation measures and include HE as a named party.	Comment noted. The Applicant will continue to engage with Historic England as part of the development of the mitigation strategy and with regards to the wording of the draft DCO.
2 Comments on Volume 6: Environmental Statement Part 2 Suffolk Chapter 3 Cultural Heritage – Applicants document reference: 6.2.2.3; PINs Examination Reference: APP-050			
2.1	Suffolk Onshore Archaeology	This chapter describes the archaeology identified within the Suffolk area of the Onshore Scheme. This element of the project lies in a sensitive area for the historic environment. Several concentrations of activity have been noted, including at Gorse Hill, North of Hazelwood Hall Farm, Friston and at the Saxmundham Converter Station site. The proposed scheme would impact upon a busy archaeological landscape, with features and remains spanning the prehistoric period to the modern day.	Noted. No further comment required.
2.2	Suffolk Onshore Archaeology	It was agreed during the scoping process that detailed assessment of the impact of the proposal upon the historic environment would be required, and that the effects of the scheme could potentially be significant. The ES confirms this and identifies likely significant effects.	Noted. No further comment required.
2.3	Suffolk Onshore Archaeology	Several surveys have been carried out as part of the evaluation work. These include a site walkover survey, two phases of geophysical survey, and aerial photography and lidar surveys. This work has helped to refine the understanding of known sites as well as their extent but has also identified new features.	Noted. No further comment required.

Reference	Matter	Points Raised	Applicant's Comments
2.4	Suffolk Onshore Archaeology	The heritage assessment is also based on Phase One Trial Trench Evaluation, as stated in Section 3.4.9). Phase 2 Evaluation Trenching report was not available at the time of writing. Phase Two Evaluation Trenching report is now available and has been submitted as documents AS-135, AS-136, and AS-137. We are also aware that additional geophysical surveys have been undertaken in Suffolk part of the scheme in the summer 2025.	Additional geophysical survey was undertaken in September and October 2025 of the area associated with proposed Change 3 (Change to the Order Limits east of Friston to provide flexibility in relation to heritage feature, Suffolk) and the results have been shared with Suffolk County Council and Historic England as part of the Change Request application (Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057]). This was focused on the area where a possible prehistoric henge had been identified during the Phase 2b evaluation trenching.
2.5	Suffolk Onshore Archaeology	We recommend that Heritage Assessment documents are reviewed and updated considering the new information contained in these reports. Either as an addendum or highlighted additions. Additional technical reports should also be submitted as part of the application and when they become available.	The additional geophysical survey confirmed that the feature is a G-shaped enclosure and not a henge (Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057]) and as such it is not considered to be of schedulable quality. Consultation with SCC and HE has assigned a Late Bronze Age date based on other features that were excavated as part of the Phase 2b evaluation trenching. Further evaluation trenching is currently being undertaken (November/December 2025). Additional impact assessment based upon the results of Phase 2a and 2b evaluation trenching in Suffolk, as well as the further evaluation trenching in Friston, will be submitted in due course during Examination.
2.6	Suffolk Onshore Archaeology	Section 3.4.28 states that certain areas of cable route between the landing site and converter station could not be accessed for trial trench evaluation. These areas have not been fully evaluated. We understand that it was not possible to provide complete trial trench evaluation results at this stage, and that further evaluation works have been agreed with Suffolk County Council Archaeologist.	A plan will be provided as part of the updated OWSI for the Suffolk Onshore Scheme Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] showing the following details as requested: • Areas that have been subject to geophysical survey; • Areas that have been subject to evaluation trenching; • Areas where evaluation trenching might be required in the future due to the potential for physical impacts; and • Areas where trenching is not proposed as intrusive works will not be undertaken in those areas (i.e. ecological mitigation areas).
2.7	Suffolk Onshore Archaeology	We recommend that a plan of the areas that have not been evaluated to date and are proposed to be evaluated following determination of the DCO should be attached to oWSI. This is necessary to ensure clarity and transparency.	
2.8	Suffolk Onshore Archaeology	Section 3.5.6 states that because archaeological mitigation for the SPR EA1N and EA2 schemes has started all adverse impacts have already been mitigated for the areas which overlap with these projects. This statement has not been supported by presented evidence.	A plan will be provided detailing the mitigation that has been undertaken by EA1N and EA2, as well as mitigation yet to be undertaken by EA1N and EA2, where this information is available. The plan will also detail which of the areas EA1N and EA2 have defined as 'preservation in situ' will be mitigated by the Proposed Project if consented. Updates on mitigation for other schemes will be included where available.
2.9	Suffolk Onshore Archaeology	We recommend that information on the extent and progress of mitigation for other schemes should also be provided as part of this application, especially if no further mitigation is undertaken in some areas.	
2.10	Suffolk Onshore Archaeology	Section 3.7.16 lists Wood Farmhouse (List Entry Number 1231179) as one of the designated Grade II listed buildings which would be affected by the scheme. We can confirm that Wood Farmhouse has been removed from The	

Reference	Matter	Points Raised	Applicant's Comments
		National Heritage List for England on 12th March 2025 as it no longer meets the criteria for listing.	The additional impact assessment that will be submitted following the latest phases of evaluation trenching in Suffolk, will revise the assessment of Wood Farmhouse based on this asset being delisted.
2.11	Suffolk Onshore Archaeology	We recommend that the assessment is updated to reflect changes to designation of this heritage asset.	
2.12	Suffolk Onshore Archaeology	Section 3.7.46 states that geoarchaeology work has not been undertaken as part of the assessment due to the limited potential for palaeoenvironmental deposits of national significance to survive within the Order Limits. It is noted that geoarchaeological modelling in areas of potential has been proposed as part of the Mitigation and Enhancement measures (Section 3.10.2; H10) but we feel that this is a missed opportunity to evaluate key areas of the proposed scheme.	The comment is noted, and a further detailed response will be provided at a later deadline. Geo-archaeological works are being proposed as part of the Ground Investigations works scheduled for early 2026. The Historic England Science Advisor, as well as the Suffolk Archaeological Advisor, will be consulted as part of this process to agree the scope and approve the Written Scheme of Investigation.
2.13	Suffolk Onshore Archaeology	In our view, deposit modelling would help to understand the archaeological potential of these areas and the potential impacts of the proposed scheme (see Historic England 2020, Deposit Modelling and Archaeology). This information is especially needed in areas where trenchless approaches have been proposed as well as to understand the impact of piling.	Furthermore, Commitment H10 in the Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions (REAC) [REP1-102] secures the need for geoarchaeological modelling/profiling in areas of potential.
2.14	Suffolk Onshore Archaeology	Section 3.7.46 states that peat was recorded 5.2m bgl at the proposed landfall location north of Aldeburgh. It was concluded that the peat appeared to be a localised deposit as similar remains were not noted inland to the west. It should be noted that only one core was recovered at the landfall location which on its own would not support the conclusion reached (Document 6.3.2.5.D, Appendix 2.5.D, Ground Investigation Report (Suffolk), Drawing Reference SEAL-MMD-SEAL-ENG-DWG-0685).	
2.15	Suffolk Onshore Archaeology	We recommend additional cores are undertaken in these locations. This is to help determine the extent and significance of the peat in this location, as well as the archaeological and paleoenvironmental potential of these deposits.	
2.16	Suffolk Onshore Archaeology	Section 3.8.4 lists embedded measures taken to avoid, reduce or mitigate likely significant effects on cultural heritage assets. We welcome this approach to mitigate impact by design; however, it is not entirely clear which areas have been “ <i>set out as heritage buffer areas within the Suffolk Onshore Scheme</i> ” to achieve preservation in situ. We would recommend that these areas should be clearly identified on plans and in the OWSI.	A plan will be provided as part of the updated OWSI for the Suffolk Onshore Scheme that shows all proposed mitigation areas, as well as mitigation types being proposed. This will include areas of ‘preservation in situ’.
2.17	Suffolk Onshore Archaeology	Section 3.9.4 lists Heritage Assets scoped into the Assessment. Formerly listed Wood Farmhouse is no longer a designated heritage asset and we would recommend that it is removed from the assessment.	See response to comment in 2.10/2.11.
2.18	Suffolk Onshore Archaeology	Sections 3.9.18 and 3.9.21 state that several features with archaeological interest have been identified near the Aldeburgh Golf Course. The features include fragmentary linear cropmarks and World War II Anti-Tank Obstacles and Anti-Diver Battery. It is assumed that the work associated with the extension of the golf course would have removed or damaged the heritage assets in these areas. It is also stated that the magnitude of impact by the	The Suffolk Onshore Scheme is limited to the area already impacted by the Aldeburgh Golf Course Extension. As such, no further impacts to these assets are predicted.

Reference	Matter	Points Raised	Applicant's Comments
		proposed scheme is small, however, the cumulative impact should also be considered.	
2.19	Suffolk Onshore Archaeology	Section 3.9.35 describes the identified archaeological site 'Possible Enclosure North of Hazelwood Farm (FR105) and Linear Features (FRS104/AECOMS009)' which would be of local importance. It concludes that impact on this heritage asset would be minor adverse effect which is not considered to be significant. As the full extent of the archaeological site is not known it is possible that the construction activities would remove large part of it. This would significantly impact on the site's heritage value; therefore magnitude of impact should be assessed as medium and overall effect as moderate adverse (instead of minor). Without mitigation the impact would be significant.	Noted. However, with mitigation in place the residual significance of effect would be minor adverse. This is considered 'not significant' in EIA terms.
2.20	Suffolk Onshore Archaeology	Sections 3.9.45, 3.9.59 describe known archaeological sites and assess their significance, as well as magnitude of impact. However, these sites have not been fully evaluated at the time of writing of the ES. We would recommend that Heritage Assessment documents are reviewed and updated taking into account the information contained in Phase Two Trial Trenching Evaluation reports and well as subsequent geophysical surveys.	As noted above, an additional impact assessment based upon the results of Phase 2a and 2b evaluation trenching in Suffolk, as well as the further evaluation trenching in Friston, will be submitted in due course during Examination. This will include an updated assessment of potential impacts where new information (resulting from works such as post-excavation analysis since the submission of the Environmental Statement in March 2025) may have altered the original assessment. Reports covering the Phase 2a and 2b archaeological evaluation trenching have already been submitted Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135]; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137] as has the report detailing the additional geophysical survey undertaken in the area of the G-shape enclosure in Friston, Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057].
2.21	Suffolk Onshore Archaeology	Sections 3.9.97-100 deal with the significance of Wood Farm and impacts of the scheme on this heritage asset. As the building is no longer designated heritage asset therefore the assessment of effect should be revised to reflect that. The magnitude of effect is in this case likely to be either negligible or minor.	See response to 2.10/2.11.
2.22	Suffolk Onshore Archaeology	We welcome inclusion of the Additional Mitigation and Enhancement Measures, as outlined in section 3.10. Regarding measure H06 we recommend that Historic England be consulted if a previously unknown heritage asset is discovered, or a known heritage asset proves to be more significant than predicted (stressing the policy tests associated with assets of equivalent value) to ensure that impacts on assets of national importance are appropriately assessed and mitigated.	Comment is noted and the request with regards to commitment H06 is being considered by the Applicant.
2.23	Suffolk Onshore Archaeology	Section 3.10.6 states that archaeological assessment and proposed mitigation is based on information available at the time of writing. Since then, additional surveys have been completed, and some of the reports submitted	See response to 2.20.

Reference	Matter	Points Raised	Applicant's Comments
		as part of the application (AS-135, AS-136, and AS-137). We would recommend that the heritage assessment and proposed mitigation measures should be updated utilising this new information.	
2.24	Suffolk Onshore Archaeology	We note that in Table 3.12 no archaeological mitigation is proposed in the area of Possible Enclosure North of Hazelwood Farm (FR105) and linear features (FRS104; AECOMS009). We recommend that the suitability of this approach should be confirmed with Suffolk County Council Archaeological Services. Some additional mitigation measures might be appropriate in this area because of its archaeological sensitivity.	Provisional mitigation areas have been agreed with Suffolk County Council Archaeological Services. These will be presented on drawings to be included within the updated OWSI for the Suffolk Onshore Scheme Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] to be supplied before the end of examination.
2.25	Suffolk Onshore Archaeology	Various dispersed remains including a possible cremation, a possible round house, and a former quarry or pond (AECOMS017- 019) have been identified along the route of the access road to the east of the river Fromus.	
2.26	Suffolk Onshore Archaeology	We recommend that detailed extent of the area subject to mitigation should be agreed with Suffolk County Council Archaeological Services.	
Comments on Environmental Statement Part 2 Suffolk Chapter 5 Geology & Hydrogeology – Applicants document reference: 6.2.2.5; PINs Examination Reference: APP-052			
3.1	Suffolk Geology & Hydrogeology	Section 5.4.5 states that a risk assessment should be carried out to understand the potential for significant sources of contamination to be present. We would recommend that the potential impact that any contamination may have on buried archaeological remains should also be considered. The presence of contamination can make archaeological sites inaccessible for health and safety reasons, or limit the application of certain scientific techniques, such as radiocarbon dating.	A baseline assessment and preliminary contamination risk assessment has been undertaken for the Proposed Project in accordance with the Environment Agency's Land Contamination Risk Management guidance and is presented in Application Document 6.3.2.5.A Appendix 2.5.A Preliminary Contamination Risk Assessment [APP-116]. The assessment identified a generally very low to low risk of significant existing contamination within the study area. A preliminary ground investigation and Tier 2 generic quantitative risk assessment has also been undertaken and is included within Application Document 6.3.2.5.E Appendix 2.5.E Generic Quantitative Risk Assessment – Suffolk [APP-120]. The assessment presented within Application Document 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology [APP-052] concluded that there was a very low risk of any existing contamination within the soils and a low/moderate risk of existing contamination within the groundwater. As a result, the potential risk for contamination making archaeological sites inaccessible for health and safety reasons, or limiting the application of certain scientific techniques, such as radiocarbon dating, is also considered to be very low.
3.2	Suffolk Geology & Hydrogeology	We therefore recommend that reference is made to the Historic England document 'Land Contamination and Archaeology' (2017): https://historicengland.org.uk/images-books/publications/land-contamination-and-archaeology/	Application Document 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology [APP-052] describes that the majority of the Order Limits are indicated to be undeveloped land and there is a very low risk of significant sources of potential contamination. The preliminary contamination risk assessment has been undertaken in accordance with the guidance provided in Land Contamination Risk Management (Environment Agency) which has replaced the (now withdrawn) Historic England recommended guidance in the referenced document.

Reference	Matter	Points Raised	Applicant's Comments
3.3	Suffolk Geology & Hydrogeology	Information about groundwater levels and source-pathway-receptor linkage contained in section 5.4.10 is useful to understand the archaeological potential of an area (i.e. the potential for waterlogged remains to be present) as well as the risks facing archaeological remains (e.g. through dewatering and changes to the preservation of a site or contamination).	Noted. No response required.
3.4	Suffolk Geology & Hydrogeology	Section 5.4.18 outlines the key assumptions and limitations, stating that percussive piling may be required for the foundations of the convertor station and that dewatering would be undertaken. We therefore recommend that the Historic England document 'Piling and Archaeology' (2019) is referred to: https://historicengland.org.uk/images-books/publications/piling-and-archaeology/	Section 5.4.18 of Application Document 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology [APP-052] describes the assumptions and limitations relevant to the assessment. In relation to dewatering, it is assumed that any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table.
3.5	Suffolk Geology & Hydrogeology	We also recommend that the Historic England document 'Preserving Archaeological Remains' (2016) is referred to in order to understand the potential impacts of changing groundwater levels: https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/	A groundwater risk assessment has been undertaken for the Proposed Project and is presented in Application Document 6.3.2.5.B Appendix 2.5.B Qualitative Groundwater Risk Assessment [APP-117] which concluded that for the proposed converter station where piled foundations are anticipated, dewatering and discharges within the Suffolk Onshore Scheme are unlikely to be required to facilitate the construction of the Proposed Project and therefore changes in groundwater levels and flow pathways is not anticipated. Relevant HE guidelines such as those referred to in the comments, will be considered as appropriate in the development of the final mitigation strategy and references to these documents, where appropriate, will be included within Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] and/or Site-Specific WSIs.
3.6	Suffolk Geology & Hydrogeology	Section 5.7 states that peat has been recorded in several locations across the proposed development site: within the Tidal Flat Deposits found along the coast to the north of Aldeburgh, within the Alluvium deposits associated with the Hundred River and the river Fromus deposits, and within Head deposits associated with the river Fromus. Peat has high archaeological and palaeoenvironmental potential as it has the potential to preserve organic remains. It is therefore important to understand how these deposits may be impacted by the proposed scheme.	Application Document 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology [APP-052] describes the anticipated superficial geology within the study area, including the potential for discrete layers or lenses of peat within strata such as Alluvium, Head and Tidal Flat Deposits. Based on the preliminary ground investigation, details, of which are included within Application Document 6.3.2.5.D ES Appendix 2.5.D Ground Investigation Report – Suffolk [APP-119], peat was identified as a discrete layer within one exploratory hole at shallow depth within the landfall area of the Proposed Project. Therefore, significant interaction between peat deposits and the Proposed Project are not anticipated due to the anticipated depths of the HDD drill.
3.7	Suffolk Geology & Hydrogeology	Section 5.7.13 states that Ground Investigation works recovered material from across the Order Limits. This information is of value for archaeological assessment and should be shared with geoarchaeologists in order to produce a preliminary deposit model for key parts of the scheme.	The archaeological watching brief for the original Ground Investigation works for the Suffolk Onshore Scheme was agreed with SCC. No geo-archaeological sampling was undertaken as part of the original GI works.
3.8	Suffolk Geology & Hydrogeology	It would also be useful to know if any material survives from the Ground Investigation works as it is better for the Geoarchaeologists to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	A geo-archaeological scope of works is being developed as part of the additional Ground Investigation works being undertaken in early 2026 for the Suffolk Onshore Scheme. Data from the original GI works will be shared with the archaeological contractor once the scope has been agreed.

Reference	Matter	Points Raised	Applicant's Comments
3.9	Suffolk Geology & Hydrogeology	Section 5.8.4 stated that intrusive Ground Investigations would need to be undertaken prior to construction to inform appropriate design (Measure GH01). It should be noted that this information is also of value to understanding the archaeological potential and to design an appropriate mitigation strategy. We therefore recommend that a Geoarchaeologist is included in the scope and design of this work to maximise information obtained from this work.	The Historic England Science Advisor, as well as the Suffolk County Council Archaeological Advisor, will be consulted as part of this work to agree the scope of any geo-archaeological work and approve the associated Written Scheme of Investigation.
3.10	Suffolk Geology & Hydrogeology	Management Measure GH02, as outlined in section 5.8.4, proposes undertaking a Foundation Works Risk Assessment (FWRA) where piling is required to minimise and avoid risks of introducing new contamination and creating new contamination pathways. Contamination could impact buried archaeological remains and so we recommend that heritage is also considered as part of the FWRA.	Comment is noted and the request to consider impacts to heritage assets within the FWRA is being considered by the Applicant
3.11	Suffolk Geology & Hydrogeology	Management Measure GH10, as outlined in section 5.8.4, specifies that a drilling fluid breakout plan would be produced where horizontal drilling is being proposed. The impacts that contamination may have on nearby buried archaeological remains (both direct and indirect) need to be considered and included in the plan. We therefore recommend that amended DCO documents are produced that include reference to this issue.	Commitment GH10 was updated in the version of Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions (REAC) [REP1-102] . This now reads as follows: <i>“The provision of a drilling fluid management plan, that includes drilling fluid breakout mitigation measures, where horizontal directional drilling is proposed. The plan will be developed by the</i> <i>contractor and included within the Offshore and Onshore CEMPs. All relevant permits will be obtained or exemption/exclusions registered by the Main Works Contractor(s) for the use of drilling fluids / additives, as applicable”.</i> This comment is noted and the request to consider impacts on archaeology in relation to the drilling fluid management plan is being considered by the Applicant. It is, however, noted that the depth of the HDD should further reduce the risk on buried archaeological remains.
Comments on Volume 6: Environmental Statement Part 3 Kent Chapter 3 Cultural Heritage – Applicant’s document reference: 6.2.3.3; PINs Examination Reference: APP-063			
iii3.1	Kent Onshore Archaeology	In relation to the Kent Onshore scheme, no notable changes to the scheme or documents that pertain to the historic environment have been made since we provided our Relevant Representations. Through discussions with the applicant and the Local Authority Archaeological Advisor, Historic England understand that further information regarding views from Richborough Roman Fort has been prepared and will be introduced as examination documents. This may have a bearing on our representation and advice.	See response to comment 1.12 above.
3.2	Kent Onshore Archaeology	Given that none of these alterations have however been submitted as Application Documents at this time, we can only re-state our earlier representation. Historic England would be happy to provide additional comment when these revised documents are made available.	
3.3	Kent Onshore Archaeology	Likewise, we also understand there will be updates to the Outline Written Scheme of Investigation for Kent Onshore, and a number of potentially	See previous response to this point above.

Reference	Matter	Points Raised	Applicant's Comments
		beneficial alterations to the Works Plan. Again, we would be happy to provide additional comments as required.	
3.4	Kent Onshore Archaeology	Sections 3.7.22, 3.9.13 and 3.9.73 describe the multi-period complex archaeological site on the 'Ebbsfleet Peninsula'. The site includes a well-preserved Bronze Age funerary landscape, the possible landing site and encampment of Caesar's incursion in 54/55 AD, and a Roman cemetery. Archaeological deposits present on this site were described as of schedulable quality and of national importance. We agree with this assessment and classification of the site as being of high value.	Comment noted.
3.5	Kent Onshore Archaeology	We are pleased that the applicant has undertaken extensive archaeological evaluation at pre-application stage to establish significance and extent of the archaeological remains on the 'Ebbsfleet Peninsula'. (Section 3.7.35; 3.9.14).	
3.6	Kent Onshore Archaeology	The results of evaluation work have been well accounted for in the design (as described in Section 3.8.4; 3.9.15) and therefore the risk of large impacts on potentially nationally significant non-designated archaeological remains associated with the Ebbsfleet Peninsula Complex have been substantially reduced. However, we note that direct impacts from construction have not been entirely avoided.	A response to these comments can be found in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees [REP1-112] .
3.7	Kent Onshore Archaeology	We agree with the assessment presented in sections 3.9.16 and 3.9.17 that there would be some harm to the significance of Ebbsfleet Peninsula Complex, despite the embedded design measures. However, we disagree with presented conclusions that the ability to mitigate the effect through a programme of archaeological works would reduce the significance of the effect to 'Minor' (Section 3.11.1; Table 3.13) as the harm here would be only somewhat offset, and not truly lessened, by the ability to record remains prior to their removal.	
3.8	Kent Onshore Archaeology	Due to the permanent nature of the harm to the significance of Ebbsfleet Peninsula Complex, it must be considered to be of at least medium in magnitude, resulting in a major adverse, and therefore significant effect.	
3.9	Kent Onshore Archaeology	This is in line with para 5.9.16 of EN-1 which recognises that the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted. Therefore, if there are any options for further reducing harm by removing site compounds or utilising non-dig options, these would be preferred, and should be considered by the applicant.	
3.10	Kent Onshore Archaeology	The proposed development is also located within the setting of a scheduled monument known as 'A Saxon Shore fort, Roman port and associated remains at Richborough'. This is one of the most important Roman sites in England, and Richborough is an exceptionally significant place. It is the assumed landing point of the Claudian invasion in AD43, with extensive occupation throughout the Roman period, it was a key gateway to Roman Britain and is pivotal to our understanding of this period of our history.	A response to these comments can be found in Table 3.7 within Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees [REP1-112] (see response to comments 3.7.13, 3.7.16 and 3.7.18). The effect of the Proposed Project on the Roman site of Richborough Castle and associated settlement (SM1014642/LB1363256) is set out in Section 3.9 of the Cultural Heritage ES Chapter (Application Document 6.2.3.3 Part 3 Kent Chapter 3 Cultural Heritage [APP-063]) with visualisations from Richborough
3.11	Kent Onshore Archaeology	The Roman site is in a unique location on Richborough Bluff, now a highpoint in the surrounding shallow valley landscape, which was effectively an island	

Reference	Matter	Points Raised	Applicant's Comments
		surrounded by water at the time of the Roman invasion. This translates an important element of its past use. Understanding this context is key to understanding the significance of the site and its strategic location. The former Wantsum Channel, including the proposal site, therefore makes a very important contribution to the ability to appreciate significance of the designated asset.	Fort provided in Application Document 6.4.3.3 ES Figures Kent Cultural Heritage Part 2 of 2 [APP-262] . The Fort is recognised as being a high value asset, but only a negligible magnitude of effect to the setting has been predicted, resulting in a minor (non-significant) adverse effect. Illustrative visualisations (Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 2 of 2 [REP1-297]) have been produced which further demonstrate the limited potential for impacts on the setting of the Fort (see response to comment 1.12 above).
3.12	Kent Onshore Archaeology	The applicant has assessed the magnitude of harm to the significance of the fort caused by development within its setting (during operation and maintenance) to be 'Negligible' with a resultant 'Minor Adverse' significance of effect (Section 3.11.1; Table 3.14).	
3.13	Kent Onshore Archaeology	We consider that the development would result in a higher level of harm to Richborough Roman Fort than has been assessed by the applicant. This is because the setting of the fort contributes highly to our understanding of the monument and its original topographic context. The visualisations provided demonstrate that the converter station would intrude into views from the amphitheatre towards the fort, and also from other views in, and around the fort itself.	
3.14	Kent Onshore Archaeology	On the assumption that appropriate design mitigation would be implemented (as described in Document 7.11.2 Design Approach Document – Kent, and Document 7.12.2 Design Principles – Kent), Historic England assess the magnitude of harm to be 'Small'. According to the methodology used by the applicant, this may then result in a 'Moderate' or 'Minor' significance of effect – we consider that a 'Minor' significance of effect is appropriate and that the harm is therefore 'Not Significant'.	
3.15	Kent Onshore Archaeology	We have some underlying concern over the introduction of a facility of this scale and industrial nature within the landscape of Richborough Fort and what it might mean for future development within this area. However, we acknowledge that the appropriate steps have been taken in regard to this application to reduce the potential for harm to the historic environment, for example, siting the converter station in an area of topography which helps to shield it naturally from view, as well as ensuring that the roofline does not break the horizon when viewed from the fort (Section 3.9.69; 3.9.70). This has resulted in adverse effects which are at the lower end of the scale.	
3.16	Kent Onshore Archaeology	To ensure that harm to the significance of Richborough Roman Fort is truly minimised, the final design of the converter station complex needs to be carefully considered within the design parameters set out. Some of the designs responses put forward at this stage (APP-365; Design Approach Document – Kent; Section 6) are likely to be more intrusive within the landscape, and there appears to be no secure route through which Historic England can provide comment on the design moving forward.	
3.17	Kent Onshore Archaeology	We therefore have outstanding concerns with regards to the design commitments in the REAC (APP-342; LV17) and the Draft DCO Schedule 3 Requirement (AS-087; 3 Converter Station Design) as drafted, as they make	

Reference	Matter	Points Raised	Applicant's Comments
		no explicit provision for stakeholder engagement on this issue beyond the County Council.	
3.18	Kent Onshore Archaeology	We recommend that Historic England is included in this process and that the mechanisms for securing mitigation through better design is clarified by the applicant.	
3.19	Kent Onshore Archaeology	We note that construction compound K05 to the east of the A256 may not be required (APP 045, Section 4.6.23) and this needs to be confirmed.	The full details of compound requirements will be developed by the Main Contractor(s) as the design evolves, with mitigation (where required) agreed with relevant stakeholders. The ES has assessed a worst-case scenario where a compound is required east of the A256.
4. Comments on Environmental Statement Part 3 Kent Chapter 5 Geology & Hydrogeology – Applicants document reference: 6.2.3.5; PINs Examination Reference: APP-065			
4.1	Kent Geology & Hydrogeology	Section 5.4.5 states that a risk assessment should be carried out to understand the potential for significant sources of contamination to be present. We would recommend that the potential impact that any contamination may have on buried archaeological remains should also be considered. The presence of contamination can make archaeological sites inaccessible for health and safety reasons, or limit the application of certain scientific techniques, such as radiocarbon dating.	A baseline assessment and preliminary contamination risk assessment has been undertaken for the Proposed Project in accordance with the Environment Agency's Land Contamination Risk Management guidance and is presented in Application Document 6.3.3.5.A Appendix 3.5.A Preliminary Contamination Risk Assessment [APP-169]. The assessment identified a generally very low to low risk of significant existing contamination within the study area. A preliminary ground investigation and Tier 2 generic quantitative risk assessment has been undertaken and is included within Application Document 6.3.3.5.D Appendix 3.5.D Generic Quantitative Risk Assessment – Kent [AS-051]. The assessment undertaken within Application Document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065] concluded that there was a very low risk of any existing contamination within the soils and a moderate risk of existing contamination within the groundwater. As a result, the potential risk for contamination making archaeological sites inaccessible for health and safety reasons, or limiting the application of certain scientific techniques, such as radiocarbon dating, is also considered to be very low.
4.2	Kent Geology & Hydrogeology	We therefore recommend that reference is made to the Historic England document 'Land Contamination and Archaeology' (2017): https://historicengland.org.uk/images-books/publications/land-contamination-and-archaeology/ .	Application Document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065] describes that the majority of the Order Limits are indicated to be undeveloped land and there is a very low risk of significant sources of potential contamination. The preliminary contamination risk assessment has been undertaken in accordance with the guidance provided in Land Contamination Risk Management (Environment Agency) which has replaced the (now withdrawn) Historic England's recommended guidance in the referenced document.
4.3	Kent Geology & Hydrogeology	Information about groundwater levels and source-pathway-receptor linkage contained in section 5.4.10 is useful to understand the archaeological potential of an area (i.e. the potential for waterlogged remains to be present) as well as the risks facing archaeological remains (e.g. through dewatering and changes to the preservation of a site or contamination).	Comment noted. No response required.

Reference	Matter	Points Raised	Applicant's Comments
4.4	Kent Geology & Hydrogeology	Section 5.4.17 outlines the key assumptions and limitations, stating that percussive piling may be required for the foundations of the convertor station and that dewatering would be undertaken. Again we recommend that the Historic England document 'Piling and Archaeology' (2019) is referred to: https://historicengland.org.uk/images-books/publications/piling-and-archaeology/. We would also recommend that the Historic England document 'Preserving Archaeological Remains' (2016) is referred to in order to understand the potential impacts of changing groundwater levels: https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/.	Section 5.4.17 of Application Document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065] describes the assumptions and limitations relevant to the chapter. In relation to dewatering it is assumed that any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table. A groundwater risk assessment has been undertaken for the Proposed Project and is presented in Application Document 6.3.3.5.B Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-170] which concluded that for overhead line where piled foundations are anticipated, significant dewatering is not anticipated. Relevant HE guidelines such as those referred to in the comments, will be considered as appropriate in the development of the final mitigation strategy and references to these documents, where appropriate, will be included within Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] and/or Site-Specific WSIs.
4.5	Kent Geology & Hydrogeology	Section 5.4.17 also states that dewatering may be necessary which may negatively affect preservation conditions of tidal flat deposits present in many areas of impact (see also section 5.7). Preservation conditions and the potential for archaeological and palaeoenvironmental remains should first be ascertained before levels of impact can be assessed and proportionate mitigation measures taken.	Section 5.4.17 of Application Document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065] describes the assumptions and limitations relevant to the chapter. In relation to dewatering it is assumed that any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table. Further works relating to the geo-archaeological potential of the area are currently being undertaken as part of the additional Ground Investigation works during 2025. The scope of this work was agreed with the Historic England Science Advisor and the Kent County Council Archaeological Advisor prior to works commencing. Reporting on the findings of these works will be provided prior to the end of examination. However, based on the above assumptions, impacts are not expected as <i>“any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table”</i>.
4.6	Kent Geology & Hydrogeology	Section 5.7.11 states that Ground Investigation works recovered material from across the Order Limits. This information is of value for archaeological assessment and should be shared with geoarchaeologists in order to produce a preliminary deposit model for key parts of the scheme. It would also be useful to know if any material survives from the Ground Investigation works as it is better for the Geoarchaeologists to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	Geo-archaeological works have been undertaken as part of the additional Ground Investigation works during 2025. The scope of this work was agreed with the Historic England Science Advisor and the Kent County Council Archaeological Advisor prior to works commencing. A Geoarchaeologist was involved in the scope and design of this work. Reporting on the findings of these works will be provided prior to the end of examination.
4.7	Kent Geology & Hydrogeology	Section 5.8.4 stated that intrusive Ground Investigations would be undertaken prior to construction to inform appropriate design (Measure GH01). It should be noted that this information is also of value to understanding the archaeological potential and to design an appropriate mitigation strategy. We would recommend that a Geoarchaeologist is	

Reference	Matter	Points Raised	Applicant's Comments
		included in the scope and design of this work to maximise information obtained from this work.	
4.8	Kent Geology & Hydrogeology	Management Measure GH02, as outlined in section 5.8.4, proposes undertaking a Foundation Works Risk Assessment (FWRA) where piling is required to minimise and avoid risks of introducing new contamination and creating new contamination pathways. Contamination could impact buried archaeological remains. We therefore recommend that heritage is also considered as part of the FWRA.	Comment is noted and the request to consider impact on heritage within the FWRA is being considered by the Applicant .
4.9	Kent Geology & Hydrogeology	Management Measures GH08 and GH10, as outlined in section 5.8.4, specify development of protocols for dealing with contamination during construction. The impacts that contamination may have on nearby buried archaeological remains (both direct and indirect) need to be considered and included in the plan.	See response above to the similar point for Suffolk Onshore Scheme (Line 3.11).
5 Comments on Volume 6: Environmental Statement Part 4 Marine Chapter 6 Marine Archaeology – Applicants document reference: 6.2.4.6; PINs Examination Reference: REP1-057			
5.1	Marine Archaeology	Overall, the Marine Archaeology chapter contains sufficient detail from the archaeological technical report. It has an appropriate consideration of the potential impacts to marine heritage assets and described appropriate measures of mitigation.	This is noted by the Applicant.
5.2	Marine Archaeology	We note these mitigation measures are set out in further detail within the Outline Offshore Written Scheme of Investigations (OWSI, APP-345) and secured within the draft Development Consent Order (DCO, APP-007).	This is noted by the Applicant.
5.3	Marine Archaeology	In our relevant representation (RR-2032) we set out our main concern. This was regarding the absence of the geoarchaeological assessment of the cores collected during the October 2024 campaign.	This is noted by the Applicant.
5.4	Marine Archaeology	We note a report for these cores has now been submitted. As such, we are content that sufficient archaeological information has been provided to set a baseline for the purposes of the impact assessment. Further comments in relation to the report are addressed in the relevant sections below.	This is noted by the Applicant.
5.5	Marine Archaeology	We note that heritage legislation, policy and guidance are described in paragraphs 6.2.3–8. However, the formal name for Historic England that should be used within paragraph 6.2.8 is the Historic Buildings and Monuments Commission for England (known as Historic England). It is important this is appropriately referenced within the DCO and dMLs.	The formal name for Historic England will be updated in Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] and Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] to be submitted at Deadline 4.
5.6	Marine Archaeology	Table 6.5 appears to only offer the objective from the East Inshore and Offshore Marine Plans and the specific policy from the South East Inshore Marine Plan. This ignores the objective of the South East Inshore and the heritage policy of the East Inshore and Offshore Marine Plans. We recommend consistency across documents.	Table 6.5 will be updated in the submission of Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] at Deadline 4 with the objective from the South East Inshore and the heritage policy from the East Inshore and Offshore Marine Plans.
5.7	Marine Archaeology	Barring the geoarchaeological data that is included separately, the list of data utilised in the Marine Archaeological Technical Report is comprehensive.	Latest datasets will be requested from the UKHO, NMHR and Suffolk and Kent HER and the results will be presented in the submission of marine archaeology

Reference	Matter	Points Raised	Applicant's Comments
		Some data sources, however, have not been accessed recently — an addendum should confirm they are up to date.	deliverables at Deadline 4, as follows: Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] , Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] , and Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] .
5.8	Marine Archaeology	Section 6.4.49 states that UKHO, NMHR and HER data would not be refreshed during the project. We cannot support this — these sources must be accessed at appropriate project points (e.g. pre-construction).	
5.9	Marine Archaeology	We therefore recommend the policy is amended: relevant data must be refreshed at appropriate stages.	
5.10	Marine Archaeology	Paragraph 6.4.13 states that vibrocores from Stage 2 were used for engineering testing and therefore not usable for geoarchaeological assessment. New cores were collected and reported separately. Enough information is available for baseline assessment.	The geoarchaeological assessment of the supplementary vibrocores are presented in Application Document 9.2 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029] and Application Document 9.2.1 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note [REP1-031] .
5.11	Marine Archaeology	Further geoarchaeological assessment is however required on the cores collected, and we have provided comments on this in relation to AS-033 below.	This is noted by the Applicant. The geoarchaeological assessment of the supplementary vibrocores are presented in Application Document 9.2 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029] and Application Document 9.2.1 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note [REP1-031] . Recommendations have been made for a Stage 3 palaeoenvironmental assessment.
5.12	Marine Archaeology	Section 6.4.56 notes that the Kent landfall area has been widened and does not yet have updated geophysical coverage. A UXO survey is planned. Historic England should be a named body in the DCO to confirm adequacy of future surveys.	The request to name HE in the DCO is noted and is being considered by the Applicant.
5.13	Marine Archaeology	Several palaeochannels containing peat were recorded. These deposits are of high palaeoenvironmental potential and could be impacted by project works. Results should inform mitigation strategy.	The request to update MA05 is noted and is being considered by the Applicant.
5.14	Marine Archaeology	In Management Measure M05, add: “ <i>Where a previously unknown heritage asset is discovered... works will stop until a protection solution is agreed with the MMO, advised by Historic England.</i> ”	
5.15	Marine Archaeology	Measure H05 (agreed at PEIR stage) is missing from the chapter and must be reinstated.	H05 will be included in the submission of Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] to be submitted at Deadline 4.
5.16	Marine Archaeology	Table 6.16 summarises impact pathways. All these pathways have potential to impact archaeology or gather important archaeological information.	This is noted by the Applicant.
5.17	Marine Archaeology	Additional mitigation measures (Section 6.10) will require method statements aligned with the OWSI.	This is noted by the applicant and confirmed in section 6.10.2 of Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] .

6 Comments on Volume 6: Environmental Statement Part 2 Suffolk Chapter 3 Appendix 2.3A: Cultural Heritage Baseline Report – Applicant’s document reference: 6.3.2.3.A; PINs Examination Reference: APP-109

Reference	Matter	Points Raised	Applicant's Comments
6.1	Suffolk Onshore Archaeology	Section 4.1.3 discusses the geology of the proposed scheme area, but peat has not been mentioned, despite it being discussed in another document (APP-052; Part 2 Suffolk Chapter 5 Geology and Hydrogeology). Considering the archaeological and palaeoenvironmental potential of peat, it is unclear why it has been omitted from this section.	Peat was discussed in the baseline report for Suffolk (Application Document 6.3.2.3.A ES Appendix 2.3.A Cultural Heritage Baseline Report [APP-109]), with references in the Archaeological Potential Section (paragraph 5.1.2), as well as the section relating to The Mear which represents the only area where peat has been recorded as part of the Ground Investigation works, and where peat cutting previously took place (paragraphs 6.2.12-6.2.15).
6.2	Suffolk Onshore Archaeology	We recommend that peat is included in further assessments and that the baseline is amended accordingly.	Application Document 6.2.2.3 Part 2 Suffolk Chapter 3 Cultural Heritage [APP-050] also included reference to the limited evidence for peat in the Geoarchaeological Assessment section (paragraph 3.7.46). The Mear was taken forwards to full assessment, with potential impacts discussed in paragraphs 3.9.11-3.9.14. See also responses in section 9 of the current document which relate to peat.
6.3	Suffolk Onshore Archaeology	Several possible fired structures have been identified during the evaluation work (Table 1). We recommend that archaeomagnetic dating and similar techniques are considered early to ensure appropriate sampling strategies.	Provisional mitigation areas have been agreed with Suffolk County Council Archaeological Services. These will be provided on drawings included with the updated OWSI for the Suffolk Onshore Scheme Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] to be submitted before the end of examination. Detailed requirements regarding sampling and post-excavation requirements will be detailed in the Site-Specific Written Scheme of Investigations that will be prepared under DCO Schedule 3, Requirement 14 .
6.4	Suffolk Onshore Archaeology	Section 4.1.65 notes that Phase 2 Evaluation Trenching was unavailable at the time of writing. Provisional data was used instead.	Additional impact assessment based upon the results of Phase 2a and 2b evaluation trenching in Suffolk will be submitted in due course during Examination.
6.5	Suffolk Onshore Archaeology	Since the Phase 2 Evaluation reports (AS-135, AS-136, AS-137) are now available, the baseline should be reviewed and updated, or an addendum produced.	This will provide an updated assessment of areas of the Suffolk Onshore Scheme that have been subject to additional surveys since the submission of the DCO application in March 2025 . Reports covering the Phase 2a and 2b archaeological evaluation trenching have already been submitted Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135]; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137], as has the report detailing the additional geophysical survey undertaken in the area of the feature previously assumed to be a possible henge, Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057].

7 Comments on Volume 6: Environmental Statement Part 2 Suffolk Chapter 3 Appendix 2.3.D: Geophysical Survey Report – Applicants document reference: 6.3.2.3.D; PINs Examination Reference: APP-112

Reference	Matter	Points Raised	Applicant’s Comments
7.1	Geophysical Survey	The report states that magnetometry and evaluation confirmed the suitability of the technique between Friston and Knodishall Common. It would be useful to understand how effective magnetometry was in river valleys and coastal marshes, where alluvium and peat can mask archaeology. Clarification from the applicant is recommended.	The geophysical subcontractor noted the “<i>suitability of the technique between Friston and Knodishall Common</i>” in their Archaeological Background section to highlight a recent example of where the technique (i.e. magnetometer survey) had been used on a project (East Anglia One North and East Anglia Two South Offshore Windfarms) that overlapped with the Suffolk Onshore Scheme Application Document 6.3.2.3.D ES Appendix 2.3.D Geophysical Survey Report [APP-112]. The report continues to say, in Section 4.1 Results and Discussion, that “<i>it is argued the results of the survey likely provide a reasonably good indication of the extent of sub-surface archaeological features within the GSA (Geophysical Survey Area).</i>” The GSA relates to the ‘Geophysical Survey Area which is defined in the report as all of the land within the Order Limits subject to geophysical survey. Subsequent archaeological evaluation undertaken as part of the Suffolk Onshore Scheme Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135]; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137] has demonstrated that the technique worked successfully where deployed throughout the Order Limits, with no evidence of features being masked by deposits such as alluvium or peat. This includes the area of the River Fromus which represents the most significant river valley within the Suffolk Onshore Scheme. Furthermore, Ground Investigation works undertaken as part of the Proposed Project have not identified any deep deposits of peat or alluvium which have the potential to mask archaeological features.
8 Comments on Volume 6: Environmental Statement Part 2 Suffolk, Chapter 5 Appendix 2.5B Qualitative Groundwater Risk Assessment – Applicants document reference: 6.3.2.5.B; PINs Examination Reference: APP-117			
8.1	Suffolk Groundwater	Section 4.2.4 notes that groundwater was not encountered in proposed trench depths. If dewatering becomes necessary, hydrogeological risk assessment is required — and should include impacts on archaeological remains.	Comment is noted and the request to consider impact on archaeology as part of any Hydrogeological Risk Assessment undertaken pursuant to commitment GH09 in the Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions (REAC) [REP1-102] is being considered by the Applicant.
8.2	Suffolk Groundwater	Section 4.3.2 states that HDD would reach 17–25 m bgl. The archaeological potential of impact zones must be determined.	As noted above, geo-archaeological works are proposed as part of Ground Investigation works due to take place in early 2026. The results of this work will be used to help better define archaeological impact zones.
8.3	Suffolk Groundwater	We recommend producing a deposit model to understand archaeological potential. If undertaken post-consent, this must be clearly included in the OWSI.	Noted. This will be addressed in the updated Suffolk OWSI.
9 Comments on Appendix 2.5.D – Ground Investigation Report Suffolk [APP-119]			

Reference	Matter	Points Raised	Applicant's Comments
9.1	Suffolk Ground Investigation	Section 2.2.1 states that minor Alluvium can be expected along the river Fromus near Saxmundham. Peat and associated deposits, if present, would have the potential to be of high archaeological and palaeoenvironmental potential and so should be investigated appropriately.	Section 2.2.1 and specifically Table 2.1 provides a generic description only. Section 5.3 provides details on the Alluvium as identified through investigation that clarifies that no peat was identified at survey within bore holes BH501, BH502 or BH502A undertaken either side of the River Fromus. Section 4.2 does make it clear that the survey works undertaken to date do not fully exclude the potential for peat however the risk of peat within the area is reduced through the survey works undertaken. Additional survey works will be carried out to support the detailed design at a later stage of the project. Any peat identified could be sampled at that time.
9.2	Suffolk Ground Investigation	Sections 2.4.1.1 and 2.11.1 state that no existing boreholes have been recovered from either BGS or by the Client at the location of the proposed Converter Station. Information has instead been used from boreholes located 1.5 km away. Sections 2.4.1.2 and 2.11.2 further state that very few BGS exploratory holes were available for the HVAC/HVDC corridor, and no existing boreholes were located between the coastline and Leiston Road. This indicates wide gaps in understanding and raises questions about confidence in the produced models.	Sections 2.4 and 2.11 discuss the desk top information available to the Applicant at the commencement of the Proposed Project. The ground models created within this report are based on the project specific ground investigation completed in 2023 and information shared by the East Anglian 1 North (EA1N) and East Anglian 2 (EA2) Wind Farm projects, from a ground investigation completed in 2021. Refer to Figure 3.1 within the report for an overview of the investigations completed.
9.3	Suffolk Ground Investigation	We recommend that these gaps in understanding are addressed through a programme of geoarchaeology and deposit modelling.	
9.4	Suffolk Ground Investigation	Section 2.11.1 states that cut/fill excavation would be required to construct the Converter Station. Details should be provided on how much excavation is needed to understand potential heritage impacts.	Figure 8.2 shows a representation of the cut and fill for the converter station site. The site has been chosen in part to limit the amount of cut and fill required following assessment of the topographical survey undertaken to support the design development of the project. The cut and fill design for the project will be confirmed at detailed design. The preliminary estimate for the level of cut required for the Converter Station is 42,000m3 which is minimal cut over the 65,000 m2 area of the Converter station site. See paragraph 4.6.16 within Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003] .
9.5	Suffolk Ground Investigation	Table 4.1 provides a high-level ground condition summary. The section on Alluvium does not mention the potential for peat, although peat has been recorded in the area. This potential must be considered when formulating mitigation strategy.	Table 4.1 provides a condition summary based on ground conditions encountered across the site and as discussed above (9.2, 9.3) no peat was identified within the investigation undertaken for the project.
9.6	Suffolk Ground Investigation	Section 4.2 states that the data for the ground model visualisations has been extrapolated from BGS mapping despite limited data availability. Therefore, models should be treated with limited confidence.	The ground model depicted in the report is from the desk top phase of the assessment where BGS data was used to determine a likely ground model for the site. This model was then used to inform the scoping of the preliminary ground investigation, which was carried out and for which detailed results are provided in later sections of the report. The whole report should be considered in any assessment.
9.7	Suffolk Ground Investigation	Figure 4.2 shows a geological cross-section at Saxmundham but does not indicate the presence of peat, despite its recorded presence. Large gaps between boreholes/test pits also reduce resolution. Additional data is required.	No peat was identified at the Saxmundham site during the project specific ground investigation that has informed this report. Further investigation will be undertaken to inform the detailed design at a later stage of the project.

Reference	Matter	Points Raised	Applicant's Comments
9.8	Suffolk Ground Investigation	Section 7.1.3.2 states groundwater levels near the River Fromus may be as shallow as 1 m bgl. Clarification is needed on whether groundwater levels will be affected by proposed works.	Localised dewatering of excavations may be required for some elements of the works such as for the drainage works and bridge foundations. These works would be localised only and will not have an impact on the ground water levels in the area as a whole.
9.9	Suffolk Ground Investigation	Section 8.4 discusses treatment of “ <i>unsuitable material</i> ” such as Made Ground or Alluvium, recommending excavation and replacement. Removal of Alluvium may include peat or palaeoenvironmental deposits of high significance. Excavation risks destroying archaeological information.	No peat was identified at the Saxmundham site during the project specific ground investigation that has informed this report. Further investigation will be undertaken to inform the detailed design at a later stage of the project.
9.10	Suffolk Ground Investigation	Any peat deposits present require appropriate investigation to develop a mitigation and management strategy. Provision for this must be included in examination material.	
9.11	Suffolk Ground Investigation	Section 8.7 discusses the crossing over the River Fromus, which may require some sort of ground improvement works. The presence of Alluvium has been recorded in the Ground Investigation works, and so there is the potential for peat to be present in these areas as well. All of the listed ground improvement options could impact heritage: • ‘Dig and replace’ would physically damage and destroy any archaeological or palaeoenvironmental material present. • Vibrocompaction could physically damage deposits while also changing the preservation of a site if the water is squeezed out during the compaction process. • Piling is also referred to, and we would recommend that the Historic England document ‘Piling and Archaeology’ (2019) is referred to: https://historicengland.org.uk/images-books/publications/piling-and-archaeology/. We would recommend that impact on archaeology is taken into account when selecting preferred ground improvement method and appropriate archaeological mitigation measures are employed.	
9.12	Suffolk Ground Investigation	Section 10.2 concludes that additional Ground Investigation is required. Geoarchaeologists should design this work to maximise information and avoid duplicated effort.	Comment is noted.
9.13	Suffolk Ground Investigation	Section 10.2 also states that dewatering may be required during the construction work. Details of the locations where this would be required should be specified so the impact that this activity could have on buried archaeological remains could be properly assessed and mitigated.	Refer to Application Document 6.2.2.5 - Geology and Hydrogeology [APP-052] for assessment of the impacts of dewatering.
9.14	Suffolk Ground Investigation	Section 10.2 also states that loose/soft material should be removed and replaced with a suitable granular engineered fill. The impact that this activity would have on buried archaeological remains needs to be considered and mitigated appropriately.	Comment is noted.

10 Comments on Volume 6: Environmental Statement Part 3 Kent Geophysical Survey Report – Applicants document reference: 6.3.3.3.D; PINs Examination Reference: APP-164

Reference	Matter	Points Raised	Applicant's Comments
10.1	Kent Geophysical Survey Report	We note that the survey was conducted under a different design stage, thereby omitting some areas within the Order Limits of the current DF4 design. We strongly recommend that confirmation is sought from the Kent County Council Archaeologist as to whether any additional geophysical survey is required.	Consultation with the Kent County Council Archaeologist is ongoing. As part of this, there have been discussions regarding further evaluation and mitigation works, and this includes areas that were not originally subject to evaluation through methods including geophysical survey. This will be targeted on areas where the Kent Onshore Scheme has the potential for physical impacts.
11 Comments on Volume 6: Environmental Statement, Part 3 Kent Archaeological Evaluation Trial Trenching Report – Applicants document reference: 6.3.3.3.F; PINs Examination Reference: APP-166			
11.1	Kent Archaeological Evaluation Trial Trenching Report	The report reveals the significance of the multi-period complex site on the ‘Ebbsfleet Peninsula’ and the need to better understand areas of deep impact within the Wantsum Channel. We fully support the intention to proceed to a full assessment, and we agree with the recommendations for further work made within the specialist sections.	All data collected and synthesised as part of the Kent Onshore Scheme Archaeological Evaluation Trenching has been archived as part of the OASIS process. Geo-Archaeological works are currently being undertaken as part of additional Ground Investigations works, and data collected as part of this will be submitted to Historic England, Kent County Council, and PINS when available.
11.2	Kent Archaeological Evaluation Trial Trenching Report	We recommend that a summary of plant macro-remains is included on the OASIS form.	
12 Comments on Environmental Statement Part 2 Suffolk Chapter 5 Geology & Hydrogeology – Applicants document reference: 6.3.3.3.G; PINs Examination Reference: APP-167			
12.1	Suffolk Geology and Hydrology	The report notes that a purposive geoarchaeological study is outstanding. The current understanding is based on geotechnical investigations which do not provide the granularity of analysis required for a geoarchaeological study. This new study should therefore include investigations into landscape features identified on the peninsula (e.g. a palaeochannel), the edges between the Minster Marches and the peninsula, areas to be affected by drainage and attenuation ponds and the areas of high impact within the former Wantsum Channel where deep piling is proposed.	The Applicant notes the comments in this section refer to Application Document 6.3.3.3.G ES Appendix 3.3.G Geo-archaeological Desk Based Assessment [APP-167] which is only relevant to Kent Onshore Scheme. Geo-archaeological work has been undertaken as part of additional Ground Investigation (GI) works in Kent in October and November 2025, with further works expected to take place in early 2026.
12.2	Suffolk Geology and Hydrology	Deposit modelling would also need to characterise the sequence of deposits, help to understand the archaeological potential of these areas and the potential impacts of the proposed scheme (see Historic England 2020, Deposit Modelling and Archaeology). This information would be needed in areas where trenchless approaches have been proposed as well as to understand the impact of piling and ground improvement, which is proposed for the converter station.	The scope for this work was agreed through consultation with the Historic England Science Advisor and the Kent County Council Archaeological Advisor, with a Written Scheme of Investigation approved by the stakeholders. A full report detailing the results will be supplied in due course, once works are completed.
12.3	Suffolk Geology and Hydrology	Previous geoarchaeological samples into area of the Wantsum Channel have shown good survival of waterlogged horizons and palaeoenvironmental evidence for changes in the landscape through time. The Wantsum Channel also holds potential for deeply buried Early Prehistoric remains.	Any further geo-archaeological requirements will be detailed in subsequent updates to the Application Document 7.5.4.2 (B) Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent [REP1-104] which will be agreed with the Historic England Science Advisor and the Kent County Council Archaeological Advisor.
12.4	Suffolk Geology and Hydrology	We fully support the recommendations for further work made in section 9.2. Historic England should however also be consulted on the draft geoarchaeological assessment.	
13 Comments on Volume 6: Environmental Statement Part 3 Kent Chapter 5 Appendix 3.5B Qualitative Groundwater Risk Assessment – Applicants document reference: 6.3.3.5.B; PINs Examination Reference: APP-170			

Reference	Matter	Points Raised	Applicant's Comments
13.1	Kent Qualitative Groundwater Risk Assessment	Section 4.5.7 lists design considerations for the temporary compound between the A256 and Sandwich Road (within SPZ1). We would encourage the mitigation against the destruction of archaeological remains to be included in those considerations. The archaeological evaluations have shown the area to be rich in significant remains, which should be protected from direct and indirect impacts.	Consultation is ongoing with the Kent County Council Archaeological Advisor to agree an appropriate mitigation strategy.
13.2	Kent Qualitative Groundwater Risk Assessment	Sections 5.2 and 5.3 state that the risk to groundwater receptors from dewatering is considered to be mostly negligible and low for open cut trenches. The risk of mobilization of pollutants within groundwater is also considered to be low. We welcome these conclusions. Changes in groundwater levels, fluctuations and chemistry can have detrimental effects on archaeological/palaeoenvironmental remains, especially those preserved in anoxic conditions. If dewatering is needed, it is stated that a hydrogeological risk assessment would be required. We would recommend that the impacts that dewatering may have on nearby archaeological remains should also be considered as part of this work.	See response to comment 8.1 above.
14 Comments on Volume 6: Environmental Statement, Part 3 Kent Chapter 5 Appendix 3.5.C, Ground Investigation Report Kent – Applicants document reference: 6.3.3.5.C; PINs Examination Reference: APP-171			
14.1	Kent Ground Investigation Report	Section 2.12 states that ground investigation within the main areas of below ground impact (the HVDC cable route, HDD crossing, converter station and substation, and OHL connection) is based on published records, notably BGS boreholes some distance from the areas of impact. Tidal flat deposits are known to exist in all the areas apart from the higher ground on the 'Ebbsfleet Peninsula'. These deposits are described as containing organic remains and lenses of peat and so evidently contain waterlogged/anoxic conditions (Section 2.4.2.2). These conditions have the potential to be of high archaeological and palaeoenvironmental potential and so should be investigated appropriately.	Section 2.12 outlines the results of the preliminary desk top risk assessment for the project and assesses the information available at that stage. The report continues in section 3 to outline the ground investigation undertaken for the project to date and provides a ground summary identified from the investigation in section 4. Table 4.1 identifies that Tidal Flat Deposits exist across various elements of the project. Further ground investigation will be undertaken to inform the detailed design at a later stage of the project.
14.2	Kent Ground Investigation Report	Section 10.2 concludes that additional Ground Investigation is required. We would recommend that geoarchaeologists are included in the design of this work in order to maximise opportunities and reduce the risk of duplication of effort.	Comment is noted.
14.3	Kent Ground Investigation Report	Section 10.2 also states that dewatering may be required during the construction work. Details of the locations where this would be required should be specified so the impact that this activity could have on buried archaeological remains could be properly assessed and mitigated.	Refer to Application Document 6.2.3.5 Part 3 Kent Geology and Hydrogeology [APP-065] for details on the assessment of dewatering. Section 5.4.17 describes the assumptions and limitations relevant to the chapter. In relation to dewatering it is assumed that any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table. Further works relating to the geo-archaeological potential of the area are currently being undertaken as part of the additional Ground Investigation works during 2025. The scope of this work was agreed with the Historic England Science

Reference	Matter	Points Raised	Applicant's Comments
			Advisor and the Kent County Council Archaeological Advisor prior to works commencing.
			Reporting on the findings of these works will be provided prior to the end of examination. However, based on the above assumptions, impacts on archaeological remains are not expected as any dewatering required would be undertaken by pumping out of seepages of water rather than active lowering of the groundwater table
14.4	Kent Ground Investigation Report	Section 10.2 also states that loose/soft material should be removed and replaced with a suitable granular engineered fill. The impact that this activity would have on buried archaeological remains needs to be considered and mitigated.	It is assumed that all areas where loose/soft material may need to be removed and replaced with 'suitable engineered fill' would be in areas that have been previously subject to archaeological mitigation if required .
15 Comments on Other Documents Outline Offshore Construction Environmental Management Plan – Applicants document reference: 7.5.2; PINs Examination Reference: APP-339			
15.1	Outline Offshore Construction Environmental Management Plan (CEMP)	We note that this document references Marine Archaeology in Table 1.1 as a key environmental receptor during construction and the OWSI is listed in Table 1.4 'Other relevant Plans'. Archaeology is also reference in paragraph 1.5.7 as a part of toolbox talks and training. Further detail is also provided in paragraphs 1.11.24-31. We welcome the inclusion of marine archaeology within this document and are pleased with the detail provided.	This is noted by the Applicant.
16 Comments on Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Suffolk – Applicants document reference: 7.5.4.1; PINs Examination Reference: APP-343			
16.1	Suffolk Outline Onshore OWSI	The Outline Onshore WSI does not mention the geoarchaeological deposit modelling work that is needed to characterise and understand the sequence, and to understand the potential impact of the proposed scheme. We would expect to see this outlined in this document so it is clear what work would take place post-consent. We therefore recommend this document is revised to include provision for this work.	These comments are noted.
16.2	Suffolk Outline Onshore OWSI	Section 1.5 states the roles and responsibilities for the work, but Historic England have not been mentioned. We would recommend that Historic England is included in order to provide advice and support where it is appropriate.	An update to Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] will be provided to Historic England (including the Historic England Science Advisor) for comment/feedback at a later date, and will be submitted before the end of examination.
16.3	Suffolk Outline Onshore OWSI	Section 2.4 discusses the Regional Research Frameworks. It is clear that the development of a robust chronology would be key to addressing several of the research questions. We are therefore pleased to see that requirement for Scientific Dating has been discussed in Section 4.3. This has included the potential need for use of different dating techniques (Section 4.3.41) and the benefits of investigating the dates within a Bayesian framework (Section 4.3.42).	
16.4	Suffolk Outline Onshore OWSI	Section 3.1.2 outlines approach to areas which have not been fully archaeologically evaluated. We agree that further evaluation of areas which were not examined by the geophysical survey and evaluation trenching is needed at a later stage would	This comment is noted

Reference	Matter	Points Raised	Applicant's Comments
16.5	Suffolk Outline Onshore OWSI	We recommend that a plan clearly identifying these areas is provided for clarity. The wording requiring undertaking of evaluation, and any subsequent mitigation, prior to works commencing should also be added for avoidance of the doubt.	A figure showing all areas that have been subject to evaluation trenching will be including in the updated Overarching Written Scheme of Investigation for Suffolk Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] . This will also show areas where evaluation excavations might be required due to the potential for physical impacts resulting from the Suffolk Onshore Scheme.
16.6	Suffolk Outline Onshore OWSI	Section 4.1.7 states that the Site Specific WSIs must be approved by the relevant Local Authority, but it would useful if these documents could also be shared with Historic England, particularly with the Science Advisor.	This comment is noted and the request to share Site-Specific WSI with HE is being considered by the Applicant.
16.7	Suffolk Outline Onshore OWSI	In Section 4.2 rapid identification survey, geophysical survey and evaluation have been included as archaeological mitigation measures. However, these evaluation methods should not be described as mitigation methods. They have already been mentioned in section 3 (Scope of Archaeological Surveys). The details and requirements applicable to these surveys should be specified there.	This comment is noted and will be considered in the next update to Application Document 7.5.4.1 Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk [APP-343] .
16.8	Suffolk Outline Onshore OWSI	Additional details are needed about the environmental and scientific sampling strategies that would be implemented for evaluation trenching (Section 4.2.5), Monitoring (Section 4.2.14), Strip, Map and Sample (Section 4.2.16) and Set-Piece Excavation (Section 4.2.25). Detail is needed about the aims and objectives of this work (and how they feed into the wider aims and objectives of the project), the remains that would be investigated and the types of samples that would be recovered.	Due to the current stage of the Suffolk Onshore Scheme, detailed information relating to environmental and scientific sampling strategies is not known. Further details relating to aspects such as scientific sampling strategies, as well as site working (i.e. stripping in advance of excavation) will be detailed in site specific WSIs to be produced pursuant to DCO Schedule 3 Requirement 14.
16.9	Suffolk Outline Onshore OWSI	The aims and objectives of the sampling strategy should consider the nature and range of biological remains present, the possible variations in preservation across the site, the differential distribution of remains across the site (both vertically and horizontally) and the significance of these remains in local, regional and national context. We would also recommend that provisions are made for relevant specialists to visit the site to support the sampling and recovery of material when necessary.	
16.10	Suffolk Outline Onshore OWSI	Section 4.3.8 discusses the Machine Overburden stripping work, but no information is provided on how long sites would be left exposed following stripping before excavation commences. Stripped sites are more vulnerable to factors such as weathering, which can lead to the damage of archaeological features and remains. We would recommend that the time that stripped sites can remain exposed prior to excavation is agreed with Suffolk County Council to ensure that sites and archaeological remains are not damaged by exposure. This information should then be specified in the OWSI.	
16.11	Suffolk Outline Onshore OWSI	Sections 4.3.15 and 4.3.17 discuss how features and remains would be investigated as part of the evaluation and excavation works respectively. Structures have not been mentioned in the list, such as ovens and kilns, which have been identified during the evaluation excavations in other areas. A strategy for excavation and sampling of these sorts of features should be	

Reference	Matter	Points Raised	Applicant's Comments
		included in the subsequence WSIs and so we recommend that this is also included in the Outline WSI.	
16.12	Suffolk Outline Onshore OWSI	We also recommend that references are included to relevant guidance, such as Environmental Archaeology (2011, https://historicengland.org.uk/images-books/publications/environmental-archaeology-2nd/), Archaeometallurgy (2015, https://historicengland.org.uk/images-books/publications/archaeometallurgy-guidelines-best-practice/), and Archaeological and Historic Pottery Production Sites (2015, https://historicengland.org.uk/images-books/publications/archaeological-and-historic-pottery-production-sites/).	
16.13	Suffolk Outline Onshore OWSI	Section 4.3.27 discusses the environmental sampling work that would be carried out. We would recommend that the sampling strategies build on the findings of the evaluation excavations or other relevant previous work.	
16.14	Suffolk Outline Onshore OWSI	Section 4.3.31 states that a detailed site-specific sampling strategy would be develop if required. We feel that a detailed sampling strategy is required and should be included as standard in the Site Specific WSIs.	
16.15	Suffolk Outline Onshore OWSI	Section 4.3.37 states that organic remains would be considered for cleaning on a case-by-case basis to ensure that valuable evidence is not damaged. We would recommend that all finds (organic and inorganic) are considered on a case-by-case basis before they are cleaned, for example, items made out of pottery or metal may have the potential to preserve organic remains such as organic residues or textiles.	
16.16	Suffolk Outline Onshore OWSI	Section 5.2 deals with unanticipated Significant or Complex Archaeological Discoveries. We would recommend that provision is included for Historic England to be notified if these remains are considered of a significance that has equivalent to designated heritage assets.	
17 Comments on Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent – Applicants document reference: 7.5.4.2; PINs Examination Reference: REP1-104			
17.1	Kent Outline Onshore OWSI	Section 1.5 states the roles and responsibilities for the work, but Historic England have not been mentioned. We would recommend that Historic England is included in order to provide advice and support where necessary (e.g. from the Science Advisors).	An updated Overarching Written Scheme of Investigation (OWSI) has been submitted (Application Document 7.5.4.2 (B) Outline Onshore Overarching Written Scheme of Investigation (OWSI) - Kent [REP1-104]). This includes updates based on comments from the Kent County Council Archaeological Advisor as well as the Historic England Science Advisor. Due to the current stage of the Kent Onshore Scheme, detailed information relating to environmental and scientific sampling strategies is not known. Further details relating to aspects such as scientific sampling strategies, as well as site working (i.e. stripping in advance of excavation) will be detailed in site specific WSIs to be produced pursuant to DCO Schedule 3 Requirement 14,
17.2	Kent Outline Onshore OWSI	Section 2.4.2 states that research questions would be developed with stakeholders as the South East Research Framework is still in development. However, the authors should consult the Kent Research Framework, which is available online.	
17.3	Kent Outline Onshore OWSI	Section 4.1.7 states that the Site Specific WSIs must be approved by the relevant Local Authority, but it would useful if these documents could also be shared with Historic England, particularly with the Science Advisor.	
17.4	Kent Outline Onshore OWSI	Section 4.2.3 states that magnetometry survey is proposed for the geophysical survey. It would be best to state that the technique adopted	

Reference	Matter	Points Raised	Applicant's Comments
		would be appropriate to the natural strata and aims of the survey, as is stated in section 4.3.4.	
17.5	Kent Outline Onshore OWSI	Section 4.3.8 discusses the Machine Overburden stripping work, but no information is provided on how long sites would be left exposed following stripping before excavation commences. Stripped sites are more vulnerable to factors such as weathering, which can lead to the damage of archaeological features and remains. We would recommend that the time that stripped sites can remain exposed prior to excavation is agreed with Kent County Council to ensure that sites and archaeological remains are not damaged by exposure. This information should then be specified in the OWSI.	
17.6	Kent Outline Onshore OWSI	Section 4.3.27 discusses the environmental sampling work that would be carried out. We would recommend that the sampling strategies build on the findings of the evaluation excavations or other relevant previous work.	
17.7	Kent Outline Onshore OWSI	Section 4.3.29 discusses sampling strategy. We would recommend that waterlogged and cess deposits should also be sampled for floral remains.	
17.8	Kent Outline Onshore OWSI	Section 4.3.31 states that a detailed site-specific sampling strategy would be develop if required. We feel that a detailed sampling strategy is required and should be included as standard in the Site Specific WSIs for all levels of investigations under Section 4.2. We also recommend that provision is made for relevant specialists to visit the site to support the sampling and recovery of material where appropriate or necessary.	
17.9	Kent Outline Onshore OWSI	Section 4.3.37 states that organic remains would be considered for cleaning on a case-by-case basis to ensure that valuable evidence is not damaged. We would recommend that all finds (organic and inorganic) are considered on a case-by-case basis before they are cleaned, for example, items that are made out of pottery or metal may have the potential to preserve organic remains such as organic residues or textiles.	
17.10	Kent Outline Onshore OWSI	Section 4.3.37 also lists standards which would guide approaches to finds and samples. We recommend that Historic England's 2011 publication on Environmental Archaeology is added to the list of the guiding standards.	
17.11	Kent Outline Onshore OWSI	Section 4.3.41 discusses scientific dating techniques. We would recommend that method described as thermoluminescence is changed to luminescence in order to encapsulate optically stimulated luminescence as well.	
18 Comments on Outline Offshore Overarching Written Scheme of Investigation (OWSI) – Applicants document reference: 7.5.5; PINs Examination Reference: PDA-033			
18.1	Outline Offshore OWSI	In general, the standard of the OWSI is good and has taken on board our previous comments on the draft WSI provided at the PEIR. We therefore only have minor edits to suggest (some comments are also applicable to APP-079 and APP-202/AS-026).	Applicable edits will be applied to the submission of marine archaeology deliverables at Deadline 4, as follows: Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057], Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report

Reference	Matter	Points Raised	Applicant's Comments
			[REP1-005] , and Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] .
18.2	Outline Offshore OWSI	Sections 1.6.3-1.6.12 relating to the responsibilities of the Client should also set out their responsibilities regarding the Treasure Act 1996 and PMRA 1986.	Sections 1.6.3-1.6.12 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] will be updated with the responsibilities of the Client regarding the Treasure Act 1996 and Protection of Military Remains Act 1986 and submitted at Deadline 4.
18.3	Outline Offshore OWSI	Section 1.8.9 states that “ <i>The Physical Processes assessment undertaken for the ES (Application Document 6.2.4.1 [APP-074] Part 4 Marine Chapter 1 Physical Environment) indicates that the magnitude of impact is expected to be minor and therefore not significant.</i> ”. However, APP-074 does not address or evaluate magnitudes of impact on heritage assets. The only mention of any heritage is in section 1.8.4, pg.74 where the management measure MPE01 is listed; “ <i>It is recommended that advice is sought from the marine archaeological consultant with regards survey campaigns and data assessments, to ensure, where possible, 'wreck' of possible or known archaeological interest can be avoided and left in situ</i> ”. We therefore recommend this is revised by the applicant in order to resolve this issue.	Section 1.8.9 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] will be clarified based on the results in Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] and reference to the Physical Environment chapter will be included. These amendments will be submitted at Deadline 4.
18.4	Outline Offshore OWSI	Section 1.9.4 lists the guidance documents that would be referred to. We would recommend that the Historic England document ‘Scientific Dating of Pleistocene Sites’ (2025) is referred to: https://historicengland.org.uk/images-books/publications/scientific-dating-pleistocene-sites/ . Some of the deposits of interest present within the offshore area exceed the upper limit of some scientific dating techniques, such as radiocarbon dating and so alternative approaches would be needed.	Reference to the Historic England document will be included in Section 1.9.4 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] . This amendment will be submitted at Deadline 4. The Applicant notes the comment regarding alternative approaches; a deposit-led approach is used for deciding the dating techniques adopted, for instance appropriate luminescence techniques beyond radiocarbon dating.
18.5	Outline Offshore OWSI	Sections 1.9.40-44 sets out the provisions for method statements, which are adequate and appropriate. However, this should include the timeframe for submission to the relevant archaeological curators for comments as set out in section 1.9.43.	The timeframe for submission to relevant archaeological curators will be updated (in line with that presented in 1.6.2) and submitted at Deadline 4.
18.6	Outline Offshore OWSI	It is noted in section 1.9.58 that the current geoarchaeological baseline data is based on vibrocore logs taken in 2021, none of which were made available for a direct assessment by a geoarchaeologist. In July 2023, a method statement was agreed with Historic England for an additional 33 vibrocores – 8 duplicates of those previously lost, 16 additional vibrocores along the cable route, and 9 within the five additional survey areas. We recommend that the results are used to enhance geoarchaeological baseline data.	The archaeological assessment of the additional marine geotechnical survey has been presented in Application Document 9.2 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029] and Application Document 9.2.1 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note [REP1-031] . These reports will be referenced in Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] , which will be submitted at Deadline 4.
18.7	Outline Offshore OWSI	Sections 1.9.63–65 contain descriptions of how coring would be conducted. It should be clarified if further coring is being proposed by the project and if so where and why. Alternatively, if these sections refer to the coring conducted in 2024, this should be clearly stated.	Sections 1.9.63-65 will be clarified as these refer to the 2024 survey that had already been undertaken. Reference to the Application Document 7.6 Marine Archaeological Method Statements [APP-359] will be included. These updates will be submitted at Deadline 4.
18.8	Outline Offshore OWSI	Section 1.9.74 states that there would be a geoarchaeological review of geotechnical logs. We would recommend that the Geoarchaeologists are given direct access to the cores where possible as it is better to record and	Section 1.9.74 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] will be updated to

Reference	Matter	Points Raised	Applicant's Comments
		assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	include Historic England's recommendation for a geoarchaeologist to be present to record cores, if applicable. Submission of this update will be at Deadline 4.
18.9	Outline Offshore OWSI	Section 1.10.2 outlines the post-construction monitoring that would take place, stating that method statements would be prepared. Whilst the inclusion of post-construction monitoring is welcome, there is no information about the sort of approaches that would be used. It would be useful to include details about the techniques that would be used so it is clear what work would take place post-consent.	Section 1.10.2 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] will be updated with suggested methods for post-construction monitoring. Submission of this update will be at Deadline 4.
18.10	Outline Offshore OWSI	Section 1.13 Post-Excavation Methods and Reporting include details on palaeoenvironmental assessment and scientific dating. This section needs to reference the Historic England document 'Scientific Dating of Pleistocene Sites' (2025) and consider dating techniques beyond radiocarbon dating and OSL dating.	Reference to the Historic England document will be included in Section 1.13 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] and submitted at Deadline 4. The Applicant notes the comment regarding alternative techniques; a deposit-led approach is used for deciding the dating techniques adopted, for instance appropriate luminescence techniques beyond radiocarbon dating.
18.11	Outline Offshore OWSI	Section 1.14 Reporting would benefit from the inclusion of a timeframe for reports being submitted to archaeological curators after the completion of assessment work and to OASIS after finalisation.	Expected timeframes of submission to archaeological curators and to OASIS will be included in section 1.14 of Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] and submitted at Deadline 4.
19 Comments on Volume 7: Other Documents Marine Archaeological Method Statements – Applicants document reference: 7.6; PINs Examination Reference: APP-359			
19.1	Marine Archaeological Method Statements	We note that this is the geoarchaeological method statement that we commented on in our letter to the applicant dated 19th July 2023. As such, we currently have no further comments to make on this document.	This is noted by the Applicant.
20 Comments on Volume 9: Examination Submissions Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment – Applicants document reference: 9.2; PINs Examination Reference: AS-033 and Volume 9: Examination Submissions Document Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note – Applicants document reference: 9.2.1; PINs Examination Reference: AS-034			
20.1	Marine Geoarchaeological Assessment	We note that these documents were submitted to the Planning Inspectorate and made available on their website in June 2025. We were also provided the documents by the applicant on 5th August 2025 and return comments to them on 1st October 2025. We have included a copy of our comments here for completeness.	These comments have been addressed in Application Document 9.2 Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029] and Application Document 9.2.1 Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note [REP1-031] .
20.2	Marine Geoarchaeological Assessment	In general, we found the report provided a good summary of the work undertaken to date and included recommendations for further work. However, we feel that further consideration should be given to the recommendations for further work. This is particularly important for the recommendations for peat deposits.	
20.3	Marine Geoarchaeological Assessment	The geoarchaeological work has identified a layer of peat, classed as being of high priority. Several recommendations have been made to investigate the peat in more detail, which includes one radiocarbon date, two samples for plant macrofossils and four samples for pollen (AS-033, Table 1.4). However, in the technical report (AS-034) it states that a single sub-sample from VC-	

Reference	Matter	Points Raised	Applicant's Comments
		S6-005 would be assessed for pollen and plant macrofossils. It should be clarified how many samples would be assessed from the peat.	
20.4	Marine Geoarchaeological Assessment	We would recommend that the layer of peat recorded between 3.12-3.15 mbsf is assessed for plant remains and potentially dating if suitable material is present. We would also recommend that at least two palaeoenvironmental and dating samples are assessed from the thicker layer of peat (recorded between 3.15-3.55mbsf). This would allow questions to be asked about how the landscape and environment may have changed over time.	
21 Comments on Volume 6: Environmental Statement Part 4 Marine Chapter 7 Appendix A Marine Archaeology Technical Report – Applicants document reference: 6.3.4.6.A; PINs Examination Reference: APP-202 Superseded by Volume 6: Environmental Statement Part 4 Marine Chapter 7 Appendix A Marine Archaeology Technical Report – Applicants document reference: 6.3.4.6.A; PINs Examination Reference: AS-026			
21.1	Marine Archaeology Technical Report	The technical report is generally good, and we recommend only minor comments as set out below (some comments are also applicable to APP-079 and APP-345).	Applicable edits will be applied to the submission of marine archaeology deliverables at Deadline 4, as follows: Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] , Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] , and Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] .
21.2	Marine Archaeology Technical Report	We note that guidance used for the assessment is set out in section 6.2.36, which includes a reference to Historic England's marine geophysics guidance. It should be noted that this has been updated and should be current version should be used in relevant project documents going forward.	The updated reference will be included in section 6.2.36 of Application Document 6.3.4.6.A (B) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] , however the original reference will be retained as this was used for the geophysical assessment up to and including the 2024 survey. The updated reference will also be included in Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] that detail future geophysical surveys. These updates will be submitted at Deadline 4.
21.3	Marine Archaeology Technical Report	We understand from section 6.3.6 that data from desk-based sources have not been updated since 2022. This must be kept current for the development of the offshore WSI post-consent, should consent be granted.	Updated desk-based sources will be obtained and presented in the submission of marine archaeology deliverables at Deadline 4, as follows: Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] , Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] , and Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] .
21.4	Marine Archaeology Technical Report	In relation to the geotechnical survey methodology, we note that section 6.3.56 states that the vibrocores were collected using clear liners. We would recommend that any future cores are collected using light-proof liners to ensure that the material could be suitable for dating using techniques such as Optically Stimulated Luminescence (OSL) dating.	This is noted by the Applicant, and the recommendation will be included, if applicable, for any future geoarchaeological survey.
21.5	Marine Archaeology Technical Report	Additionally, section 6.3.56 also states that the logs and photos of vibrocores were shared with the Geoarchaeologists at Wessex Archaeology. We would recommend that the Geoarchaeologists are allowed direct access to see the cores; it is better to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	This is noted by the Applicant, and the recommendation will be included, if applicable, for any future geoarchaeological survey.

Reference	Matter	Points Raised	Applicant's Comments
21.6	Marine Archaeology Technical Report	We note from section 6.3.59 the summary of the works conducted in relation to the further cores collected in October 2024. Please see our comments made for APP-079 on the geoarchaeological approach and AS-034 on the additional cores collected.	Comments have been addressed in Application Document 9.2 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029] and Application Document 9.2.1 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment - Technical Note [REP1-031] .
21.7	Marine Archaeology Technical Report	Section 6.3.92 states that “ <i>The data supplied by the NMHR and HERs were obtained between March and April 2022 and would not be refreshed for the duration of the Proposed Project. As a result, any new records that are entered into these archives may not be included within this, or future, deliverables.</i> ” Considering it may be five years after the granting of the DCO before any construction works commence, we strongly recommend that up-to-date UKHO, NMHR, and HER data is used for the development of the WSI post-consent to ensure mitigation measures developed are fit for purpose.	Desk-based sources will be refreshed and presented in the submission of marine archaeology deliverables at Deadline 4: Application Document 6.2.4.6 (B) Part 4 Marine Chapter 6 Marine Archaeology [REP1-057] , Application Document 6.3.4.6.A (C) ES Appendix 4.6.A Marine Archaeological Technical Report [REP1-005] , and Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033] .
21.8	Marine Archaeology Technical Report	Section 6.4.33 states that channel 75037 may represent a buried paleochannel and may contain palaeoenvironmental interest and/or archaeological artefacts. However, no vibrocores were recovered from the channel or in the adjacent area and so this cannot be demonstrated at this time. It would be useful to understand if the features that have not been investigated would be sampled post-consent to understand their value and significance, and to establish an appropriate mitigation strategy.	Vibrocores (748-NAT-NB-VC-021 and 748-NAT-NB-VC-022) were deliberately located inside the Order Limits giving the opportunity to characterise the sediments in the channel feature 75037 and its northern extent. These have been recorded by trained geoarchaeologists, contain sediments with palaeoenvironmental potential, and are reported in the supplementary geoarchaeology report (Application Document 9.2 (B) Supplementary Stage 1 and Stage 2 Marine Geoarchaeological Assessment [REP1-029]), and included with the deposit modelling presented there (Transect 2).
21.9	Marine Archaeology Technical Report	An assessment of the Deposit Model Transects indicates that some large gaps exist between data points (e.g. over 5km in Transect 2). It should be clarified if further samples, or additional data would be added into the deposit model post-consent to improve the resolution of the models.	The archaeological assessment of any further vibrocores obtained as part of the Proposed Project will be integrated into the deposit model, as per the outline Offshore Overarching Written Scheme of Investigation (Application Document 7.5.5 (B) Outline Offshore Overarching Written Scheme of Investigation [PDA-033]).
22 Comments on Change Application Consultation Document – Applicants document reference: N/A; PINs Examination Reference: CR1-003			
22.1	Change Application Consultation Document	An application for change to the Sea Link development consent order application has been submitted in October 2025. Five minor changes have been proposed in response to results of additional surveys and engagement with stakeholders. The stated aim of the amendments is to reduce the environmental impact from the scheme in certain areas and to address initial comments received after submission.	Following consultation on the five proposed changes to the Order Limits during October and November 2025, a Change Request Application was submitted. This was accompanied by Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] .
22.2	Change Application Consultation Document	Change 3 is specifically related to archaeology. As outlined in Section 4.4, it proposes to adjust the boundaries of the project to allow for mitigation of the significant archaeological remains identified in Phase Two trial trench evaluation.	
22.3	Change Application Consultation Document	We are aware that additional surveys have since been undertaken in Suffolk (Change 3), and we recommend that the heritage assessment as set out in the ES should be updated to include these changes as well as all new archaeological survey results before the end of the examination.	Additional impact assessment based upon the results of Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135] ; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137] , as well as the further evaluation trenching in Friston undertaken in relation to Change 3, will be

Reference	Matter	Points Raised	Applicant's Comments
			submitted in due course during Examination. This will provide an updated assessment of areas of the Suffolk Onshore Scheme that have been subject to additional surveys since the submission of the DCO application in March 2025.
			Reports covering the Phase 2a and 2b archaeological evaluation trenching have already been submitted as Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135]; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137] . As has the report detailing the additional geophysical survey undertaken in the area of the feature previously assumed to be a possible henge, Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057] .
22.4	Change Application Consultation Document	Historic England acknowledges that the proposed changes to the Order limit, and changes to work plans at Friston (Kiln Lane) substation in Suffolk, would provide the project with necessary flexibility to respond to the results of the surveys and to address the stakeholder's feedback.	Comment noted.
23 Historic England Written Representation: Conclusions			
23.1	Conclusions	Historic England do not object in principle to the Proposed Development.	Comment noted.
23.2	Conclusions	For the onshore impact assessment, we have concluded that a range of designated and non-designated heritage assets would be negatively impacted by the development. Some direct, permanent and harmful changes may result from the development, and these changes may result in a significant effect in some cases.	
23.3	Conclusions	The applicant has given this matter consideration and has provided information to inform the examination via the historic Environment chapters of the ES.	
23.4	Conclusions	We are broadly content with the overall approach to the assessment and mitigation of onshore and offshore archaeology presented in the Environmental Statement. We are also pleased to see that separate Outline Overarching Written Schemes of Investigation have been submitted for different elements of the scheme (offshore, Kent, Suffolk).	
23.5	Conclusions	Further information and documents are however required to establish significance of certain assets and an appropriate programme of mitigation for non-designated heritage assets, and we have set out specific recommendations in this representation.	See detailed response to comments above.
23.6	Conclusions	The archaeological survey evaluation work as well as design work have also all progressed since submission of the application. The results of these works have either already been added to the application, or we expect that they would be submitted shortly. Additionally, information on Heritage List for	Additional impact assessment based upon the results of Phase 2a and 2b evaluation trenching in Suffolk, as well as the further evaluation trenching in Friston, will be submitted in due course during Examination This will include the results of additional geophysical survey, archaeological evaluation trenching, and geo-archaeological work.

Reference	Matter	Points Raised	Applicant's Comments
		England has been amended to exclude previously designated heritage asset located adjacent to Order Limit.	
23.7	Conclusions	We recommend that the assessments and proposed mitigation documents are amended as appropriate to reflect new data. Changes to the Order limit, and changes to work plans also need to be reflected in the amended documents.	Reports covering the Phase 2a and 2b archaeological evaluation trenching have already been submitted as Application Document 9.3.1 Suffolk Section Phase 2A Archaeological Evaluation Report [AS-135]; Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] and Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137] , as has the report detailing the additional geophysical survey undertaken in the area of the feature previously assumed to be a possible henge, Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057] .
23.8	Conclusions	We consider these changes, and our recommendations are necessary to fully inform the decision-making process, and the planning balance as set out in the relevant policies, and recommend the applicant is asked to provide the additional wording and documents we have set out above. This would need to be before the end of the examination.	Changes to Order Limits and to work plans as a result of the proposed changes described within Application Document 9.76.5.2 Change Request Appendix B Geophysical Survey Report [CR1-057] .will be reflected within documentation, as relevant, at a later deadline following acceptance by ExA of the Change Request Application on 5 December 2025.
23.9	Conclusions	We also recommend Historic England is given the opportunity to comment on the revised documents and wording alongside Suffolk and Kent County Council's archaeological specialists	Continued engagement with Stakeholders, including Historic England, is taking place. This includes thematic group meetings as well as providing the opportunity to comment on documents including, but not limited to, the Outline Overarching Written Scheme of Investigation.
23.10	Conclusions	We have therefore also made recommendations for amendments to the draft DCO wording and Outline Overarching Written Schemes of Investigation which should be agreed prior to the end of the examination.	

2.22
Joint Nature Conservation Committee (JNCC) [REP1-210]

Table 2.23 Joint Nature Conservation Committee (JNCC) [REP-210]

Reference	Matter	Points Raised	Applicant's Comments
1	Marine ornithology – OTE SPA and red throated diver	JNCC reiterate that we welcome the full seasonal restriction on offshore cable burial activities within the Outer Thames Estuary SPA, as well as the reduced seasonal restriction between January and March for landfall cable installation activities. We also welcome the additional mitigation measures proposed in the Red-throated Diver Protocol to further reduce disturbance to red-throated diver.	This is noted by the Applicant.
1.1	Comments on construction phase – concern over impacts on red throated diver in OTE SPA during construction	Despite the seasonal restriction, JNCC are concerned by the potential for vessel movements associated with the activities excluded from the seasonal restriction to have adverse impacts on the Outer Thames Estuary SPA, particularly in-combination with other Plans and Projects. The Red-throated Diver Protocol paragraph 1.5.3 states a full seasonal restriction from 1st November to 31st March will be committed to “for offshore cable burial activities (excluding pre-lay grapnel run activities)”, but it is not clear whether other pre-laying activities such as the geophysical surveys and UXO survey and clearance are also excluded. We do not consider that this aspect of the project has been	As set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] – commitment O03 and Application Document 7.8 Red Throated Diver Protocol [APP-361] the Applicant has committed to a seasonal restriction for cable lay installation activities (excluding pre-lay grapnel run activities). This commitment is also included in Application Document 3.1 (E) draft Development Consent Order [REP1-036] under Part 2 Condition 11 Red Throated Diver. This condition confirms that pre-sweeping dredging,

Reference	Matter	Points Raised	Applicant's Comments
	(despite seasonal restriction)	fully considered, and in our view an Adverse Effect on Site Integrity cannot currently be ruled out. Adverse Effect on Site Integrity would be ruled out by avoiding works during the most sensitive period (1 November – 31 March) and suggest that the draft DCO is amended accordingly. JNCC also note that it is mentioned that “the offshore scheme does not pass through areas recorded as having the highest concentrations of red-throated diver.....majority of the route passing through areas with limited or no recorded occurrence” (Chapter 4 Marine Ornithology, paragraph 5.9.13), however, we would argue that the majority of the route does pass through areas of medium red-throated diver density (Figure 7, Irwin et al 2019).	boulder clearance, out of service cable removal and cable crossing preparation activities are also subject to a seasonal restriction. Although Application Document 6.2.4.5 (C) Part 4 Marine Chapter 5 Marine Ornithology submitted at Deadline 2, states that although pre-construction surveys e.g. geophysical surveys are not proposed to be subject to the same seasonal restrictions, works between January and March will be avoided where practicable. With regard to PLGR, to ensure that cable installation is completed within the April to October window, thereby helping to avoid an additional season of works, cable installation activities will need to commence promptly at the start of the unrestricted period. PLGR must occur immediately before cable installation. Including PLGR in the seasonal restriction would therefore restrict the time available within the non-restricted period to fully complete cable installation. PLGR operation involves a single, slow-moving vessel and is of limited spatial and temporal scale and are substantially less intrusive than vessel movements associated with other marine construction activities e.g. offshore wind. As concluded in Application Document 6.2.4.5 (C) Part 4 Marine Chapter 5 Marine Ornithology submitted at Deadline 2 any potential impacts will be highly localised and temporary in nature and will not be significant. The Applicant will continue to engage with JNCC regarding the timing of PLGR activities but maintains that these will not give rise to significant effects on Red-throated Diver. In addition to measures set out Application Document 7.8 Red Throated Diver Protocol to mitigate potential impacts on Red Throated Diver, the Applicant has also committed to using existing shipping lanes for vessel transit routes (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] – commitment O04) and ensuring vessel operators are made aware of the importance and sensitivity of the species to disturbance and avoiding rafting birds and areas with high densities of birds, where practicable (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] – commitment O05). UXO surveys are not included in the DCO Application. For UXO works, the Applicant is adopting the MMO-endorsed two-licence strategy: one licence for UXO identification surveys and a second for clearance, if required. Initial survey work will be undertaken under a marine licence exemption, applicable only where no likely significant effect is identified. Both licence applications will be subject to consultation with Natural England and will include cumulative assessments of the Proposed Project. Any necessary mitigation will be secured through the licencing process. This approach to UXO surveys has been set out in Application Document 6.2.4.4 (E) Part 4 Marine Chapter 4 Marine Mammals [REP1-055], Table 4.2 NPS EN -3 requirements relevant to marine mammals and Paragraph 4.3.6.Regarding the densities of Red-throated Diver, it is correct that the Offshore Scheme avoids the areas of greatest diver density and passes through areas of lower diver density. The Applicant acknowledges that these may be termed as Medium density areas by JNCC and NE but maintains these are still areas of reduced (lower) occurrence.

Reference	Matter	Points Raised	Applicant's Comments
1.2	Comment on operation and maintenance – impacts from vessel disturbance during O&M not discussed in the HRA	It is stated in Document 6.2.1.4, that regular monitoring surveys are required during operations, and that these surveys may identify faults that require maintenance. However, the potential vessel disturbance from this is not discussed in the Report to Inform HRA. The Environmental Statement gives more detail regarding the expected vessel requirements should maintenance works be needed, but there is also no mention of the potential disturbance from the regular monitoring surveys. Clarity on the expected vessel movements from the regular monitoring surveys should be provided in the Environmental Statement and the Report to Inform HRA.	As described in Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003] paragraph 4.10.16 the marine cable installation is designed such that a regular maintenance regime is not required to maintain the cables. However, monitoring surveys will be required to check whether there are requirements for maintenance or any cable repairs. Monitoring surveys may be carried out using a range of autonomous surface vehicles (ASVs) and / or autonomous underwater vehicles (AUVs) which reduce the size of any support vessel and allow frequent surveys to be undertaken over the continuous route, or sections of interest. Developments are underway to have remotely operated vehicles (ROVs) deployed from ASVs which would allow monitoring activities to be carried out with a smaller support vessel and manning levels, as well as less environmental impact. The support vessel would require to be suitable for the operations to be carried out with regard to metocean conditions and marine traffic levels, in full compliance with marine legislation for autonomous vessels. As set out Application Document 6.2.4.5 (C) Part 4 Marine Chapter 5 Marine Ornithology submitted at Deadline 2, O&M and decommissioning activities are not proposed to be subject to the same seasonal restrictions, works between January and March will be avoided where practicable. This includes maintenance surveys during O&M. However, at this stage the frequency of surveys cannot be stated as they will be variable depending on what survey analysis finds. With regard to timescales for completing cable maintenance or repairs, the urgency of maintenance or repair requirements will be based on survey results at the time, and in some instances could become time critical to the operational integrity of the asset. Emergency repairs are expected to be a rare event. However, if required it would not be possible to work within an imposed seasonal restriction as the repairs may required at any time and would require immediate attention. If repairs are needed, then a guard vessel would be deployed to the location with visual inspections and deburial works in deeper water and post lay protection works undertaken. The cable would be cut and tested to confirm the location of the fault location, with a cable lay vessel (CLV) with spare cable length for cable repair and associated joints deployed. Cable laying and testing facilities would be undertaken. If cable repairs are required, the timeframe of works would typically be two months but may be up to six months depending on vessel availability. Following completion of the activity the Applicant can provide JNCC with a report on the event to inform future consenting of similar projects. The ES and HRA provide a robust cumulative assessment that considers vessel disturbance across all phases of the project and in-combination with other developments. The Applicant remains committed to ongoing engagement with JNCC and Natural England to ensure that cumulative impacts are fully understood and appropriately mitigated.
1.3	Comments on decommissioning	In the Environmental Statement, decommissioning activities are assumed to be less than during the construction phase, and therefore to result in non-significant effects	Future requirements and associated timescales for decommissioning of the Proposed Project are not currently known. The current predicted operational

Reference	Matter	Points Raised	Applicant's Comments
		(Chapter 4 Marine ornithology, paragraph 5.9.98). However, as per our comments above, the impact from the construction phase may not be non-significant and it would be helpful if the applicant were able to set out a worse-case scenario for decommissioning to provide sufficient information for the Competent Authority to assess the impacts from this phase.	life of the marine cables is between 40 and 60 years. However, it is not known at this stage whether the Proposed Project will be decommissioned at that point or whether options for extending the life of the project will also be explored. As stated in Application Document 6.2.1.4 (C) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003], an Initial Decommissioning Plan will be prepared post consent in accordance with all legislation, best practice guidance and policy applicable at the time of compilation. However, as decommissioning of the cable would be many decades into the future, regulatory requirements and industry best practice may change. Dependent on requirements at end of asset life, the redundant cables could either be recovered for recycling (in their entirety, or in parts), or left in-situ, if that has less environmental impact. For assessment purposes, a worst-case scenario has been considered. This assumes that decommissioning activities would be comparable in scale to construction, including vessel movements for cable recovery, cable protection removal, and associated support operations. Under this scenario, disturbance impacts on marine ornithology, including Red-throated Diver, would be expected to be similar to those identified for construction which were assessed in Application Document 6.2.4.5 (C) Part 4 Marine Chapter 5 Marine Ornithology submitted at Deadline 2 to be not significant. As set out in Requirement 13 of Schedule 3 of Application Document 3.1 (E) draft Development Consent Order [REP1-036], an Initial Decommissioning Programme will be submitted to the Marine Management Organisation (MMO) at least six months prior to any decommissioning works. This programme will be updated throughout the life of the project and will include detailed surveys to inform the final approach, taking into account legislation, best practice, and available techniques at the time. Depending on requirements at end of asset life, redundant cables may either be recovered for recycling or left in situ if that results in lower environmental impact. In either case, the Applicant confirms that all phases of decommissioning will adhere to Natural England's best practice protocol, as incorporated in the Application Document 7.8 Red Throated Diver Protocol [APP-361]. On this basis, the ES assumption that decommissioning impacts are comparable in scale to construction remains reasonable. Therefore, by considering the worst-case scenario of construction-scale disturbance, the Competent Authority can be assured that decommissioning impacts will not exceed those already assessed for the construction phase.
1.4	Cumulative Effects Assessment and In-Combination Assessment. Only considers cable installation during construction. Requirement to consider vessel	In Chapter 4 Inter-project cumulative effects document, paragraph 11.2.12, it is stated that "whether the combination of effects from two developments could result in a significant effect overall" has been determined. This also seems like the approach taken in the Report to Inform HRA. It should be noted that the assessment should consider the effects of all plans or projects in-combination and assess whether together there is the potential to significantly impact on a site. In Chapter 4 Inter-project cumulative effects document Table 11.21, the cumulative effects assessment considers the impacts "from cable installation". We emphasise that vessel movements from all aspects of construction, including preparation activities for all projects, as well as from operation	The Applicant acknowledges JNCC's concern that the cumulative effects assessment (CEA) should consider vessel movements from all phases of the Proposed Project, not only cable installation. For clarity, the cumulative assessment has been undertaken in line with the requirements of the Habitats Regulations and Environmental Impact Assessment Regulations, and considers all relevant project phases:

Reference	Matter	Points Raised	Applicant's Comments
	movements for all aspects of construction as well as operation and maintenance and decommissioning in the cumulative effects assessment.	and maintenance, and decommissioning, should be considered within the cumulative effects assessment.	• Construction and preparation activities: including cable installation, PLGRs, geophysical surveys, and UXO surveys/clearance. • Operation and maintenance: including routine monitoring surveys and any potential repair works. • Decommissioning: recognising that while methods are not yet defined, a worst-case scenario has been assumed that could involve vessel activity comparable to construction. In each case, vessel movements have been characterised and assessed for their potential to cause disturbance to Red-throated Diver and other receptors. The assessment has considered the in-combination effects with other plans and projects in the Outer Thames Estuary SPA, not just the Proposed Project in isolation. The Applicant has committed to the seasonal restriction (1 November – 31 March) for offshore cable installation activities (excluding PLGR), which substantially reduces the risk of cumulative disturbance during the most sensitive period for Red-throated Diver. For other activities that may occur outside this restriction, the Applicant has confirmed that vessel movements are of limited scale and duration, and therefore the potential for significant cumulative effects is low. On this basis, the ES and HRA provide a robust cumulative assessment that considers vessel disturbance across all phases of the project and in-combination with other developments. The Applicant remains committed to ongoing engagement with JNCC and Natural England to ensure that cumulative impacts are fully understood and appropriately mitigated.
1.5	Vessel disturbance assessment – recommendation to use distribution maps in Irwin et al (2019) to assess vessel disturbance in the OTE SPA	For an assessment of the Outer Thames Estuary SPA, we advise that the distribution maps within Irwin et al. (2019) are used. The data contained within Irwin et al. (2019) consists of two distribution maps per species from two survey days (both in February 2018). Therefore, a vessel disturbance assessment should be made using data from each of the two surveys days, and a mean and range of number of birds potentially displaced presented. In terms of carrying out a vessel disturbance assessment, we recommend that the following steps are taken. In light of evidence of vessel displacement, we advise that a 2km buffer around each vessel is used for the assessment of 100% displacement of red-throated diver (Burt et al., 2022, Burger et al., 2019). In light of evidence of vessel displacement, we advise that a 2.5km buffer around each vessel is used for the assessment of 100% displacement of common scoter (Fließbach et al., 2019). We advise that the area of impact should be calculated and put into context of the SPA area by calculating the proportion of the SPA area impacted. We also advise that the number of birds impacted are calculated. Crucially, this should be done by using distribution maps of the relevant features in the relevant SPA. The distribution maps per species should be overlain with the area of impact per species to calculate the number of birds potentially impacted. This can then be put into context of the SPA population by calculating the proportion of the SPA population impacted. This should be done for each vessel present, and the dates that a vessel will be present should also be provided.	This comment is noted. The Applicant would refer JNCC to the responses to 1.1-1.3 above, which describe the rationale for the assessment of vessel movements. The Applicant confirms that the assessment has been undertaken in line with industry standards and recognised good practice, ensuring that the methodologies applied are robust, transparent, and consistent with established approaches.

Reference	Matter	Points Raised	Applicant's Comments
2	Marine Mammals – overview of areas of concern	The following Written Representations (WR) expands on our Relevant Representations regarding marine mammals (RRs) submitted 20 June 2025. In line with JNCCs offshore remit, we defer to Natural England regarding impacts to SACs in territorial waters e.g. for seals and bottlenose dolphins. Two of the application documents have been updated since we submitted our RRs to the examining authority. There are: - EN020026-000259-6.2.4.4 Part 4 Marine Chapter 4 Marine Mammals (AS-095) - EN020026-000402-6.6 Habitats Regulations Assessment Report (AS-007) J JNCC disagree with several approaches being taken by the Applicant within the Environmental Statement and the HRA, and although none are a major consenting risk, we recommend that these are rectified prior to determination. Within our Written Representations, we provide comments on the following areas of concern: 1) The use of SCANS IV being the only data source for abundance estimates 2) The lack of consideration for noisy activities in the winter area of the Southern North Sea SAC 3) Insufficient information for the Appropriate Assessment to be carried out 4) Assessment of the use of seismic sound sources 5) Outline Marine Mammal Mitigation Plan Additional, minor comments are provided at the en	Responses to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.1	Abundance estimation sources	Section 4.7 of the Marine Mammal chapter (AS-095) assesses the baseline of the marine mammal species that may be found within the Study Area. JNCC have concerns with the use of a single data source for estimating the abundance and density of marine mammal species. In this instance, the SCANS IV data has been used. The SCANS IV (and SCANS I-III before it) methodology involves collecting the data from each block on a single day using aerial transect surveys (Gilles et al. 2023). As a result, the resulting data represents one day in one summer, for example 2022. This is of particular relevance here as the cable passes through the winter area of the Southern North Sea SAC, and the abundances and densities presented for harbour porpoise are therefore not representative of those that would be expected in the area at their peak. JNCC therefore recommend that several data sources are assessed (for example, the Marine Mammal Management Units (MMMUs) and any field surveys that have been undertaken in the area in recent years), with the most conservative data being taken forward to assessment for each species. In addition, in the winter of 2024 (Jan-March), SCANS conducted its first large-scale winter survey, focussing on the southern North Sea. The final report provides winter density estimates in this area for harbour porpoise and white-beaked dolphins. Paragraph 4.7.36 states that the abundance and densities for the four key cetacean species are provided in Table 4.14. However, Table 4.14 states that these are taken from SCANS III, contrary to references referred to in the text. Clarification on the table contents is required.	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.2a	Noisy activities in the winter area of the Southern North Sea SAC – overview of	Section 4.8 of the Marine Mammal chapter (AS-095) summarises mitigation measures that have been considered as part of the proposed project, and provides details of measures embedded into the project plan, and those that are secondary to it. The embedded measure is “sensitive routeing and siting of infrastructure and temporary works”, i.e. considering important marine mammal areas when routeing the cable route	This is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
	approach to mitigation	with additional measures to adhere to the JNCC marine mammal mitigation guidelines, as well as for vessels to adhere to regulations and to develop an offshore Construction Environmental Management Plan (CEMP), amongst others. In terms of underwater noise, the most significant measure is adherence to the JNCC marine mammal mitigation guidelines for injury, and we welcome their inclusion.	
2.2b	Assessment of potential injury impacts and proposed mitigation	Table 4.20 presents estimated distances at which marine mammal injury thresholds will be exceeded. JNCC agree that a dual metric approach is applied when assessing potential injury ranges and subsequent mitigation based on the most precautionary output (i.e. the greatest range). The maximum estimated distances at which Permanent Threshold Shift (PTS) may occur for the different noise sources show that when using the peak Sound Pressure Level (SPLpeak) metric, injury can be mitigated using standard measures described in the JNCC guidelines (JNCC 2017). However, the assessment suggests there is a significant risk associated with sub-bottom profilers (SBP) when considering the cumulative Sound Exposure Level (SELcum) metric. Most of the predicated injury ranges are greater than the standard 500m mitigation zone, with one of the SBPs assessed potentially causing injury up to 10,000m from the source for very high frequency cetaceans (e.g. harbour porpoises). We note the modelling provided results in an unrealistic worst-case scenario being assessed, as a stationary animal has been assumed and a soft start has not been factored in. It is also unlikely that a marine mammal would be exposed for 24 hours as the vessel shall not be operating repeatedly in the same location. Furthermore, the modelling will not have considered the directionality of these types of noise sources, which result in reduced sound propagation horizontally. Given the level of precaution built into the assessment, and our experience with this type of equipment, we are content that standard mitigation measures would sufficiently reduce the risk of injury from the equipment assessed.	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.2c	Assessment of continuous sound sources	For the continuous sound sources, e.g. support vessels and cable lay operations, JNCC agree that injury is highly unlikely and will not require any mitigation measures.	This is noted by the Applicant.
2.2d	Lack of clarity on how reduced vessel speeds will be beneficial to marine mammals	We note reference is made to vessels complying with the International Regulations for Preventing Collisions at Sea 1972 (International Maritime Organisation, 1972), Regulation 10 of which provides guidance relating to vessel speed to reduce the risk of collision with other vessels. However, there is no explanation as to how this will be beneficial to marine mammals, as implied by its inclusion in this list. The only benefit listed (in Table 4.6) is that of reducing accidental spills/leaks but does not mention marine mammal collisions. A vessel management plan to support compliance with this Regulation could also include measures which would reduce the risk of vessel collision with marine mammals, but this is not considered. For example, neither the CEMP or Outline Marine Mammal Mitigation Plan (oMMMP) discuss reduced or defined vessel speeds to reduce the risk of collision with marine mammals. We do note that vessel speeds are stated within the Red-throated Diver Protocol (EN020026-000202-7.8 Red-throated Diver Protocol) but this protocol is specific to this species and the Outer Thames Estuary SPA.	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.2e	Avoidance of noisy activities in the	Also not considered is avoidance of noisy activities in the Southern North Sea (SNS) SAC during the winter season, although general reference to guidance for managing disturbance within the SAC (JNCC 2020) is referred to. The proposed cable passes	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .

Reference	Matter	Points Raised	Applicant's Comments
	SNS SAC during winter	through the part of the site identified as having higher abundance in the winter season (defined as October to March inclusive). We note that for red-throated divers, a commitment to a full seasonal restriction for offshore cable burial activities has been made within the Outer Thames Estuary SPA during the relevant season, and we question why a similar commitment has not been made for harbour porpoises. Avoiding noisy activities in this season would provide the benefit of negating the need to consider management measures for disturbance in the HRA (see below for further comment).	
2.3	Insufficient information within the Habitat Regulations Assessment (AS-007)	In line with JNCCs offshore remit, our review has focussed on the Southern North Sea (SNS) SAC, designated for harbour porpoise. The conservation objectives for this site are to maintain site integrity by ensuring: 1. Harbour porpoise are a viable component of the site 2. There is no significant disturbance of the species 3. The condition of supporting habitats and processes, and the availability of prey is maintained The proposed project passes through the part of the Southern North Sea (SNS) SAC designated as having higher abundance in the winter months (October to March inclusive). We agree with the conclusion of Likely Significant Effect (LSE) for this site with regard to underwater sound (paragraph 4.3.23) and vessel collision risk (paragraph 4.3.28). However, as the approach to screen for LSE has focussed on impact pathways rather than the conservation objectives for each site, it is unclear how Conservation Objective 3 (The condition of supporting habitats and processes, and the availability of prey is maintained) for the SNS SAC has been considered. We advise that in its current state, insufficient information has been provided to enable the Licensing Authority to undertake an Appropriate Assessment for this site. Again, the information provided focusses on the impact pathway, with limited discussions as to how this information applies to different sites. This is particularly pertinent when considering underwater noise as the SNS SAC has management measures not applicable to other sites. There is also no clear distinction between construction and operational activities where the impact pathway is relevant to both. We note that potential for indirect effects through impacts to prey species have been considered in Section 7 (page 113-114), but not in relation to the SNS SAC	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.3a	Further comment on impact pathways screened into Stage 2 for the SNS SAC: Underwater noise	JNCC advise insufficient information has been provided to support the conclusion of no adverse effect on the SNS SAC from this impact pathway. In addition, the assessment has been combined for harbour porpoise and seal sites. How noise is assessed and managed within these sites is different so this is inappropriate. Paragraph 7.3.15 states that several activities will be undertaken through the lifetime of the project that will generate sound, however no distinction is made in the subsequent paragraphs of how impacts from sound will be mitigated as the different stages, with only sub-bottom profiler activity addressed in Paragraph 7.3.23. The applicant has only referred to injury ranges for sub-bottom profilers using the SPL metric; the injury ranges presented in Chapter 4 Marine Mammals (Table 4.20) using the cumulative SEL metric are far greater than the 63m quoted in Paragraph 7.3.18 of the HRA. JNCC advise both metrics are assessed, and mitigation based on the most precautionary output. For harbour porpoise, this suggests injury could occur up to 10km from the source. While we agree that standard mitigation measures would be	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .

Reference	Matter	Points Raised	Applicant's Comments
		appropriate in this instance, the assessment should be transparent and not select only results which support the chosen conclusion. We note the reference to published Effective Deterrent Ranges (EDRs) which support the management of disturbance within this site (Paragraph 7.3.20). We advise that updated EDRs were published in September 2025 (JNCC, 2025), and that an EDR of 3km is now recommended for SBP activities. We further advise that, provided no sub-bottom profilers are used within the site in winter months, the spatial temporal thresholds (JNCC et al 2020) do not need to be considered in an appropriate assessment. However, no such commitment is being proposed and the thresholds have not been considered in this assessment. Winter for this site is defined as October to March inclusive, and we would expect such a restriction to be secured in the project consent. We note seasonal restrictions are proposed for the Outer Thames Estuary SPA but these would not be sufficient for the SNS SAC as they only extend between 1 November to 31 March (Paragraph 7.3.20). In addition, as these restrictions are specific to this SPA, they will not cover all of the cable installation within the SNS SAC. Subsequently, it is inappropriate to assume the restrictions secured in the CEMP, Redthroated Diver Protocol and draft DCO referred to in Paragraph 7.3.21, that are specifically designed to mitigate impacts on red-throated divers, support a conclusion of no adverse effect on the SNS SAC.	
2.3b	Further comment on impact pathways screened into Stage 2 for the SNS SAC: vessel collision	This section (Paragraphs 4.3.25 – 4.3.28) has considered risks to cetaceans separately from seals and provided a standalone conclusion for the SNS SAC. However, we disagree with the assumption that harbour porpoise densities will be low when offshore construction activities occur. Harbour porpoise will be present within the winter part of the site all year round, albeit in lower numbers than in the summer season. We also note that slow vessel speeds are anticipated but are not being committed to. Neither is there any reference to managing vessel speed in the oMMMP other than a single reference stating that vessels must comply with the International Regulations for Preventing Collisions at Sea 1972 (International Maritime Organisation, 1972), which specifies only that vessels proceed at a “safe speed”, the listed factors to be considered when determining the speed do not include the presence of marine megafauna. We recommend vessel speeds are defined and secured as conditions of consent to support any conclusion of no adverse effect.	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.3b	Further comment on impact pathways screened into Stage 2 for the SNS SAC: In-combination effects	Section 8 of this document provides a holistic review of potential impacts from the identified projects and overarching conclusions which refer to all European sites. Subsequently we are unable to provide advice regarding in-combination effects to the SNS SAC in relation to the proposed project.	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.4	Assessment of the use of seismic sound sources	JNCC note the commitment to follow the JNCC marine mammal mitigation guidelines for geophysical surveys (JNCC, 2017). JNCC agree this is sufficient to mitigate the predicted risk of auditory injury from the SBP equipment assessed in the ES, noting our comments above relating to predicted injury ranges. However, paragraph 1.10.2 of the outline Marine Mammal Mitigation Plan (APP-356) refers to the potential need to use seismic sound sources. Whilst we acknowledge that it is stated that these are not likely to be required, such sources are not assessed in the ES. If there is a chance that seismic sound sources are to be used, we advise new noise modelling is undertaken to	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .

Reference	Matter	Points Raised	Applicant's Comments
		estimate potential injury ranges to ensure the described mitigation measures will mitigate the predicted risk. We highlight that JNCC are currently updating our mitigation guidelines for geophysical surveys, which should be released in the near future. The final MMMP will need to reflect the guidance available at the time.	
2.5a	Outline Marine Mammal Mitigation Plan (oMMMP)	The outline Marine Mammal Mitigation Plan has not been updated therefore our previous comments still stand. We provide them again here for convenience, supplemented with additional detail. We request conditions are applied ensuring JNCC are consulted when finalising this plan, should consent be awarded. Section 1.2: JNCC note this document will be updated post-consent (Paragraph 1.2.2); please refer to our previous comments on the conditions in the DCO/dML relating to this plan. Section 1.4: We question why only legislation relating to territorial waters has been included here given the plan covers activities that will occur in offshore waters? Specifically, The Conservation of Offshore Marine Habitats and Species Regulations 2017. It should be clear this document covers activities in territorial and offshore waters. Section 1.5: This section is to provide a summary of marine mammal receptors likely to be encountered during the proposed project however includes reference to the EU Habitats Directive and protection afforded to European Protected Species. This information should be included in the previous section (1.4 Relevant Legislation) and reference the relevant UK legislation not European Directives. JNCC agree the identified species are those most likely to be present in the study area however highlight that all cetaceans are protected under UK law as European Protected Species.	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.5b	oMMMP – UXO clearance	Table 1.2: This lists construction activities that will generate underwater sound. JNCC notes the inclusion of UXO clearance here, however it could be clearer in this table that a separate licence will be obtained should this activity be required (as stated in Section 1.11).	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.5c	oMMMP - CEMP	Section 7: Paragraph 1.7.2 highlights guidance for managing disturbance within the SNS SAC (JNCC, 2020) as a measure included in Application Document 7.5.3.1 CEMP Appendix A, Outline Code of Construction Practice. However, it is not clear how this guidance has been considered within this mitigation plan (or the CEMP other than saying it will be adhered to). Please see previous comments regarding this guidance and proposed measures for red throated divers	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.5d	oMMMP – Table 1.3 roles and responsibilities	Table 1.3: This table details the roles and responsibilities of personnel relevant to this mitigation plan. However, there is no reference to marine mammal observers or passive acoustic monitoring operators. It is possible these are meant to be included under the term 'general operatives' however, this is confusing as it does not use terminology referred to elsewhere in the document (e.g. paragraph 1.8.1) or by industry generally. This table should be amended to be clearer	A response to this comment can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.5e	oMMMP – Section 10 mitigation guidelines for	Section 1.10: JNCC note the commitment to follow the JNCC marine mammal mitigation guidelines for geophysical surveys (JNCC, 2017). JNCC agree this is sufficient to mitigate the predicted risk of auditory injury from the SBP equipment assessed in the ES, noting our comments above relating to predicted injury ranges. However, paragraph	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .

Reference	Matter	Points Raised	Applicant's Comments
	geophysical surveys	1.10.2 refers to the potential need to use seismic sound sources. Such sources were not assessed in the ES and if equipment not assessed is to be used, we advise new noise modelling is undertaken to estimate potential injury ranges to ensure the described mitigation measures will mitigate the predicted risk. We highlight that JNCC are currently updating their mitigation guidelines for geophysical surveys and the final MMMP will need to reflect the guidance available at the time.	
2.5f	oMMMP- Section 11	Section 11: We note the inclusion of UXO clearance in this plan, and that it clearly states a separate marine licence will be obtained should it be required. The section will be updated accordingly at that time however, the information currently provided is not clear. Paragraph 1.11.3 states ‘Some areas are considered more important for marine mammals than others and require additional or different mitigation measures. Should detonation be required within the SNS SAC, designated for harbour porpoise, additional measures detailed below shall be considered’. It is not clear what these additional measures are, as those listed in the subsequent paragraph (1.11.4) will need to be applied regardless of where the UXO is. We also highlight the list provided in paragraph 1.11.4 do not form a process, as indicated by the preceding text.	A response to these comments can be found in Table 3.8 in Application Document 9.34.2 Applicant's Responses to Relevant Representations from Statutory Consultees and Bodies [REP1-112] .
2.6a	Additional Comments - Part 1, Chapter 5 EIA Approach (EN020026-000227-6.2.1.1 Part 1)	JNCC recognises the mitigation hierarchy (Section 5.4), which places a preference to avoidance measures, followed by minimisation, rehabilitation/restoration, and offsetting. JNCC agree with this approach as it prioritises the measures with zero impact to the environment i.e. measures that would avoid significant impacts to begin with. It would be assumed that examples of avoidance would be to, as far as possible, route the cable so that sensitive areas (such as breeding or feeding areas) are avoided.	This is noted by the Applicant.
2.6b	Additional Comments - Part 4 Chapter 4 – Marine Mammals (EN020026-000259-6.2.4.4)	Section 4.3, Table 4.6: This table details the comments raised in the scoping opinion in relation to marine mammals. With regard to Comment ID 5.4.4, the decision was made to take a regional approach to screen marine protected sites into the assessment instead of using a prescribed distance (50km). JNCC note the change in approach but are of the opinion that while using a regional approach can be acceptable to create a long list of sites, these should be narrowed down based on potential impact pathways / routes to impact. For marine mammal sites, this could be based upon noise propagation ranges. However, given that the Sea Link project occurs within the Southern North Sea SAC, with no other offshore marine mammal sites on the east coast of England, JNCC are content that all relevant sites within our remit have been scoped in. Table 4.15: This lists the designated marine mammal sites within the study area. Of these, the only one in offshore waters is the SNS SAC, which the cable route runs through. We confirm all relevant offshore marine mammal sites have been listed and defer to Natural England in relation to inshore (territorial waters) sites. Table 4.16: This table provides a summary of the impact pathways and the maximum design scenario for each potential impact pathway. We note that underwater sound excludes that produced by UXO clearance owing to the fact that UXO clearance is not to be included within this application. If required, this shall be considered in a separate marine licence application. JNCC agree with this approach given the lack of information available at this stage of the development. The underwater sound activities that have been included are pre-installation geophysical survey activities, pre-installation clearance, cable installation via a range of different methods including trenching, placement of cable protection and vessel movements. Given that UXO clearance is not to be included in this application, we recommend the applicant clarify what is being referred to with “pre-installation clearance” as it is currently ambiguous.	This is noted by the Applicant. To confirm the ‘pre-installation clearance’ in Table 4.16 of Application Document 6.2.4.4 (E) Part 4 Marine Chapter 4 Marine Mammals [REP1-055] refers to boulder and debris clearance and as detailed, excludes UXO clearance which will be subject to a separate marine licence application.

Reference	Matter	Points Raised	Applicant's Comments
2.6c	Additional Comments - Habitat Regulations Assessment Report (EN020026-000402-6.6)	Electromagnetic fields (EMF): We agree the risk to harbour porpoise from EMF is low. We also note the conclusions of Chapter 3 of the ES, Fish and Shellfish Ecology, which concluded no significant impact from EMF to the fish species assessed. We agree with the conclusion of no adverse effect from this impact pathway.	This is noted by the Applicant.
2.6d	Additional Comments - Draft Development Consent Order (DCO) (EN020026-000168-3.1)	The outline Marine Mammal Mitigation Plan is secured in both the DCO (Schedule 3, Requirement 6) and the deemed Marine Licence (Part 2, Condition 3). Both these requirements state licensed activities must not commence until plans have been submitted to and approved in writing by the MMO in conjunction with JNCC and others. We note both also specify approval must be provided within 16 weeks of submission rather than the applicant committing to submitting the required documents to the MMO a specified time ahead of works commencing. We question whether a commitment relating to when the documents will be submitted would be beneficial and recommend the applicant engage with JNCC (and Natural England) ahead of submitting the plans to discuss the proposed amendments.	This is noted by the Applicant.

2.23 Quintas Energy on behalf of Manston Thorne Limited [REP1-238]

Table 2.24 Quintas Energy on behalf of Manston Thorne Limited [REP1-238]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	I write on behalf of Manston Thorne Limited to provide a further representation for the Examination of the Sea Link Development Consent Order (DCO). This submission follows and supplements the Relevant Representation previously submitted during the pre-examination phase.	The Applicant notes Quintas Energy’s further submission and confirms a meeting has been set up for Thursday 11 December, to discuss the points raised in the submission in detail.
N/A	N/A	Since submitting that representation, Manston Thorne Limited has undertaken further review of the application documents and corresponded positively with the Applicant’s team. This representation provides an update on the current position and sets out the remaining matters requiring clarification during the Examination.	
N/A	Land Rights	1. Clarification of Whether Land Rights Will Be Interfered With. We understand that the underground cable serving Manston Thorne Solar Farm is adopted by UKPN along the route of an easement granted to Manston Thorne Limited.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant’s Responses to Relevant Representations from Affected Landowners in paragraph 4.1.3 [REP1-113] .

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	In our earlier representation, we identified uncertainty surrounding the treatment of apparatus and Manston Thorne Limited's registered easement. The Book of Reference identifies relevant plots, but there is still no clear statement within the DCO documentation confirming:	
N/A	Easement	• Whether any part of Manston Thorne Limited's easement or land interests is intended to be acquired, interfered with or overridden;	It is not the intention to acquire, interfere or override any of Manston Thorne Limited's land rights. The detail will be discussed further at the forthcoming meeting.
N/A	Scope of Works	• The scope of works proposed within or adjacent to the easement corridor; and	The Applicants confirm this detail can be discussed during the forthcoming meeting.
N/A	Powers Sought	• Whether temporary or permanent occupation powers will be exercised in this area	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.1.3 [REP1-113] .
N/A	N/A	To provide certainty, we request confirmation of: 1. Whether Manston Thorne Limited's registered easement or associated land rights are intended to be subject to acquisition, override or interference;	
N/A	N/A	2. The extent and nature of any works proposed within or impacting the easement corridor; and	
N/A	N/A	3. The process through which Manston Thorne Limited will be consulted should any such works be proposed	
N/A	Engagement	2. Requirement for Direct Engagement with Manston Thorne Limited	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.1.1 [REP1-113] .
N/A	N/A	UKPN is responsible for the apparatus itself, but it is Manston Thorne Limited who holds the commercial and operational interests connected to the continuity of generation and export. To ensure that any works within or affecting the cable area are technically appropriate for the ongoing operation of the solar farm, direct engagement with Manston Thorne Limited is required.	
N/A	N/A	For this reason, Manston Thorne Limited requests that the Applicant engages directly with it wherever works are proposed in the cable corridor or where there is potential to affect the easement or export arrangements.	
N/A	N/A	This will help ensure: • Timely understanding of proposed works; • Technical review of any diversions or temporary arrangements; and • Collaborative planning to avoid interruption to renewable electricity generation.	
N/A	Business Continuity and Compensation	Any interference with the existing connection, temporary or otherwise, has the potential to disrupt the export of renewable	

Reference	Matter	Points Raised	Applicant’s Comments
		electricity. Although the protective provisions require UKPN to be satisfied with any alternative apparatus, there is no mechanism ensuring that any proposed arrangements support the uninterrupted operation of the solar farm. In the event that UKPN and National Grid mutually agreed to deviate from the protective provisions in Schedule 15 of the DCO, Manston Thorne Limited would be exposed.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.1.4 [REP1-113] .
N/A	N/A	Manston Thorne Limited therefore seeks confirmation that: • Any interruption or reduction in export capability will be indemnified; and • Compensation will be payable for any interference with land rights or business continuity.	
N/A	Summary	Manston Thorne Limited supports the delivery of nationally significant grid infrastructure in principle. However, to ensure its operational rights and continuity of renewable electricity generation are not compromised, the following matters require resolution:	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.1.1 and 4.1.4 [REP1-113] .
N/A	N/A	Confirmation of whether the apparatus and associated easement or related land rights will be affected by the DCO.	
N/A	N/A	A clear commitment to directly engage with Manston Thorne Limited regarding any works in the cable area.	
N/A	N/A	Appropriate indemnity and compensation arrangements for any interruption to solar export or interference with land rights.	
N/A	N/A	Assurance that project utility information and construction planning will accurately reflect the adopted cable. Manston Thorne Limited reserves the right to submit further representations during the Examination as additional information becomes available.	

2.24 Sandwich Bay Bird Observatory Trust [REP1-242 and REP1-243]

Table 2.25 Sandwich Bay Bird Observatory Trust [REP1-242]

Reference	Matter	Points Raised	Applicant’s Comments
Introduction			
1.1	Introduction	Sandwich Bay Bird Observatory in Kent was one of the country’s first independent bird ringing stations, founded by local naturalists in 1952. Official Observatory status was achieved in 1962.	The Applicant notes the concerns raised by Sandwich Bay Bird Observatory Trust (SBBOT) regarding the ecological sensitivity of Pegwell Bay and Minster Marshes, and the potential impacts of the proposed landfall and converter station. The

Reference	Matter	Points Raised	Applicant’s Comments
1.2	Introduction	The Observatory (unlike many other observatories) owns a large amount of land which is also a home to rare plants and invertebrates. However, Sandwich Bay Bird Observatory’s actual recording area covers a much wider area including Pegwell Bay, the three golf courses plus surrounding farmland and RSPB Worth Marshes.	importance of these areas, including their statutory designations and wider ecological value, is fully recognised. Application Document 5.1 Consultation Report [APP-301] explains the process the Applicant undertook to engage thoroughly with affected stakeholders throughout the project development, whether these stakeholders are individuals, organisations or prescribed consultees.
1.3	Introduction	Sandwich Bay Bird Observatory recognises the growing need for electricity to support people and businesses and therefore the need to reinforce our energy and specifically our electric infrastructure.	During the pre-application stage, the Applicant identified SBBOT as a non-statutory consultee. As such, the Applicant has written directly to SBBOT throughout the pre-application stage and beyond to update it on consultations and other key milestones, such as the submission and subsequent acceptance of the DCO application. The Applicant also notes the responses submitted by SBBOT to various rounds of pre-application consultation. Details of how the Applicant has had regard to this feedback is set out in the Consultation Report identified above. The Applicant also notes conversations it has had with SBBOT separate to formal consultation responses, including as part of the statutory consultation in 2023 and in response to the localised consultation in 2024. Detailed responses on survey work, mitigation measures, and alternatives are provided below. The Applicant remains committed to ensuring compliance with all relevant legislation and to continued engagement with stakeholders, including SBBOT, to safeguard designated habitats and species.
1.4	Introduction	Sandwich Bay Bird Observatory feels that it is very important that we submit a response to the planning inspectorate on behalf of all our members after having our previous submissions to the SeaLink project team ignored.	
1.5	Introduction	The landing of the SeaLink cable at Pegwell Bay (SSSI, SPA, RAMSAR wetland) and the building of a new very large converter station on the linked land of Minster Marshes will, in our view, have a detrimental affect on the habitats and wildlife that currently exist in and use these areas - therefore we strongly oppose the siting of the project in these locations.	
Pegwell bay, the Hoverport and Minster Marshes			
2.1	Pegwell bay, the Hoverport and Minster Marshes	Pegwell bay, the Hoverport and Minster Marshes are wonderful natural environments with large open wild spaces that allow important species of birds, moths, butterflies and plants to either flourish or for some, still remain in East Kent as the pressures on nearby land for house building has had a devastating impact on their populations.	The Applicant notes the concerns regarding Pegwell Bay, the Hoverport, Minster Marshes, and the River Stour corridor as important natural environments and wildlife habitats The ecological value of these areas, including their role as wildlife corridors and functionally linked land, has been recognised within the Environmental Statement (ES) and Application Document 6.6. Habitats Regulations Assessment Report [REP1-071] .
2.2	Pegwell bay, the Hoverport and Minster Marshes	In Kent, the River Stour is a unique and very important wildlife corridor that connects the sea at Pegwell Bay all the way up past Canterbury, to Ashford. It is largely undisturbed. The River Stour is Kent’s second longest river at 58 miles in length and is the major river catchment of East Kent.	Extensive surveys have been undertaken in consultation with Natural England and other statutory bodies, and mitigation measures have been developed to minimise potential impacts on designated habitats and species. The Applicant remains committed to ensuring compliance with all relevant legislation and to continued engagement with stakeholders to safeguard the integrity of these environments.
2.3	Pegwell bay, the Hoverport and Minster Marshes	It is a critical that wildlife corridors like the River Stour valley are protected as so few now remain in southern England and slo that they are fully appreciated in order to protect species for us today and for the future. It is clear that a full environmental survey for this area has not been conducted by the SeaLink team and its true value realised.	
2.4	Pegwell bay, the Hoverport and Minster Marshes	The three main areas for development or use for the project being Pegwell Bay, Minster Marshes and the Hoverport are all importantly “linked land” each proven to be a key part of the bird and wildlife chain that supports such a diverse set of nature from birds to mammals to insects to plants. Damaging any of these will have a devastating effect on all.	The Applicant notes the concern regarding Pegwell Bay, Minster Marshes, and the Hoverport as functionally linked land supporting diverse wildlife. These have been fully considered within the ES and Application Document 6.6. Habitats Regulations Assessment Report [REP1-071] , with surveys and mitigation measures developed in consultation with Natural England to minimise impacts. The

Reference	Matter	Points Raised	Applicant's Comments
			Applicant remains committed to ensuring compliance with all relevant legislation and to safeguarding designated habitats and species.
2.5	Pegwell bay, the Hoverport and Minster Marshes	For example - a) Pegwell bay i) This is an area protected under multiple designations and by legislation (Site of Special Scientific Interest, Special Protection Area, Special Areas of Conservation, and Ramsar Wetland of International Importance) famous for its diverse habitats and wildlife, including rare plants, migratory birds and seals. ii) It provides a unique area in East Kent of undisturbed salt marsh and mudflats habitat for 100,000's of birds. Particularly wading birds and terns that include red and amber listed species such as Golden Plover, Curlew, Kentish Plover, Little Tern, Roseate Tern.	The value of Pegwell Bay has been recognised in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] , Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] , Application Document 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-115] and as such it has been accorded national importance as part of Sandwich Bay to Hacklinge Marshes SSSI and international importance as part of Thanet Coast & Sandwich Bay SPA/Ramsar.
2.6	Pegwell bay, the Hoverport and Minster Marshes	b) The Hoverport i) This is a superb example of nature re-wilding an area that was built upon and then left deserted ever since the Hovercraft company building were demolished in 1992. ii) It now supports rare moths (e.g. fiery clear-wing), butterflies (fritillaries), plants and birds (greenfinches) now thrive there iii) very importantly it gives a natural border to the salt marsh and mud flats of Pegwell Bay thus helping not disturbing the feeding and roosting birds there.	The value of the hoverport in supporting uncommon plants (including orchids) and invertebrates has been recognised in the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] . The hoverport will only be used as an access route and there are sufficiently wide corridors of unvegetated hardstanding on site that it can be traversed without habitat removal.
2.7	Pegwell bay, the Hoverport and Minster Marshes	C) Minster Marshes i) This is an area of wet farmland and was part of the original Wantsum Channel that separated the Isle of Thanet from the Kent mainland. ii) The land remains very wet (especially in winter months) and is very rich in minerals and insect life which attracts a large number of birds to feed. Flocks of 000's of Finches and Stock Doves have been recorded plus important numbers of Reed Buntings, Yellowhammers and other small seed feeding birds too. However and In particular, it is an important feeding and roosting area for wading birds from Pegwell Bay to use during night time and at high tide - Curlew, Dunlin, Redshank, Snipe, Black-tailed Godwits and Jack Snipe.	The value of Minster Marshes (including arable areas) as functionally-linked habitat to Pegwell Bay is specifically discussed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] regarding golden plovers from Thanet Coast & Sandwich Bay SPA, supported by two seasons of wintering bird survey (including nocturnal survey) which covered Ash Level, Minster Marshes and Pegwell Bay, two seasons of breeding bird survey which covered Ash Level, Minster Marshes and Pegwell Bay, and vantage point survey of the new overhead line, as agreed with Natural England.
So to summarise our concerns about the siting and building of this project			
3.1	Summary	No proper or complete environmental surveys have been conducted which is very disappointing and would question whether it is legal. For example, Sandwich Bay Bird Observatory holds detailed tidal bird survey records but has never been contacted even after we made the offer. The tidal survey records used are those from the WeBS counts, (the Wetland Bird Survey is the monitoring scheme for non-breeding waterbirds in the UK, which aims to provide the principal data for the conservation of their populations and wetland habitats). However, this survey is conducted on one day each month and therefore does not provide the full picture as weather and/or disturbance may have had an impact plus migrating bird populations present at a site will change from day to day, week to week.	The value of Pegwell Bay has been identified in the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] , Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] , and Application Document 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-115] . Minster Marshes (including arable areas) as functionally-linked habitat to Pegwell Bay is specifically discussed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] regarding golden plovers from Thanet Coast & Sandwich Bay SPA, supported by two seasons of wintering bird survey (including nocturnal survey) which covered Ash Level, Minster Marshes and Pegwell Bay, two seasons of breeding bird survey which covered Ash Level, Minster Marshes and Pegwell Bay, and vantage point survey of the new overhead line, as agreed with Natural England.

Reference	Matter	Points Raised	Applicant's Comments
			While Sandwich Bird Observatory were not directly contacted for data regarding Pegwell Bay, their published reports were used for reference in the assessment as referenced in the bird survey reports, such as 'Sandwich Bay Bird Observatory Trust (SBBOT, 2020). Wading Bird Monitoring of the Thanet Coast SPA in Jan/Feb 2020', along with data from other sources such as Kent Ornithological Society.
3.2	Summary	The siting of the large converter station on Minster Marshes is at odds with the Department of Energy Security & Net Zero National policy statement for Electricity networks infrastructure (EN-5). Published maps detail the effects of rising sea levels in the UK. These clearly show that the expected rise of 35cm in sea levels by 2050 will result in the converter station and a large amount of surrounding land will be under seawater.	In line with Section 2.3 of National Policy Statement for Electricity Networks Infrastructure EN-5, the Applicant has assessed the resilience of the Proposed Project to the effects of climate change, as set out below. Application Document 6.8 Flood Risk Assessment [APP-292] has been informed by Environment Agency National Flood Risk Assessment 2 flood maps for rivers, the sea and surface water. The maps were updated in 2025 to account for the latest understanding of the effects of climate change derived from the UK Climate Projections 2018 (UKCP18). The maps show that in the present day there is a very low chance of flooding at the converter station site. When climate change to 2070 (which it is noted is at the end of the 40 year development lifetime of the Project) is factored in, more extensive flooding in the Sandwich area is predicted, and at the converter station site the chance of flooding increases to a low to medium risk, with these risks suitably mitigated by construction of the asset on a raised platform, which is necessary to provide suitable ground conditions for construction.
3.3	Summary	The land for the converter station is marsh land, Sandwich Bay Bird Observatory is concerned about the potential adverse effects on the water environment leading to Pegwell Bay due to the squeezing out of water from beneath the weight of the converter station in to near by ditches, drains and eventually the river stour. This could have a marked impact on the unique large seal colony as well as the mudflats for feeding wading birds. Full consideration does not seem to have been made as required under the guidance in the Overarching National Policy Statement for Energy EN-1 section 5.16.2	The methodology for the formation of the converter station platform would drain the soil water column, encouraging its deeper infiltration as well as slowly draining out water via a stone layer. These flows, which would be treated via passage through the stone layer, would be received by a ditch which would provide additional attenuation storage. The ditch would then outfall to the wider watercourse network. The slow, incremental drainage over a long period would provide for both treatment and attenuation prior to the discharge of flows into the local water environment such that there would be no significant impact on the local water environment. Paragraph 5.16.2 of NPS EN-1 states: <i>“During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water, and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010”.</i> The matters set out in paragraph 5.16.2, where they have the potential to give rise to a likely significant effect, have been assessed in the Environmental Statement. The potential for the Proposed Project to compromise objectives under the Water Environment (Water Framework Directive) has been assessed in Application Document 6.9 Water Framework Directive Assessment [APP-293].
3.4	Summary	Pegwell Bay is a nationally and internationally recognised wildlife site and the damage to the salt marsh caused by National Grid's previous project (the Nemo Link) is still evident. The proposal to drill under the bay will	This is incorrect. The Proposed Project does not reserve the right to use open cut cable installation through saltmarsh in Pegwell Bay. This is confirmed in binding measures W12, W18, W22, LV08, TT05, TT08, GG35, B42, and B69 in Application

Reference	Matter	Points Raised	Applicant's Comments
		again cause major disturbance but SeaLink reserve the right too open trench if the under drilling is not possible. No evidence has been provided to explain why they can under drill this time.	Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [CR1-043]. The feasibility of the HDD, and contrasts with the Nemo Link installation are covered in the response to AP16 of Application Document 9.72.2 Applicant's Response to Issue Specific Hearing 1 Action Points [REP1A-037].
3.5	Summary	The Hoverport holds important species of wildlife and the proposed use for machinery and engineering works would effectively wipe out all of this. Additionally it would provide enormous disturbance, by sight and sound to the birds in Pegwell Bay hindering their ability to adequately feed and roost. Lastly it is not clear (even in the most recent application where the amount of land has increased again and now includes some salt marsh) how SeaLink plans to restore the area after it relatively short time of use.	The value of the hoverport in supporting uncommon plants (including orchids) and invertebrates has been recognised in the Application Documents and particularly the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] . The hoverport will only be used as an access route and there are sufficiently wide corridors of unvegetated hardstanding on site that it can be traversed without habitat removal. Disturbance of birds within and around Pegwell Bay as part of the trenchless section of cable installation within the bay is assessed in Application Document 6.6. Habitats Regulations Assessment Report [REP1-071] and Application Document 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-115] .
3.6	Summary	The building of more electricity pylons and power lines and at a different heights to the existing ones will provide a real hazard for flying birds. Minster Marshes and the whole River Stour valley are used by large populations of Mute Swans and Wildfowl particularly in the winter months and the time when they can be covered in fog. This new hazard will result in mass bird collisions as has been previously witnessed closer to Sturry.	A collision risk assessment based on a year of vantage point surveys and a bird carcase search of the existing overhead line was specifically undertaken to assess impacts on birds in flight, and mitigation has been specifically designed to address this including low light conditions (i.e. reflective deflectors). Despite the presence of the existing overhead line across Ash Level and the River Stour there has been no significant instance of bird strike.
3.7	Summary	The offset land proposed for mitigation is of very low value for any wildlife due to its size, location, current use and power lines that run over it. A large area of similar and local wet farmland must be provided to allow for species such as Golden Plover to roost and feed without disturbance. As per the guidance in the Overarching National Policy Statement for Energy EN-1 section 5.11.25	The mitigation for permanent loss of functionally linked arable land used by golden plover has been agreed with Natural England, as has the management to be deployed to enhance its value for wintering golden plover. It is well connected to the SPA as well as to Ash Level. It is not a disturbed environment and the area involved (10ha) is larger than the area required for golden plover mitigation therefore providing a buffer margin around the fields. There are no powerlines traversing the fields to be used for off-site mitigation. Paragraph 5.11.25 of NPS EN-1 requires the Secretary of State to “<i>consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of planning obligations</i>”. As set out in Application Document 6.2.3.1 Part 3 Kent Chapter 1 Landscape and Visual [APP-061], landscape mitigation proposals for the Kent Onshore Scheme have been developed and the design includes enhancement to the local green infrastructure network. The impact of the Proposed Project on open space is considered in Section 7.14 of Application Document 7.1 (C) Planning Statement [AS-057], which concludes that there will be no loss and no increased demands or impacts on open spaces as a result of the operation of the Proposed Project.
Conclusions			
4.1	Conclusions	Sandwich Bay Bird Observatory hopes that the planning inspectorate will acknowledge and take into account our feedback when reviewing the planning applications they have in front of them. Sandwich Bay Bird	Noted. No response required.

Reference	Matter	Points Raised	Applicant's Comments
		Observatory is also happy to provide any further detail or data if requested directly to the inspectorate.	

Table 2.26 Sandwich Bay Bird Observatory Trust [REP1-243]

Reference	Matter	Points Raised	Applicant's Comments
Introduction			
1.1	Executive Summary	Sandwich Bay Bird Observatory Trust (SBBOT) strongly objects to the siting of the Sea Link landfall at Pegwell Bay and the construction of a large converter station on Minster Marshes. These proposals pose unacceptable and irreversible harm to irreplaceable habitats protected under UK and international law, and they represent fundamentally poor planning in light of viable, less damaging alternatives.	The Applicant notes the objection raised by Sandwich Bay Bird Observatory Trust (SBBOT) regarding the siting of the Sea Link landfall at Pegwell Bay and the proposed converter station at Minster Marshes. The concerns relating to ecological sensitivity, adequacy of survey work, mitigation strategy, and consideration of alternatives are acknowledged. Please see more detailed responses below.
1.2	Background & Institutional Standing	- Since 1952, SBBOT has operated as one of the UK's longest-running independent bird ringing stations, obtaining official observatory status in 1962. - Unlike many conservation groups, SBBOT owns significant tracts of land in East Kent, including areas of rare plant and invertebrate interest, and has long-term ecological data covering Pegwell Bay, the Hoverport, adjacent farmland, and RSPB Worth Marshes. - Our expertise and records uniquely position us to comment on ecological, ornithological, and hydrological impacts of the SeaLink proposals.	Noted. No response required.
Key Objections			
2.1	Legal and Designated Site Impacts	a. Pegwell Bay is subject to multiple, overlapping designations: SSSI, SPA, Ramsar, SAC / NNR status. These statutory protections make it one of the most environmentally sensitive places in Kent. b. The Habitats Regulations Assessment (HRA) submitted by National Grid acknowledges "in combination" effects with other developments. c. The converter station and associated works risk breaching legal obligations under the Conservation of Habitats and Species Regulations (as transposed into UK law), particularly in respect of "functionally linked land" and foraging/roosting habitat for SPA-listed species.	The Applicant notes the sensitivity of Pegwell Bay, recognised through multiple statutory designations (SSSI, SPA, Ramsar, SAC, NNR). These protections have been fully considered in the Environmental Statement (ES) and Application Document 6.6 Habitats Regulations Assessment Report [REP1-071], undertaken in consultation with Natural England. Application Document 6.6 Habitats Regulations Assessment Report [REP1-071] has assessed in-combination effects with other developments, in line with the Conservation of Habitats and Species Regulations. Potential impacts on functionally linked land and SPA-listed species have been addressed, with mitigation such as seasonal restrictions and habitat management protocols incorporated to avoid and reduce adverse effects.

Reference	Matter	Points Raised	Applicant's Comments
			The Applicant remains committed to ensuring compliance with UK legal obligations and continued engagement with SBBOT and stakeholders to safeguard Pegwell Bay's integrity.
2.2	Insufficient and Poorly Scoped Ecological Surveying	a. There is clear evidence in the Scoping Report that National Grid has minimised permanent habitat loss, asserting that converter station impacts “would occur in arable fields” rather than more sensitive habitats. b. However, local ecological knowledge (held by SBBOT) strongly suggests much greater connectivity: Minster Marshes (the proposed converter footprint) are functionally linked to Pegwell Bay, providing critical feeding, roosting, and commuting habitat for wading and seed eating birds. c. We note that SBBOT offered our detailed long-term tidal bird surveys to Sea Link's ecological team, but we were never contacted. Reliance solely on WeBS counts (once per month) is inadequate: it fails to account for day-to-day variability, migration pulses, disturbance events, or rare species.	The Environmental Statement should be referenced rather than the EIA Scoping Report. The value of Minster Marshes (including arable areas) as functionally-linked habitat to Pegwell Bay is specifically discussed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] regarding golden plovers from Thanet Coast & Sandwich Bay SPA, supported by two seasons of wintering bird survey (including nocturnal survey) which covered Ash Level, Minster Marshes and Pegwell Bay, two seasons of breeding bird survey which covered Ash Level, Minster Marshes and Pegwell Bay, and vantage point survey of the new overhead line, as agreed with Natural England. While SBBOT were not directly contacted for data regarding Pegwell Bay, their published reports were used for reference in the assessment as referenced in the bird survey reports, such as ‘<i>Sandwich Bay Bird Observatory Trust (SBBOT, 2020). Wading Bird Monitoring of the Thanet Coast SPA in Jan/Feb 2020</i>’, along with data from other sources such as Kent Ornithological Society.
2.3	Flood Risk and Climate Resilience	a. The National Policy Statement for Energy Networks Infrastructure (EN-5) requires that converter stations be sited in a way that takes account of future climate change and sea-level rise. SBBOT is deeply concerned that the proposed converter station footprint on Minster Marshes lies in a low-lying marshland area that will likely be inundated by rising seas (e.g., 35cm rise by 2050, consistent with UKCP projections). b. The weight and mass of the converter station (“squeezing out” water from beneath) could alter hydrology, forcing subsurface water into ditches and drains, affecting drainage dynamics into Pegwell Bay and the River Stour. These changes risk significantly damaging intertidal habitats, including mudflats critical for wading birds and the seal colony.	The Applicant notes concerns regarding climate change, sea-level rise, and hydrology at Minster Marshes. Flood risk assessments (reported in Application Document 6.8 Flood Risk Assessment [APP-292]) using UKCP data and Environment Agency guidance have informed the siting and design of the converter station, with resilience measures incorporated to address future sea-level rise. Potential hydrogeological impacts have been assessed through ground investigations and modelling. Mitigation measures, including engineered foundations and controlled drainage systems, will be implemented to safeguard local water dynamics and protect intertidal habitats important for birds and seals. All works will comply with UK legislation and best practice, with ongoing consultation to ensure resilience and habitat protection.
2.4	Risk to Protected Species and Collision Hazards	a. The plan to erect new overhead lines / pylons (at heights different from existing infrastructure) poses a serious collision risk to flying birds, especially in the River Stour corridor. Large populations of mute swans, wildfowl, and other species use this valley, particularly in winter and in fog. Similar developments have shown high collision mortality closer to Sturry. b. The Hoverport, now a rewilded site, hosts rare moths (e.g., fiery clear-wing), butterflies (fritillaries), seed-eating birds (locally uncommon greenfinches) and more. The planned construction access and heavy machinery would devastate this biodiversity, as well as increasing disturbance through visual and auditory noise, flustering birds in adjacent protected sites.	A collision risk assessment based on a year of vantage point surveys and a bird carcass search of the existing overhead line was specifically undertaken to assess impacts on birds in flight, and mitigation has been specifically designed to address this including low light conditions (i.e. reflective deflectors). Further detail is provided in Application Document 6.3.3.2.F ES Appendix 3.2.F Vantage Point Survey Report [APP-152]. The hoverport will only be used as an access route and there are sufficiently wide corridors of unvegetated hardstanding on site that it can be traversed without habitat removal.

Reference	Matter	Points Raised	Applicant's Comments
2.5	Past Precedents and Inadequate Mitigation	a. There is a worrying precedent: the Nemo Link project (also by National Grid) caused lasting damage to Pegwell Bay's saltmarsh, despite earlier assurances about reinstatement. Local conservation groups remain concerned lessons have not been learned. b. SeaLink's proposal still reserves the right to trench if horizontal directional drilling (HDD) proves unfeasible. No satisfactory explanation has been provided for why they may revert to open cut, given the profound habitat impact. c. The "offset land" offered for ecological compensation is wholly inadequate: according to Kent Wildlife Trust, the new mitigation field (3 miles away) is not functionally connected, is not marshland, is subject to disturbance, and is surrounded by industrial land, rendering it of low ecological value. d. The proposed mitigation fails to align with guidance in the Overarching National Policy Statement EN-1 (paragraph 5.11.25), which requires that any compensation is comparable in ecological function and connectivity.	Nemo Link was not developed by the Applicant. This project was developed by National Grid Ventures, a separate business, as explained in paragraph 1.6 of the Application Document 7.1 Planning Statement [AS-057]. The feasibility of the HDD, and contrasts with the Nemo Link installation are covered in the response to AP16 of Application Document 9.72.2 Applicant's Response to Issue Specific Hearing 1 Action Points [REP1A-037]. The Proposed Project does not reserve the right to use open cut cable installation through saltmarsh. This is confirmed in binding measures W12, W18, W22, LV08, TT05, TT08, GG35, B42, and B69 in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [CR1-043]. The mitigation for permanent loss of functionally linked arable land used by golden plover has been agreed with Natural England, as has the management to be deployed to enhance its value for wintering golden plover. It is well connected to the SPA as well as to Ash Level. It is not a disturbed environment and the area involved (10 ha) is larger than the area required for golden plover mitigation therefore providing a buffer margin around the fields. See Applicant's response to the Relevant Representation provided by CPRE (Kent), Save Minster Marshes, Kent Wildlife Trust, IUCN and RSPB among others, in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], regarding the adequacy of the golden plover mitigation area. This mitigation area, including its extent, location and management prescriptions, has been agreed with Natural England. The mitigation does, therefore, align with policies set out in NPS EN-1.
2.6	Alternative Routes / Sites Not Properly Considered	a. Many respondents during consultation strongly urged National Grid to reassess alternative converter station sites, for example brownfield locations (Isle of Grain, Kingsnorth) or re-routing options (SL1 route near Sellindge). b. Conservation organisations (such as Kent Wildlife Trust) argue that National Grid's choice of the current site prioritises cost efficiency over ecological prudence, a trade-off that undermines both the ecological integrity of the site and the UK's broader commitments to biodiversity and sustainable development.	Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] explains why the Proposed Project is needed and the strategic options considered including the selection of the Richborough area and why Sellindge was discounted. A connection into the Isle of Grain would not meet the needs case of the Proposed Project. Application Document 7.3 Design Development Report [APP-321] explains how the design process was conducted and how the design evolved from the selection of the preferred strategic proposal to the Proposed Project as applied for.
Strategic Arguments & Legal / Policy Framing			
3.1	Duty under the National Policy Statements (NPS)	Under EN-1 and EN-5, developers must demonstrate that adverse environmental effects are minimised, mitigated, or compensated. The scale of Sea Link's impact in Pegwell Bay and Minster Marshes suggests that the balance has not been struck appropriately.	The Applicant has followed the mitigation hierarchy and identified opportunities to avoid and mitigate constraints whenever possible. Significant amounts of environmental survey and assessment have been undertaken, technical design work, and stakeholder consultation to inform the Applicant's approach to reducing impacts which for Kent are set out in Part 3 of the Environmental Statement (ES). Application Document 7.3 Design Development Report [APP-321] explains how the design of the Proposed Project has evolved from strategic options through to that

Reference	Matter	Points Raised	Applicant's Comments
			applied for and how environmental constraints from desktop and field surveys alongside stakeholder feedback have fed into that process. The Applicant has presented the overall planning balance in Application Document 7.1 (C) Planning Statement [AS-057] and the concludes that the Proposed Project is accordance with the relevant NPSs for Energy – NPS EN-1, EN-3 and EN5 and that the benefits of the Proposed Project outweighs its adverse impacts.
3.2	Habitat Regulations / HRA Risk	Given the European / international designations (SPA / Ramsar), the Planning Inspectorate must apply strict Habitats Regulations tests (e.g., no alternative, imperative reasons of overriding public interest, compensatory measures). SBBOT strongly questions whether the HRA submitted sufficiently demonstrates avoidance or mitigation.	See responses above and responses to comments made on Sandwich Bay Bird Observatories other Written Representation. The tests referenced (no alternatives, imperative reasons of overriding public interest and compensation) are only triggered where an adverse effect on integrity will arise even after taking account of mitigation. That is not the case for the Proposed Project. Within the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) there is no legal requirement to consider alternatives if the Proposed Development can be concluded not to result in an adverse effect on integrity.
3.3	Flood Risk & Climate Adaptation	Building major infrastructure on marshland that is clearly in a floodprone zone is inconsistent with both national planning policy (NPPF) and energy infrastructure policy (EN-5).	In accordance with NPS EN-1 and NPS EN-5 the identification and appraisal of routeing and siting options for the Proposed Project considered environmental and socio-economic factors as well as technical and engineering design considerations and cost. This included consideration of flood risk. This is explained in Application Document 7.3 Design Development Report [APP-321] which summarises the key design decisions from the historical reports detailing options appraisal. The routeing and siting options process resulted in the majority of the Order Limits being outside areas at medium or high risk of flooding with the Proposed Project's infrastructure, particularly those elements that could be at risk of flooding during the operational lifetime of the Proposed Project, such as the substations, converter stations and cable transition joint bays being located in Flood Zone 1. During construction, the Proposed Project avoids construction compounds in Flood Zones 2 and 3. Due to its linear nature some components of the Proposed Project associated with construction access routes (e.g. proposed temporary bridge over the River Stour in Kent), works to existing pylons and construction of new pylons to facilitate integration of the Proposed Project with the existing energy transmission network and where the marine cables make landfall at Kent must necessarily cross areas with a medium and/or high likelihood of flooding (Flood Zones 2 and 3). This is due to there not being reasonable alternatives at lower risk, however, these components are also of low vulnerability to flooding, are flood resilient, being able to safely operate in times of flood, and access to them would only be required for routine maintenance and inspections which could be planned to avoid periods of flooding. In addition, below ground infrastructure such as cabling once constructed will not be subject to flood risk because this infrastructure will be buried and therefore the Sequential Test applies only to the construction phase of these components. Commitments have been made to use trenchless crossings of landfall areas to avoid impacts on the floodplain from the underground cable construction.

Reference	Matter	Points Raised	Applicant's Comments
3.4	Cumulative Effects	The Planning Inspectorate must consider in-combination effects not only with SeaLink but with other infrastructure (e.g., Thanet offshore windfarm) and historical damage (e.g., Nemo Link). Natural England's screening in the HRA already flags cumulative impact risks.	In-combination effects are considered in Application Document 6.2.3.12 Part 3 Kent Chapter 12 Kent Onshore Scheme Intra-Project Cumulative Effects [APP-072] and Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073] which includes existing projects such as Nemo, at the request of Natural England.
3.5	Public Engagement & Consultation Deficit	SBBOT's previous submissions appear to have been ignored. This undermines the legitimacy of the consultation process. There is also concern that National Grid's "limited consultation" of affected persons (excluding broader stakeholders) fails to respect participatory rights and potentially breaches procedural fairness under the NSIP process.	Application Document 5.1 Consultation Report [APP-301] explains the process the Applicant undertook to engage thoroughly with affected stakeholders throughout the project development, whether these stakeholders are individuals, organisations or prescribed consultees. During the pre-application stage, the Applicant identified SBBOT as a non-statutory consultee. As such, the Applicant has written directly to SBBOT throughout the pre-application stage and beyond to update it on consultations and other key milestones, such as the submission and subsequent acceptance of the DCO application. The Applicant also notes the responses submitted by SBBOT to various rounds of pre-application consultation. Details of how the Applicant has had regard to this feedback is set out in the Consultation Report identified above. The Applicant also notes conversations it has had with SBBOT separate to formal consultation responses, including as part of the statutory consultation in 2023 and in response to the localised consultation in 2024.
Recommendations to the Planning Inspectorate			
4.1	Reject or Refuse the Proposed Converter Station on Minster Marshes	a. The proposal constitutes a disproportionate risk to protected habitats and legally designated sites. b. The flood-risk and sea-level rise threat alone make the current location unsustainable.	See response to 2.3 above regard the flood risk concerns. See above response to 2.1 concerning HRA matters.
4.2	Require a Full, Independent Ecological Reassessment	a. Commission or require National Grid to perform independent ecological surveys that include SBBOT's long-term data, especially on bird usage, hydrology, invertebrates, and rare plant species. b. Demand a re-run of the HRA, with more rigorous consideration of "functionally linked" land, nighttime roost use, seasonal variation, and connectivity.	See responses above and in Sandwich Bay Bird Observatories other Written Representation regarding adequacy of surveys and HRA.
4.3	Insist on Avoidance and Reappraisal of Alternatives	a. Require National Grid to discount all "cheaper but more damaging" routes/sites and to fully evaluate brownfield or less sensitive locations. b. Explore the plausibility of more trenchless methods (e.g., HDD) for onshore cable, and independent verification of their feasibility.	Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] explains why the Proposed Project is needed and the strategic options considered including the selection of the Richborough area and why Sellindge was discounted.
4.4	Strengthen Mitigation and Compensation Proposals	a. If any harmful impacts are to be accepted, require compensatory habitat that is equivalent or better in ecological function, connectivity, undisturbed, and storm resilience, not a distant, disconnected field.	See responses above on HRA matters. The golden plover mitigation area is not disconnected from the SPA being relatively close to it (closer than the habitat being lost) and golden plovers are known to forage up to 10 km or beyond from their intertidal areas.

Reference	Matter	Points Raised	Applicant's Comments
		b. Mandate legal binding conditions (via the DCO) that guarantee long-term habitat restoration, ecological monitoring, and adaptive management.	
4.5	Ensure Robust Public Participation	a. Confirm that all stakeholders, including SBBOT and local conservation NGOs, are formally recognised as Interested Parties and given full opportunity to submit detailed evidence. b. Demand transparency over how National Grid has treated prior consultation feedback and require a clear audit trail of concerns raised and how (or if) they were addressed.	a. The Applicant is not aware of any reason why stakeholders or local groups would not be able to fully take part on the Examination process and that are not able to submit detailed evidence. b. See response above in 3.5. The Application Document 5.1 Consultation Report [APP-301] explains the process the Applicant undertook to engage thoroughly with affected stakeholders throughout the project development, whether these stakeholders are individuals, organisations or prescribed consultees.
Conclusions			
4.1	Conclusion	Sandwich Bay Bird Observatory Trust strongly urges the Planning Inspectorate to regard the SeaLink proposals for Pegwell Bay and Minster Marshes as fundamentally flawed, both ecologically and legally. The scale and sensitivity of the habitats at risk, coupled with the inadequacy of survey work, the flawed mitigation strategy, and the availability of less damaging alternatives, make the current siting unjustifiable. We request that the application be refused or significantly revised to protect one of Kent's most precious and irreplaceable natural assets. SBBOT welcomes the opportunity to provide further data, ecological records, or expert testimony if required by the Inspectorate. Sample "functionally linked" land data below.	The Applicant recognises the ecological sensitivity of Pegwell Bay and Minster Marshes and the concerns raised by SBBOT. Ecological surveys have been undertaken in line with best practice. Mitigation measures, including seasonal restrictions and habitat management protocols, have been designed to minimise impacts and will be refined in consultation with Natural England and the Marine Management Organisation. The siting of the Proposed Project has been subject to a detailed alternatives assessment, with route selection aimed at reducing ecological impacts. The Applicant remains committed to ongoing engagement with SBBOT and other stakeholders to ensure assessments are comprehensive and that the Competent Authority has sufficient information to reach a robust conclusion.
4.2	Supporting Evidence: "Functionally linked" land - Nocturnal Movements Between Pegwell Bay and the Ash Levels / River Stour Corridor	Nocturnal survey work undertaken on the Ash Levels during the recent Richborough Connection project has shown that considerably greater numbers of birds use the River Stour corridor after dark than during the day. This pattern includes regular night-time movements of wildfowl and waders commuting between Pegwell Bay and inland feeding or roosting areas, precisely the type of behaviour described in Section 4.4 of the Thanet Golden Plover Surveys (Sutherland, 2016). These movements are not captured by daytime surveys or by infrequent monthly counts such as WeBS, yet they represent a critical element of how SPA-listed species use the wider landscape. To understand the scale of these nocturnal movements, a static acoustic recorder (Song Meter Micro) was positioned at TR31796272 across multiple nights in November and December 2023, and in January and February 2024. Two calm, dry nights from each month were selected to ensure optimal detection conditions. The accompanying table summarises the number of passes, that is, occasions where birds or flocks flew within approximately 500 metres of the recorder and also provides total call counts for each session. For example, 5(50) denotes five passes generating fifty calls. While acoustic monitoring cannot assign	The value of Minster Marshes (including arable areas) as functionally-linked habitat to Pegwell Bay is specifically discussed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] regarding golden plovers from Thanet Coast & Sandwich Bay SPA, supported by two seasons of wintering bird survey (including nocturnal survey) which covered Ash Level, Minster Marshes and Pegwell Bay, two seasons of breeding bird survey which covered Ash Level, Minster Marshes and Pegwell Bay, and vantage point survey of the new overhead line, as agreed with Natural England. Despite the presence of the existing overhead line across Ash Level and the River Stour there has been no significant instance of bird strike.

Reference	Matter	Points Raised	Applicant's Comments
		precise numbers of birds, higher call counts reliably indicate larger movements or flock sizes. Several species, including Teal, Gadwall, Mallard and Coot, were recorded calling continuously during many survey periods. As these calls occur both in flight and on the water, it was not possible to determine activity type with certainty; these species are therefore recorded simply as “present”. These findings provide further evidence that the Ash Levels and River Stour corridor form essential, functionally linked habitat for birds using Pegwell Bay, particularly during high tides and night-time periods. This ecological dependency has not been adequately represented within SeaLink’s environmental assessments, which rely heavily on daytime and low-frequency survey data and therefore risk underestimating the magnitude of likely impacts. Consequently, these survey results corroborate our position that the SeaLink proposals, particularly the converter station on Minster Marshes and the associated overhead line infrastructure pose substantial and unmitigated risks to protected species and to the integrity of the internationally designated Pegwell Bay system. Reference: Sutherland, M. P. (2016). The Status and Distribution of Golden Plover and Lapwing on Thanet, Kent.	

2.25 Save Minster Marshes [REP1-246, REP1-248, REP1-250]

Table 2.27 Save Minster Marshes [REP1-246]

Reference	Matter	Points Raised	Applicant's Comments
1 - 4	Introduction	These written representations are submitted on behalf of Save Minster Marshes (“SMM”) in respect of the above application for a Development Consent Order (“the DCO Application”) for the Sea Link project (“Sea Link”). These comments are made without prejudice to any future representation SMM may make about the DCO Application throughout the examination process. Our primary areas of concern in relation to the DCO Application are: (1) The ‘need’ case and non-compliance with mitigation hierarchy (2) Consideration of alternatives to	See below for a response regarding the adequacy of consultation regarding the change application

Reference	Matter	Points Raised	Applicant's Comments
		(3) Project costs and construction methods (4) Ecology and habitat impacts (5) Land use (6) Cumulative effects (7) Economic and social impact (8) Traffic, pollution and health (9) Flooding (10) Procedural flaws (11) Inadequate mitigation (12) The results of the Save Minster Marshes survey As the Examining Authority will be aware, the Applicant has proposed to make changes to the DCO Application and has indicated that it will submit a change request in November 2025.⁶¹ A consultation process on the proposed changes ran in parallel with the DCO main timetable and ended on 7 November 2025. At the time of writing, SMM is not aware whether a change of request has been submitted. SMM filed written representations raising concerns about the adequacy of this latest consultation process and the nature of the changes being proposed which, in SMM's view, are substantial. Matters which are materially relevant to the Examining Authority's decision whether to accept the Applicant's proposed changes are therefore included under issue (10) below	
5	Context	The proposed location of landfall of the Kent element of Sea Link is in the national and internationally protected marine environments of the Thanet Coast and Sandwich Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site; the Sandwich Bay and Hacklinge Marshes SSSI; and the Sandwich and Pegwell Bay National Nature Reserve. The proposed location of the infrastructure is adjacent to the inland section of the Sandwich Bay and Hacklinge SSSI, which supports an extensive variety of wildlife (described further below). This section of the SSSI will be almost totally enclosed by energy infrastructure should Sea Link go ahead. The close proximity of the main converter and substation buildings and associated infrastructure will mean that these protected sites and their wildlife will be impacted both during the construction and operational phases.	A full assessment of the potential impacts on protected sites, species and habitats is provided in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]
6	Context	The proposed location has a small number of other power-related developments, including a Grid Stability plant⁶² and a vast BESS plant that has already raised the land area by at least 1 metre - causing run off pollution into the Minster Stream.⁶³ The Applicant's Nemo Link project in 2019 led to the construction of a converter station and associated infrastructure on the old Richborough Power Station site nearby. The biodiversity of this area has already been drastically affected by this number of large developments, and it is therefore extremely important that the	No response required other than to note again that Nemo Link was not developed by the Applicant. This project was developed by National Grid Ventures, a separate business, as explained in paragraph 1.6 of the Application Document 7.1(C) Planning Statement [AS-057].

⁶¹ National Grid, 'Change Application Consultation Document' (October 2025).

⁶² That was granted permission without an EIA.

⁶³ E.g. planning permission for the development of an electrical grid stability facility (ref: TH/23/0170) connected to the high-voltage substation and energy park; and a solar farm with Richborough Energy Park (formerly called Richborough Power Station) encompassing a 400kV high voltage substation connected to the National Grid.

Reference	Matter	Points Raised	Applicant's Comments
		cumulative impact of these combined developments and any future ones are taken seriously into consideration.	
7 - 9	Minster Marshes	The inland section of the Sandwich Bay and Hacklinge Marshes SSSI, as well as being situated within a nature-protected area, lies adjacent and is functionally linked to Pegwell Bay (which has SSSI, Ramsar, SAC and National Nature Reserve status). The area acts as a critical ecological superhighway connecting Pegwell Bay with the rest of the South East and further afield. It is home to hundreds of bird species, many of which are on the endangered list, including significant populations of 32 red-listed bird species, 46 amber listed birds, and 74 other species, including species in danger of extinction in the UK such as nightingale, cuckoo, partridge, skylark, grasshopper warbler, garden warbler, curlew, golden plover, lapwing, hen harrier, marsh harrier, yellow hammer, tree sparrow, jack snipe, common snipe, turtle dove and more.⁶⁴ Minster Marshes is an undisturbed home for species that are struggling to find habitat in the face of encroaching human development on the Isle of Thanet and elsewhere in Kent and the UK. These include endangered riparian mammals, European eels, beavers and water voles along the Minster Stream and River Stour, as well as healthy populations of grass snakes, protected slow worms, brown hares and endangered bees, among other species. Minster Marshes is also classified as Grade 2 agricultural land, with areas under the DEFRA Higher Level Stewardship scheme, but also classified as Best and Most Versatile (BMV) land. The Isle of Thanet's farmland is classified as "excellent" (just 2% of Kent's farmland makes this grade). Being surrounded by sea with a maritime climate and little frost, has some of the best crop production land in the UK.	Pegwell Bay and associated designations The Applicant recognises the designated status of the sites identified in the representation, and the role that these designated sites play in connecting Pegwell Bay ecologically with the wider South East and further afield. This includes the role of the designated sites as part of the English East Coast and as part of the East Atlantic Flyway. These designations have all been robustly considered in the site selection, design, and assessment of the Proposed Project. As highlighted above, a full assessment of the potential impacts on protected sites, species and habitats is provided in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. Extensive surveys have been undertaken of the habitats and species and an assessment undertaken of all key species identified. Minster Marshes It is recognised that the site of the proposed converter station and substation lies within an area known as the Minster Marshes, which the representation described as undisturbed. The name Minster Marshes reflects the history of this area as marshland, which included the silting up of the Wantsum Channel during the medieval and post-medieval period before the land was reclaimed. It is important to note, however, that despite the name of this area, the site of the proposed converter station is not undisturbed nor is it a functional coastal or floodplain grazing marsh, the two recognised marsh habitats in the UK. True floodplain grazing marsh consists of grassland which is, as the name suggest, used for grazing livestock, though the sward is sometimes cut for hay or silage in the summer. The Applicant recognises the value of the land for foraging birds such as golden plover, however this alone does not mean it is marsh habitat. Instead, the proposed converter station and substation are primarily located within drained and cultivated arable land that is in active use. While the arable land can retain standing water at times of heavy rainfall, the cropping use limits its biodiversity importance, consisting as it does of monoculture commercial planting (comprising, when surveyed, corn, beans, and cabbage). There are various other habitat types within and around the converter station and substation site, including drains with marsh habitat (which has been avoided where possible) but the majority of the site (and indeed the land in the wider 'Minster Marshes' area) comprises disturbed and cultivated arable land. The majority of this area is not a functional grazing marsh habitat. Furthermore, the proposed converter station site is not subject to any nature conservation designations, whether international, national, or even local. Nature conservation designations have been avoided wherever possible in the site selection process in accordance with the mitigation hierarchy, including (elsewhere away from

⁶⁴ RSPB, 'Birds of Conservation Concern 5' – see <https://www.bto.org/sites/default/files/publications/bocc-5-a5-4pp-single-pages.pdf>

Reference	Matter	Points Raised	Applicant's Comments
			the converter station and substation site) using trenchless techniques to avoid protected saltmarsh habitats. The habitat classifications and designated sites are confirmed within Application Document 6.3.3.2.A (B) ES Appendix 3.2.A Extended Phase 1 Habitat Survey Report (Redacted) [AS-005] and Application document 2.9 Habitats of Protected Species and Important Habitats [APP-029]. Notwithstanding this, it is recognised that the habitats that do exist within and near to the site of the Proposed Project have the potential to affect various bird, mammal, and riparian species. These are robustly assessed in the application, including in the documents referred to above. From a landscape perspective, it is acknowledged that (while not marsh habitat) the site of the proposed converter station is within the easternmost part of Stour Marshes Landscape Character Area (LCA) (E1) as set out within the Thanet District Council Landscape Character Assessment (2017). The Stour Marshes LCA (E1), together with the Wade Marshes LCA (E2), extends for approximately 17 km around the edge of Thanet District, and beyond into the adjacent administrative areas of Dover and Canterbury. The proposed converter station and substation are located at the edge of the Stour Marshes LCA (E1), in the vicinity of the existing energy infrastructure within and associated with Richborough Energy Park (which also falls within this LCA), in a part of the LCA that exhibits some differing characteristics to the wider marsh landscapes to the west. The measures taken to avoid and reduce effects on landscape are set out in Application Document 7.5.7.2 Outline Landscape and Ecological Management Plan – Kent [PDA-035], Application Document 7.11.2 Design Approach Document – Kent [APP-365], and Application Document 7.12.2 Design Principles – Kent [APP-367]. The Applicant has previously responded to SMM points regarding the impact on BMV land in Table 2.9 in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]

Areas of concern

10	(1) The ‘need’ case / non-compliance with mitigation hierarchy	The Applicant’s need case is set out in its Planning Statement (Document 7.1) and Strategic Options Back Check Report (Document 7.2). These documents contain generalised commentary on the national policy position that there is an urgent need for new electricity network infrastructure, before asserting that the capacity of the existing network in East Anglia and the South East is insufficient to accommodate the connection of proposed new power sources connecting in the area. Beyond that, very little is provided by way of specific analysis explaining the need for this particular project in this location, with the technologies proposed. The Planning Statement identifies NPS EN-1, NPS EN-3 and NPS EN-5 as being relevant to the DCO Application.	The Applicant does not agree that Application Document 7.2 Strategic Options Back Check Report [APP-320] contains only “<i>generalised commentary on the national policy position</i>”. On the contrary, Section 3 of this document sets out a specific need case for Sea Link.. The Sea Link project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. These are summarised below: 1. South East Sea Link will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. This is driven by the interconnectors landing in Kent due to its proximity to mainland Europe, as well as growth in other renewable and battery storage projects. Sea Link has to connect on the network no further west than Canterbury North substation, to provide an additional route for power to flow out of Kent in a scenario where there is fault on the existing overhead line between Canterbury and Kemsley. 2. East Anglia

Reference	Matter	Points Raised	Applicant's Comments
			Sea Link will support the connection of additional low carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind. Sea Link has to connect in the Sizewell area in order to enable power flow from the generators connecting in this area (referred to as the Sizewell Generation Group) in a scenario where there is a fault between Sizewell and Bramford. Sea Link is also particularly important because it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group). As an HVDC link can be configured to transfer power in both directions, it can benefit multiple areas in the East Anglia and South East regions. Sea Link represents a coordinated approach to solving the above issues using a single solution. Further information on the need for the Sea Link Project was provided in Application Document 9.72.1: Applicant's Response to Issue Specific Hearing 1 (ISH1) Action Points - Deadline 1 [REP1-124].
11		NPS EN-1 sets out general principles and generic impacts to be taken into account in considering applications for energy NSIPs. Although section 4.2 states the provision of nationally significant low carbon infrastructure is now considered to be a development of "critical national priority" (§4.2.2), it also emphasises that applicants for such infrastructure " <i>must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements</i> " (§ 4.2.10).	In line with paragraph 4.2.10 of NPS EN-1, Application Document 7.1 (C) Planning Statement [AS-057] provides a detailed assessment of the Proposed Project against the relevant requirements of NPS EN-1, NPS EN-3 and NPS EN-5.
12		While SMM of course accepts the policy position in NPS EN-1 and EN-5, we do not consider it credible that the option of landfall through Pegwell Bay is the only option to provide this reinforcement and transmission system, as claimed by the Applicant. It is notable that the Applicant has provided scant information to justify the single choice of the Kent landfall option. Based on the current detail provided, which fails to explain why a project in this specific and sensitive location is required despite the significant and detrimental impact it would have on Pegwell Bay and Minster Marshes, SMM's position is that there is insufficient information available to the Examining Authority upon which it can be satisfied that the Applicant's need case has been made out.	As set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search, with all potential landfall locations resulting in varying degrees of interaction with these designations. These included four areas along the north Kent coast, one area between Margate and Broadstairs and one area in Pegwell Bay. The north Kent coast landfall areas of search were not progressed due to significant technical and environmental constraints on the marine approaches, and the landfall close to Broadstairs was not progressed due to significant constraints on the onward terrestrial route corridor. The landfall at Pegwell Bay, following the process of options appraisal and the application of the mitigation hierarchy, was therefore identified. Further information on the reasoning behind the connection locations for the Proposed Project and the alternatives considered are set out in: • Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]: this report explains how the routeing and siting of the Proposed Project was undertaken

Reference	Matter	Points Raised	Applicant's Comments
			(following the selection of the strategic option) and the reasons for the selection of the emerging preferences which were consulted upon during non-statutory consultation. • Application Document 8.2 Option Selection and Design Evolution Report (October 2023) [APP-369]: this report explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation • Application Document 7.3 Design Development Report [APP-321]: this report summarises the key design decisions from the two historical reports above and sets out how the design of the Proposed Project evolved from statutory consultation to the Proposed Project as applied for, taking into account feedback received from stakeholders. Finally, Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] provides an overview of the main alternatives considered at each stage of the design development (from strategic options to the proposal as applied for).
13		In addition to the overall lack of information justifying the Applicant's need case, SMM highlights the following issues:	No response required
13.1		Failure to apply mitigation hierarchy. This is a requirement under NPS EN-1. The policy in NPS EN-1 applies a policy presumption that, subject to any legal requirements (including under section 104 of the Planning Act 2008), the urgent need for CNP Infrastructure to achieving energy objectives will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. It is therefore incumbent on the Applicant to demonstrate, and on the decision-maker to be satisfied, that the mitigation hierarchy has been correctly applied in order for the presumption to be engaged. Accordingly, NPS EN-1 at §4.2.7 ad §4.2.10-12 provides (emphasis added): <i>“The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when it is making its recommendation to the Secretary of State.</i> ... 4.2.10 Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements. 4.2.11 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or	The assertion that the Applicant failed to apply the mitigation hierarchy correctly is not accurate. Indeed, the mitigation hierarchy was rigorously applied, as part of the approach to consenting set out in Application Document 7.3 Design Development Report [APP-321] and as part of the iterative process of EIA. The avoidance of environmental designations and other environmental constraints is an important factor which informs the Applicant's site selection process. This is considered alongside other factors such as engineering feasibility, cost, and other wider environmental and socio-economic matters. In considering these various factors, the Applicant uses reasonable judgement, in the context of the various statutory duties in the Electricity Act 1989 which include the duty to “<i>develop and maintain an efficient coordinated, and economical system of electricity transmission</i>” (which includes reducing costs on behalf of consumers), and also the duty to have regard to the desirability of conserving the environment and doing what can reasonably be done to mitigate effects. These duties are set out in Application Document 7.1 (C) Planning Statement [AS-057]. The application of the mitigation hierarchy is evident in the design of the Proposed Project. Although all potential landfall areas along the Kent coast are subject to various national and international nature conservation designations, Pegwell Bay was identified as the least constrained technically viable landfall option, with opportunities to avoid impacting the sensitive saltmarsh habitat using trenchless cable technology.

Reference	Matter	Points Raised	Applicant's Comments
		<i>other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.</i> <i>4.2.12 Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered."</i>	The onward terrestrial cable corridor and the converter station and substation sites avoid designated sites altogether. While the AC overhead lines connecting into the existing network oversail a belt of dense trees and scrub which forms part of the Sandwich Bay and Hacklinge Marshes SSSI and continue into the Ash Level and South Richborough Pasture Local Wildlife Site, this is unavoidable recognising the need to connect into the existing network. Mitigation (including bird diverters to reduce the risk of bird strikes) have been applied, secured via a commitment (B54) in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] The ongoing design refinements have similarly applied the principles of the mitigation hierarchy. The approach to project design, which embeds the mitigation hierarchy, is set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], Application document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369], Application Document 7.3 Design Development Report [APP-321], and Application Document 6.2.1.3 Par 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. The mitigation hierarchy need only be applied where likely significant effects are predicted, not any adverse effects including those judged not to be significant. Paragraph 4.3.8 of NPS EN-1 is clear in stating that: <i>"In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms 'effects', 'impacts' or 'benefits' should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits".</i> With respect to the Kent Onshore Scheme, where effects relate to the landfall, the applicant has concluded that there are no likely significant effects. The mitigation hierarchy has been applied in that the Applicant has committed to using a trenchless technique at the landfall to avoid significant impacts on key habitats e.g. saltmarsh associated with designated sites.
13.2		Given the preferred single option of landfall at Pegwell Bay, avoidance measures have been ruled out entirely. A critical element of the mitigation hierarchy has therefore been bypassed completely. The Applicant has only provided vague commitments that a Biodiversity Management Strategy will be produced to accompany the DCO once the impact assessment process is complete at the Environmental Statement stage. There is a similarly vague commitment to "investigate" mitigation opportunities to deliver long-term improvements to offset the permanent loss of fields currently used by non-breeding golden plover and to enhance the Stour corridor. No details are provided despite the Applicant's own	As set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search, with all potential landfall locations resulting in varying degrees of interaction with these designations.

Reference	Matter	Points Raised	Applicant's Comments
		conclusion that the loss of these fields will require offsetting. The Applicant has still not provided a satisfactory explanation for why an appropriate impact assessment and necessary investigations of mitigation measures have not been conducted prior to this application being submitted for examination. It speak volumes of an approach by an applicant which seeks to ‘kick the can’ as far down the road as possible in attempt to avoid complying with its policy, legal and regulatory requirements. Without sufficient detail as to what compensatory habitats are going to be provided (and how these would be managed going forward) the Examining Authority is not in a position to assess their likely effectiveness.	These included four areas along the north Kent coast, one area between Margate and Broadstairs and one area in Pegwell Bay. The north Kent coast landfall areas of search were not progressed due to significant technical and environmental constraints on the marine approaches, and the landfall close to Broadstairs was not progressed due to significant constraints on the onward terrestrial route corridor. The landfall at Pegwell Bay, following the process of options appraisal and the application of the mitigation hierarchy, was therefore identified. The Proposed Project has been subject to a full Environmental Impact Assessment (EIA), the outcomes of which are reported in the Environmental Statement submitted with the DCO Application. As part of the EIA process, potential significant adverse environmental effects have been identified, along with appropriate mitigation measures (i.e. measures to avoid, reduce or offset significant adverse effects). The EIA approach and methodology are detailed in Application Document 6.2.1.5 Part 1 Introduction Chapter 5 EIA Approach and Methodology [APP-046]. A comprehensive Register of Environmental Actions and Commitments (REAC) (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) has been produced to record all commitments made by the Applicant during the iterative development of the designs of the Proposed Project, including embedded measures which are totally intrinsic to the design as part of the Application and additional mitigation measures that have been identified through the EIA. The delivery of 10 ha of off-site arable enhancement land for SPA golden plover and for breeding skylark is set out in commitment B54 of the REAC.
13.3		Failure to follow ‘Site Selection Guidelines’. The Applicant’s choice of site location is inconsistent with its own ‘Site Selection Guidelines’ which provide that development should be avoided on marshy ground. Despite this, the Applicant proposes to build on alluvial clay soil, where the shrink / swell capacity of the soil is very high. The Applicant also proposes the installation of a temporary bridge across a wetland location which consists of inherently unstable land that is unsuitable for the construction of such a heavy and extensive development. The Applicant’s plans to operate heavy construction machinery along the edge of the riverbank are of particular concern, especially in light of the damage caused by the construction work for the Nemo Link Project (also by the Applicant) which collapsed the surrounding riverbank and has still not been repaired. The Applicant has relied primarily on desktop studies in lieu of physical land surveys. Had the Applicant undertaken appropriate and adequate surveys, it would have been apparent that the areas being proposed are wholly unsuitable to this project and do not support the Applicant’s choice of site location (See Appendix 5: Video and photographic evidence).	National Grid’s approach to consenting National Grid’s approach to project development is set out in Application document 7.3 Design Development Report [APP-321]. This involves a balanced consideration of various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to what the most appropriate project design to take forward. The approach to routeing and site selection for the Proposed Project specifically is set out in section 5 of Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368]. This took account of the Horlock Rules, in the absence of any specific siting guidance for converter stations. The options were appraised in accordance with National Grid’s approach to options appraisal. Ground conditions and constructability formed part of the appraisal process, however as the constraints imposed by the ground conditions could be mitigated through design, they were not determining factors within the selection process.
13.4		Failure to properly assess the environmental impact of “trenchless techniques”. The details provided by the Applicant on the use of “trenchless techniques” is limited and there has been no proper assessment of the environmental impact of this technology. The Applicant’s claims that it will rely on trenchless techniques to avoid any significant effects should be treated with the utmost caution, particularly in light of the similar commitments it made in respect	Ground conditions The ground conditions at the converter site are understood, as demonstrated in Application document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065], informed by various ground investigation surveys undertaken at the site. Further ground investigations will be undertaken in the future. The foundation design for the converter station and substation platform will reflect

Reference	Matter	Points Raised	Applicant's Comments
		of the recent Nemo Link installation which, in the end, the Applicant reneged on, leading to irreparable damage to saltmarsh and marine habitats. In addition, the Nemo Link project's proposed mitigation measures have never been implemented.	this. It is likely that the design will include a raised development platform, with piled foundations through the Thanet Formation (including alluvium and clay) into the white chalk bedrock beneath. Working close to watercourses Regarding working close to the riverbank, Application document 7.5.3.1 CEMP Appendix A Code of Construction Practice [APP-341] sets out a range of measures to ensure that construction activity is carried out in appropriate ways that reduce impacts. This includes various measures that specifically control working near to main rivers and the River Stour. The temporary crossing of the River Stour, situated within the River Stour flood plain, is addressed in detail in Application Document 6.8 Flood Risk Assessment [APP-292], with measures to reduce construction impacts set out in Application document 7.5.3.1 CEMP Appendix S Code of Construction Practice [APP-341]. It is considered from an aquatic ecology perspective in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049], with mitigation measures set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. Nemo Link It should be noted that Nemo Link was not developed by the Applicant. This project was developed by National Grid Ventures, a separate business, as explained in paragraph 1.6 of the Application Document 7.1 (C) Planning Statement [AS-057].
The feasibility of the HDD, and contrasts with the Nemo Link installation are covered in the response to AP16 of Application Document 9.72.2 Applicant's Response to Issue Specific Hearing 1 Action Points [REP1A-037] .			
13.5		Further, there is a risk that the use of open-cut trenching techniques will result in an impact to priority habitats (including Mudflats, Coastal Saltmarsh, Reedbeds, Coastal and Floodplain Grazing Marsh, Deciduous Woodland and Open Mosaic Habitat), and the Sandwich Bay SAC, SPA and Ramsar site. These impacts should be avoided (if the mitigation hierarchy were applied correctly). The single choice of a landfall location, however, has meant that sequential testing has not been undertaken, and mitigation is being relied on solely (entirely bypassing the avoidance stage).	A response to these comments can be found in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] which details that there are no proposals in the DCO to allow open cut trenching across the saltmarsh, even as a fallback position. The impact of cable installation, using trenching and subsequent burial in the intertidal mudflats in Pegwell Bay, has been provided in Application Document 6.2.4.2 (C) Part 4 Marine Chapter 2 Benthic Ecology [REP1-054]. Please also see the response to these comments can be found in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] which contains detailed information regarding the Kent landfall site selection process. See Applicant's response to the Relevant Representation provided by CPRE (Kent) in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Response [REP1-115] which contains a detailed response on how avoidance has been considered and applied through the Proposed Development, including site selection.

Reference	Matter	Points Raised	Applicant's Comments
			As set out in the response in row 13.1, the mitigation hierarchy was rigorously applied.
			The Applicant has submitted an update to Application Document 9.13 (B) Pegwell Bay Construction Method Technical Note [REP1-108] as part of the Deadline 2 submissions which provides more detail about construction of the landfall.
14		The Energy Security and Net Zero Committee is currently conducting an inquiry into ‘The Cost of Energy’. At a recent oral evidence session held on 15 October 2025 (attended by Polly Billington, MP for East Thanet), industry leaders⁶⁵ gave evidence to the Committee that electricity demand is falling and that infrastructure is being built which is unnecessary to service that falling demand. Simone Rossi (CEO at EDF UK) for example stated as follows (emphasis added): <i>“I do not agree with the evidence, to be honest with you. As Rachel alluded to, we have in front of us a system where, even if the wholesale price were to halve, as she indicated, the bills will rise. There are two main drivers that we have in front of us in the growth of the bills. One is the demand reduction. We are building infrastructure as if there was more demand, but, in reality, there is less and less demand, so you have a bigger burden on smaller shoulders. That is problem No. 1.</i> <i>The real question is whether we are building the infrastructure ahead of the demand, or so much ahead of the demand. What is the consistency between the demand and the supply? I go back to my earlier point that left some of you shocked. As I said, and I repeat, for 20 years there has been a prediction that electricity demand will grow where indeed it has fallen. Nobody seems to check the numbers. If you go and check the numbers on the DUKES, which are the Department for Energy Security and Net Zero statistics, you will see for yourself with your eyes that that is indeed what has happened.</i> <i>The real question, to policymakers or Government, is to ask, “How do we balance the electrification that is a creation of the demand that might well come one day, but for the time being has not come at all, with infrastructure?” If infrastructure is built quickly, this problem that we have alluded to of these fixed costs that are increasing on a smaller base, on a smaller demand, will be very difficult to solve, because it will push up the bills.”⁶⁶</i>	The need for Sea Link reinforced in the government National Energy System Operator (NESO) Clean Power 2030 ‘Advice on achieving clean power for Great Britain by 2030’ (November 2024). This report is the NESO analysis of what it considers to be the pathway to a clean power system by 2030. This report states that a major network expansion is needed to achieve this and identifies Sea Link as being critical for the achievement of the Clean Power 2030 target and also requiring acceleration of its delivery date. The report highlights that without the Proposed Project, consumers could face an extra £1.4b in constraints costs in 2030. In any case, NGET has legal duties under the Electricity Act 1989 to develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. The needs case is set out in detail in Application Document 7.2 Strategic Options Back Check Report [APP-320].
15		SMM recognises the national need to adapt the electricity transmissions network to transition to a more sustainable and decarbonised energy future. However, this need for new energy infrastructure should be viewed in the context of the latest evidence being given from industry leaders which raises concerns about the impact of infrastructure which far surpasses demand requirements and results in significant costs increases for consumers in a time of a cost of living crisis.	The Applicant recognises and welcomes the acknowledgment of the national need to adapt the electricity transmission network to transition to a more sustainable and decarbonised energy future.
16		Planning decisions should ensure that the adverse impacts of development in the countryside are minimised (including securing real nature recovery opportunities),	In line with Section 104(2) of the Planning Act 2008, the Sea Link application will be decided in accordance with the relevant National Policy Statements (NPS) which, in

⁶⁵ Including the CEOs of OVO, E.ON, Centrica, EDF UK, Scottish Power and Octopus Energy

⁶⁶ Energy Security and Net Zero Committee, Oral Evidence: The cost of energy, HC 736, Wednesday 15 October 2025, Questions 272-355. See <https://committees.parliament.uk/oralevidence/16535/html/>

Reference	Matter	Points Raised	Applicant's Comments
		and that they are genuinely sustainable and enjoy the support of local communities. On 30 October 2025, the Government published its ‘Unlocking the benefits of the clean energy economy’ report, which emphasises that the Government’s Clean Energy Superpower Mission involves, and should not be at the expense of, protecting the natural world: <i>“The climate and nature crises are fundamentally linked, and we must address them together. We will use our land and resources more efficiently and innovatively, creating woodland and restoring peatland to store carbon and protect us from climate impacts. As a result, we will see reduced flood risks, improved water quality, and cleaner air. We will protect our countryside and increase access to nature, so the British people can enjoy what is rightfully theirs.”</i>⁶⁷	this case, are: Overarching NPS for energy EN-1, NPS for renewable energy infrastructure EN-3 and NPS for electricity network infrastructure EN-5. As indicated in paragraph 2.6.3 of NPS EN-1, <i>“the planning framework set out in NPS EN-1 and the suite of energy NPSs takes full account of the objective of contributing to the achievement of sustainable development and this has been tested through the Appraisal of Sustainability (AoS)”</i>, with paragraph 2.6.4 explaining that <i>“the AoS has examined whether the NPS framework for the development of new energy infrastructure projects is consistent with the objectives for sustainable development, including consideration of other government policies such as those for the environment, economic development, health and transport”</i>. Paragraph 2.6.5 goes on to state that <i>“the government believes that the NPSs set out planning policies which both respect the principles of sustainable development and can facilitate, for the foreseeable future, the consenting of energy infrastructure on the scale and of the kinds necessary to help us maintain safe, secure, affordable and low carbon supplies of energy”</i>. As set out in Section 9 of Application Document 7.1 (C) Planning Statement [AS-057], the Applicant has demonstrated the compliance of the Proposed Project with the relevant NPSs.
17		It is therefore inherent in the Government’s policy agenda that measures to tackle the challenges of energy insecurity and climate breakdown are inextricably linked. The national need for new energy infrastructure in the longer term should not be used to justify schemes which cause irreparable damage to the natural landscape, ecology and biodiversity.	This consideration is consistent with the Applicant’s statutory duty under Section 38 of the Electricity Act 1989, in formulating proposals for new development, to <i>“have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest”</i> and to <i>“do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects”</i>.
18		In respect of this DCO Application, insufficient information has been provided to justify the choice of location, and the Applicant has failed to comply with the mitigation hierarchy as avoidance before mitigation has not been properly or genuinely considered. These issues raise considerable doubt as to the appropriateness of this DCO Application and the Applicant’s needs case. Unless the Applicant can (1) properly justify its choice of a single choice of the Kent landfall option and (2) demonstrate compliance with the mitigation hierarchy, then it follows that the presumption in favour of granting consent for energy NSIPs cannot be applied.	There is substantial information in the application, including information that has been subject to extensive public and stakeholder consultation between 2022 and 2024, which sets out the justification for the proposed locations of the landfall, onward cable corridor, and converter and substation site. This includes substantial information on the alternatives that were considered and presented during previous consultations. The Proposed Project has been subject to an extensive and robust site selection and design process which is documented in the following reports: • Application Document 7.2 Strategic Options Back Check Report [APP-320]: this report sets out why the Proposed Project is needed and what strategic options were considered to meet the identified need case. • Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]: this report explains how the routeing and siting of the Proposed Project was undertaken (following the selection of the strategic option) and the reasons for the selection of the emerging preferences which were consulted upon during non-statutory consultation.

⁶⁷ UK Government, ‘Unlocking the benefits of the clean energy economy’ (October 2025), p.6

Reference	Matter	Points Raised	Applicant's Comments
			• Application Document 8.2 Option Selection and Design Evolution Report (October 2023) [APP-369]: this report explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation. • Application Document 7.3 Design Development Report [REP-073]: this report summarises the key design decisions from the two historical reports above and sets out how the design of the Proposed Project evolved from statutory consultation to the Proposed Project as applied for, taking into account feedback received from stakeholders. • Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]: this ES chapter provides an overview of the main alternatives considered at each stage of the design development (from strategic options to the proposal as applied for). Regarding the landfall location, and as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. These included four areas along the north Kent coast, one area between Margate and Broadstairs and one area in Pegwell Bay, these are illustrated on Plate 5-3 of that document. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search with all potential landfall locations resulting in varying degrees of interaction with these designations. The north Kent coast landfall areas of search were not progressed due to significant technical and environmental constraints on the marine approaches, and the landfall close to Broadstairs was not progressed due to significant constraints on the onward terrestrial route corridor. Regard was had to the ecological constraints of the Pegwell bay landfall area of search, but opportunities to employ trenchless construction techniques to avoid impacts on the sensitive saltmarsh habitat. Three landfall areas within the wider Pegwell bay area of search were appraised, with the northern most of these is preferred. Mitigation hierarchy Please see the response in row 13.1. The mitigation hierarchy has been applied in that the applicant has avoided significant impacts on designated sites through the commitment to using trenchless techniques to make landfall, thereby avoiding impacts on saltmarsh habitats in designated sites by crossing under the saltmarsh rather than through it.
19	(2) Alternatives	Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) requires that an Environmental Statement (“ES”) includes a description of the reasonable alternatives studied by the applicant (as relevant to the proposed development and its specific characteristics), and an indication of the main reasons given for	In line with the requirements of Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”), Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] includes a description of the reasonable alternatives studied by the applicant (as relevant to the proposed development and its specific

Reference	Matter	Points Raised	Applicant's Comments
		the option chosen, taking into account the effects of the development on the environment.	characteristics), and an indication of the main reasons given for the option chosen, taking into account the effects of the development on the environment
20		Although NPS EN-1 does not contain a general requirement to consider alternatives, it does reflect the need for the ES to include information about the main alternatives that were studied, including an indication of the main reasons for the choice, taking into account the environmental, social and economic effects and, where relevant, technical and commercial feasibility, in a proportionate manner (§4.3.15). (see Appendix 1: Hydrogeologist report for analysis of alternative sites)	In line with the requirements set out in NPS EN-1 Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] includes information about the main alternatives that were studied, including an indication of the main reasons for the choice, taking into account the environmental, social and economic effects and, where relevant, technical and commercial feasibility, in a proportionate manner.
21 - 22		NPS EN-5 provides that where at all possible, applicants should ensure that the principles set out in the ‘Horlock’ and ‘Holford’ Rules are embodied in the design of proposals for overhead line routes and their associated infrastructure (§2.11.7). The Horlock Rules state that developers should: 22.1 Consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonably practicable minimum. 22.2. Seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections. 22.3. Protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas. 22.4 Take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum. 22.5. Keep the visual, noise and other environmental effects to a reasonably practicable minimum. 22.6. Consider the land use effects of the proposal when planning the siting of substations or extensions. 22.7. Consider the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum. 22.8. Use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation. 22.9. Make the design of access roads, perimeter fencing, earth-shaping, planting and ancillary development an integral part of the site layout and design, so as to fit in with the surroundings.	The Horlock Rules (National Grid, NGC substations and the environment: guidelines on siting and design, 2009) were a key consideration throughout the siting of the substations as well as converter stations. As set out in paragraph 5.1.6 of Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368] in the absence of any specific guidance for converter stations the Horlock rules have been used alongside the routeing and siting appraisal methodology for the Proposed Project as set out in Sections 5 and 6 of that document. The Holford Rules (National Grid, Guidelines for the Routeing of New High Voltage Overhead Transmission Lines, 1959) were a consideration, though as they apply to overhead lines and not buried cables, their applicability was limited. Further details about the application of the Horlock and Holford rules are set out in Application Document 7.3 Design Development Report [APP-321].

Reference	Matter	Points Raised	Applicant's Comments
		22.10. In open landscape especially, high voltage line entries should be kept, especially in open landscape, as far as possible visually separate from low voltage lines and other overhead lines so as to avoid a confusing appearance. 22.11. Study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.	
23		The Holford Rules, among other matters, state that developers should: 23.1. Avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the line in the first place, even if total mileage is somewhat increased in consequence. 23.2. Avoid smaller areas of high amenity value or scientific interest by deviation, provided this can be done without using too many angle towers, i.e. the bigger structures which are used when lines change direction.	As stated above the Holford Rules (National Grid, Guidelines for the Routeing of New High Voltage Overhead Transmission Lines, 1959) apply to the routeing of overhead lines. The extent of overhead line is limited to a small section as part of the Kent Onshore Scheme. Details about the limited nature of these overhead line works are set out in Application Document 7.3 Design Development Report [APP-321]
24		Since the Sea Link project was first announced publicly, SMM has raised concerns about the Applicant's failure to give any genuine consideration of any alternatives to the proposed site. At all times, consultees were being asked to consult on a single, preferred option in Kent. Even at the early non-statutory consultation stage in October 2022, consultees were told (emphasis added): <i>"Our Proposals in Kent Considerations We have considered and assessed a number of options for marine cable landfall locations, converter station sites and interlinking HVDC cable corridors, as well as the HVAC connection between the converter site and the nearby electricity transmission system. We have narrowed these options down to a single converter station site, for which we have identified preferred route corridors for the HVDC and HVAC connection infrastructure."</i>⁶⁸	As set out in National Grid's 'Our Approach to Consenting' (National Grid, 2022)options appraisal was carried out to determine a preferred option or options that are then be consulted upon. In Kent the options appraisal process only identified one emerging preference option as documented in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which was consulted on as part of the 2022 non-statutory consultation. Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], which described all the other options considered and the reasons for the selection of the emerging preference, formed part of the non-statutory consultation materials. However, as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which was consulted on during the 2022 non-statutory consultation, the Proposed Project considered six landfall areas of search and two converter station option areas within which converter station sites could be located. Regarding landfalls, National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search, with all potential landfall locations resulting in varying degrees of interaction with these designations. These included four areas along the north Kent coast, one area between Margate and Broadstairs and one area in Pegwell Bay. The north Kent coast landfall areas of search were not progressed due to significant technical and environmental constraints on the marine approaches, and the landfall close to Broadstairs was not progressed due to significant constraints on the onward terrestrial route corridor. The landfall at Pegwell Bay, following the process of options appraisal and the application of the mitigation hierarchy, was therefore identified

⁶⁸ Project Background Document (October 2022), p.30. Available at 'Archive non-statutory consultation documents': <https://www.nationalgrid.com/document/346196/download>

Reference	Matter	Points Raised	Applicant's Comments
			Regarding converter station sites, two areas were identified based on the potential to site adjacent to similar infrastructure, avoidance of designated sites as far as possible, landform, opportunities for natural screening and to minimise visual impacts on settlements. The option area closest to Richborough substation (referred to as option Area A) was preferred, due in part to its proximity to the network and the opportunity to locate the infrastructure close to similar energy development at Richborough Energy Park. Notwithstanding these conclusions, the Applicant continued to review the suitability of this site as the design evolved, and feedback from stakeholders and survey findings was taken into account.
25		Since then, the Applicant has sought to retrofit its assessment of alternatives by claiming that it has revisited the decision making process and reconsidered alternative locations in close proximity to the proposed location, but has nonetheless maintained its conclusion that the proposed location remains the best option. The Applicant, however, has failed to clearly articulate its reasons for that conclusion. In circumstances where the single location preferred by the Applicant will have considerable effects on protected wildlife and species habitat, including on a Ramsar and SSSI site at Pegwell Bay and the Minster Marshes SSSI, the Applicant must provide a properly reasoned and intelligible justification for decision to proceed with the proposed location.	The representation asserts that the Applicant sought to retrofit its assessment of alternatives. This is not the case. A robust consideration of reasonable alternatives was an embedded part of the site selection process from the commencement of the project, as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368]. Furthermore, in accordance with good practice and in the interests of a robust process of options appraisal, the Applicant back checked its decision making as part of an ongoing process of review. It is possible that references made by the Applicant to the process of back check and review in previous consultation material is what is being mischaracterised as a retrospective alternatives assessment. This included the re-consideration of alternative locations that had previously been considered at previous stages of the project. The alternative locations were reviewed and the reasons for the proposed site remaining preferred are set out in section 5 of Application Document 7.3 Design Development Report [APP-321].
26		As is evident from the history of the documentation published as part of the non-statutory and statutory consultation processes, consideration of alternative potential options for the Kent element of Sea Link have effectively been screened out for apparent cost reasons before ever being consulted upon.⁶⁹ There has been no proper attempt to explore reasonable alternatives which would avoid the severe environmental and habitat impacts of Sea Link in its current guise.	The identification of the site for the converter station and substation was undertaken in accordance with the National Grid's approach to project development, as set out in Application document 7.3 Design Development Report [APP-321]. This involves a balanced consideration of various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to what the most appropriate project design to take forward. In accordance with National Grid's statutory duties, cost was taken into consideration in the selection of the preferred strategic option as set out in Application Document 7.2 Strategic Options Report Backcheck Report [APP-320]. The consideration of potential impacts on the environment and habitats has formed a key part of the strategic options process set out in Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] and the subsequent routing and siting stages and the development of the defined proposals, as set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] and Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369].

⁶⁹ Note the 'Independent Review of OCSS Qualifying Coordinated Project: OCSS_01 North Falls, Five Estuaries & Sea Link' report produced by ARUP is heavily redacted on costs and only identifies one landfall option in Kent.

Reference	Matter	Points Raised	Applicant's Comments
27		For these reasons, the Applicant's ES fails to comply with the requirements of regulation 14(2)(d) of the EIA Regulations or NPS EN-1 (§4.3.15) given its failure to include information about the main alternatives that were studied and the reasons for the single, preferred option chosen.	In line with the requirements of Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") and the requirements set out in NPS EN-1 Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] includes a description of the reasonable alternatives studied by the applicant (as relevant to the proposed development and its specific characteristics), and an indication of the main reasons given for the option chosen, taking into account the effects of the development on the environment.
28		Further, in advancing this proposal on the basis of a single, preferred landfall option from the outset, the Applicant has failed to adhere to the Horlock and Holford Rules in several respects. These include a failure to: (1) consider environmental issues from the earliest stage to balance the benefits against the consequential environmental effects; (2) seek to avoid altogether international and nationally designated areas of the highest value (which applies here to the Sandwich Bay and Hacklinge Marshes SSSI and Pegwell Bay which has SSSI, Ramsar, SAC and National Nature Reserve status); (3) protect as reasonably practicable areas of important existing habitats and landscape features; (4) consider the land use effects of the proposal when planning the siting of substations or extensions; (5) keep visual, noise and environmental effects to a reasonably practical minimum; and (6) consider the options available when planning the siting of substations, extensions, equipment, buildings and ancillary development.	The methodology used for the Proposed Project is set out in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368] . The applicability of the Holford Rules and Horlock Rules is discussed in Application Document 7.3 Design Development Report [APP-321] .
29	(3) Project costs and construction methods	The Applicant's assessment of the project's costs and likely construction methods is inadequate. In particular: 29.1. Failure to account for concrete piling. The costs of the project do not appear to have been updated to reflect the need for 20 metre high concrete piling to sustain 2 metre deep concrete rafts covering an area of 9 hectares. This change in construction method was not part of the Applicant's initial proposal, and the failure to take them into account now means the overall cost of the project has been underestimated.	When considering the costs implications for different options, the Applicant takes account of the assumption that the final costs for any option, once detailed design and mitigation is taken into account, will exceed any high-level assumptions that informed initial options appraisal. This means that when considering the higher cost implications of a more detailed design, it is assumed that alternative designs could present proportionate cost increases should they be designed to the same level of detail. This principal is explained in Application Document 7.2 Strategic Options Back Check Report [APP-320] in the context of strategic options, but it is applied at options selection stages of the options appraisal process too. Notwithstanding this, the construction of the converter station site at Richborough was assumed from an early stage to require civils and earthworks, and to require piled foundations through the Thanet formation and into the chalk bedrock up to 30 m below (as presented in Volume 1 Part 1 Chapter 4 Description of the Proposed Project and Volume 1 Part 3 Chapter 6 Geology and Hydrogeology of the Preliminary Environmental Information Report consulted on at the Statutory Consultation stage in 2023). However, in the interest of transparency and robust consultation, and recognising the potential implications on overall building heights, the Applicant presented the emerging detail of the likely foundation design during the targeted consultation in 2024, as set out in Application Document 5.1.7 Appendix F Targeted Consultation Part 1 of 2 [APP-313]. This was a design progression from the previous assumptions, rather than a new requirement.

Reference	Matter	Points Raised	Applicant's Comments
			The potential cost implications of the emerging foundation design was considered, along with other factors including potential environmental effects, as part of the ongoing process of balanced back check and review. The process of back check includes considering evolving and better understood designs against the potential implications of alternative options that are not designed or assessed to the same level. Regarding costs specifically, by way of example, a converter station site elsewhere could require a longer DC cable route from the landfall, a longer AC connection into the existing network, possibly cable sealing end compounds, as well as detailed foundation and civils designs of their own, all with associated engineering and cost implications.
		29.2. Failure to detail proposed construction methods. The information provided by the Applicant on the proposed construction methods are unclear. Where detail is provided, this is inconsistent, contradictory and omits key elements. For example, the proposals appear to include significant construction and drilling activity in and around Pegwell Bay; however, the resulting adverse impacts to the ecology of the bay and the seabed in the SSSI / SPA are either missing or heavily downplayed. In addition, in respect of horizontal directional drilling, the Applicant suggests that these works will last 120 days (if 24/7 drilling is undertaken); however, the details of the activities set out in the ES only account for a maximum of 92 days.⁷⁰	The construction activity in Pegwell Bay is presented in Application document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003]. Further clarification on the construction activities within Pegwell Bay were also included in Application Document 9.13 Pegwell Bay Construction Method Technical Note [REP1-108]. This document includes further detail on all activities planned within Pegwell Bay including construction of the trenchless crossing (required to avoid the saltmarsh and lagoon), pull in of the marine cables from the offshore cable lay barge and subsequent burial of the marine cables within the section of the intertidal area located between Mean Low Water Spring (MLWS) and the trenchless crossing (e.g. HDD) exit pits (which will be located between 105 m and 140 m seaward of the saltmarsh). This document also provides further detail on the duration of each phase of works at the landfall. Further clarification of the number of days' duration for the HDD works has also been submitted as the Applicant's response to ISH1.20 contained within Applicant Document 9.37 Applicant's Response to Supplementary Agenda Additional Written Questions [REP1A-033] The Applicant has submitted an update to Application Document 9.13 (B) Pegwell Bay Construction Method Technical Note [REP1-108] as part of the Deadline 2 submissions; this document provides more details regarding noise effects.
		29.3. Failure to assess construction methods and impacts of use of Hoverport. The changes proposed by the Applicant in its October 2025 consultation include a change to access at the Hoverport, Kent. The proposed change involves extending the width of potential access from the hoverport to the intertidal mudflats. The Applicant states that "<i>Our project team is committed to having no significant impact on the saltmarsh by using special construction techniques and by adjusting the cable route</i>".⁷¹ The Applicant, however, has failed to provide any details of the specific "<i>special construction techniques</i>" it intends to	The potential effects of the construction methods and use of the hoverport arising from the changes made to the application (accepted by the ExA on 5 December 2025) are considered in Change Request: Addendum to Volume 6 Environmental Statement [CR1-055].

⁷⁰ 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-115], Table 5.16

⁷¹ National Grid, 'Change Application Consultation Document' (October 2025), §4.2.6.

Reference	Matter	Points Raised	Applicant's Comments
		use (see Appendix 2: Response to the request for Change 1 – Access to the Hoverport, Kent).	A response to these comments can be found in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
		29.4. The Applicant's ES states that although the hoverport is suitable for reptiles, "This area was included within the Order Limits too late to be included in reptile survey, but since the former hoverport will only be used for operational monitoring and maintenance access no civil engineering highway works are planned ; rather the existing track and hardstanding areas will be used" (§2.7.47) (emphasis added). Despite this, the Applicant has also indicated that the hoverport will be used as access for construction equipment, including "up to four 15-20t excavators". ⁷² Further, there will be a requirement to use sheet piling machinery given the use of coffer dams. ⁷³ The movement of heavy machinery on and off the hoverport apron has the potential to damage the underlying concrete and risk the leaching of heavy metals into the SSSI / SPA. SMM is unaware of the Applicant having undertaken any detailed environmental survey of the hoverport, nor any radar surveys or core samples to ascertain the stability and composition of the hoverport for the uses proposed. Therefore, although the Applicant now intends to use the hoverport as a permanent compound, it has not provided any demonstrable impact assessment of the weight-bearing capability of using the hoverport apron for this purpose, or the likely effects of incorporating the hoverport into the proposed scheme.	There are no proposals to use the former hoverport as a compound but only as a route of access. The use of the former hoverport as a construction, operation, and maintenance access was part of the application as submitted in March 2025. The change application (accepted by the ExA on 5 December 2025) broadened the Order Limits at the hoverport to provide flexibility that will allow final routeing to be selected that avoids encroaching on the saltmarsh. This change was made specifically to ensure access to the foreshore could be achieved without any impact upon saltmarsh habitats, which have encroached towards the southern hovercraft ramp in recent years. Precondition surveys of the hoverport will be undertaken to inform the access works. The contractor will use this information to inform vehicle selection, and any protection measures required, such as the use of bog matting or trackway.
30		The project's costs and construction methods used are directly relevant to supporting the Applicant's need case, compliance with the mitigation hierarchy, and the approach to alternatives. Without an accurate and up to date understanding of these matters, the Examining Authority cannot have sufficient confidence that the necessary requirements have been satisfied.	The needs case, the application of the mitigation hierarchy, and the approach to alternatives are set out in Application Document 7.2 Strategic Options Back Check Report [APP-320], Application Document 7.1 Planning Statement [AS-057], and Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. The Applicant has, and indeed demonstrates in the appropriate documents, sufficient understanding of project costs and construction methods necessary to inform its needs case, the application of the mitigation hierarchy, and the approach to alternatives. The Applicant's understanding of both project costs and construction methods are commensurate with any project at this stage of its pre-construction development cycle.
31	(4) Ecology and habitats impact	NPS EN-1 requires the Applicant's biodiversity assessment to: 31.1. set out any effects on internationally, nationally and locally designated sites of ecological importance, on protected species, and on habitats and species identified as being of principal importance for the conservation of biodiversity, 31.2. demonstrate how opportunities were taken to conserve and enhance biodiversity; 31.3. avoid significant harm to biodiversity, including through mitigation, reasonable alternatives or appropriate compensation measures; 31.4. set out proposals for the conservation of ancient woodland and veteran trees, or justify their loss where it is unavoidable; and 31.5. include appropriate	No response required

⁷² 6.2.1.4 (C) Part 1 Introduction Chapter 4 Description of the Proposed Project [AS-093]

⁷³ 6.2.4.1 (B) Part 4 Marine Chapter 1 Physical Environment [AS-113]

Reference	Matter	Points Raised	Applicant's Comments
		measures to mitigate effects on biodiversity features, including restoration and enhancement of habitats.	
32		NPS EN-5 requires consideration of the impact of proposed overhead lines on large birds, particularly in feeding, hunting and breeding areas and migration corridors.	No response required
33 - 34		The Examining Authority will need to be satisfied that due consideration has been given (and appropriate weight is attached) to designated sites, protected species, and habitats and species of principal importance for the conservation of biodiversity, and to biodiversity interests within the wider environment. Further, the Secretary of State has the option of refusing consent where the harm to species and habitats of principal importance for the conservation of biodiversity are not outweighed by the project's benefits and through giving substantial weight to any such harm to features of national or regional importance in the planning balance. With that in mind, there are a number of issues with the DCO Application and its approach to the effects of the proposal on biodiversity and ecology, including rare and protected species and habitats and sites protected by legislation and policy.	Noted Paragraph 5.4.54 of NPS EN-1 requires the Secretary of State to ensure that <i>“species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations or licence conditions where appropriate”</i>. With regard to protected species, paragraph 5.4.55 states that the Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, <i>“unless there is an overriding public interest and the other relevant legal tests are met”</i>. In this context, the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development.
35		The Applicant's ecological surveys fail to address the importance of protected and vulnerable species, including bats, benthic, birds, fish, flora, invertebrates, mammals, reptiles, riparian mammals, trees and hedges. (see Appendix 3: Impact of Sea Link Construction on Bat Populations at Minster Marshes). Pegwell Bay and Minster Marshes are a vital wintering habitat for many species of bird. Data compiled by Bird Wise East Kent on flight initiation distances provides a useful starting point for estimating human disturbance effects and delineating buffer areas. This data shows:	All of these species groups and habitats are assessed in the submitted documentation referenced earlier in this response, including impacts on bats. Regarding displacement of birds during construction, paragraphs 2.9.74 to 2.9.90 of the Application Document 6.2.3.2 (C) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] discuss disturbance of birds at Minster Marshes and Ash Level during construction, supported by noise modelling. The assessment also takes

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		<table><tr><th>Common Name</th><th>Name</th><th>Family</th><th>Mass (g)</th><th>FDI (m)</th></tr><tr><td>Brent goose</td><td><i>Branta bernicla</i></td><td>Anseridea</td><td>1450</td><td>66.41</td></tr><tr><td>Curlew*</td><td><i>Numenius arquata</i></td><td>Scolopacidae</td><td>751</td><td>214.29</td></tr><tr><td>Dunlin*</td><td><i>Calidris alpina</i></td><td>Scolopacidae</td><td>48</td><td>38.67</td></tr><tr><td>Golden plover</td><td><i>Pluvialis apricaria</i></td><td>Charadriidae</td><td>200</td><td>63.26</td></tr><tr><td>Grey plover*</td><td><i>Pluvialis squatarola</i></td><td>Charadriidae</td><td>215</td><td>69.01</td></tr><tr><td>Lapwing*</td><td><i>Vanellus vanellus</i></td><td>Charadriidae</td><td>270</td><td>31.63</td></tr><tr><td>Oystercatcher</td><td><i>Haematopus ostralegus</i></td><td>Charadriidae</td><td>500</td><td>77.74</td></tr><tr><td>Purple sandpiper*</td><td><i>Calidris maritima</i></td><td>Scolopacidae</td><td>67.5</td><td>36.36</td></tr><tr><td>Redshank</td><td><i>Tringa totanus</i></td><td>Scolopacidae</td><td>143</td><td>59.09</td></tr><tr><td>Ringed plover*</td><td><i>Charadrius hiaticula</i></td><td>Charadriidae</td><td>64</td><td>43.04</td></tr><tr><td>Sanderling</td><td><i>Calidris alba</i></td><td>Scolopacidae</td><td>54</td><td>26.44</td></tr><tr><td>Turnstone</td><td><i>Arenaria interpres</i></td><td>Scolopacidae</td><td>105</td><td>25.12</td></tr></table> * Red listed Table 1: Bird Wise East Kent flight initiation distance data. Journal of Fish and Wildlife Management 7(1). DOI: 10.3996/082015-JFWM-078. February 2016	Common Name	Name	Family	Mass (g)	FDI (m)	Brent goose	<i>Branta bernicla</i>	Anseridea	1450	66.41	Curlew*	<i>Numenius arquata</i>	Scolopacidae	751	214.29	Dunlin*	<i>Calidris alpina</i>	Scolopacidae	48	38.67	Golden plover	<i>Pluvialis apricaria</i>	Charadriidae	200	63.26	Grey plover*	<i>Pluvialis squatarola</i>	Charadriidae	215	69.01	Lapwing*	<i>Vanellus vanellus</i>	Charadriidae	270	31.63	Oystercatcher	<i>Haematopus ostralegus</i>	Charadriidae	500	77.74	Purple sandpiper*	<i>Calidris maritima</i>	Scolopacidae	67.5	36.36	Redshank	<i>Tringa totanus</i>	Scolopacidae	143	59.09	Ringed plover*	<i>Charadrius hiaticula</i>	Charadriidae	64	43.04	Sanderling	<i>Calidris alba</i>	Scolopacidae	54	26.44	Turnstone	<i>Arenaria interpres</i>	Scolopacidae	105	25.12	account of the duration and timing of the most disturbing works e.g. pylon base installation, their spatial relationship to each other (since works will not be occurring simultaneously across the whole Order Limits) and the speed at which some works (e.g. open cut trenching) are likely to be completed in a given location. It states that ‘As such it is only around the HDD compound (K05), the Minster Converter Station and Substation site, construction compounds, installation of the temporary bridge across the River Stour, and the new pylons where a lengthy period of continued exposure to a fixed noise source would arise.’ The text notes that ‘There would inevitably be some disturbance and displacement of nesting birds beyond the Order Limits. This would take place for at least one nesting season in each affected location’. The chapter states that: ‘The largest medium-term area of displacement would be around the Minster Converter Station and Substation construction site, and the construction compound fields to the north (K01 and K02). The 60 dB LAmax contour in this area would [using best practicable noise reduction techniques such as noise fencing around the converter station site] typically extend approximately 40m beyond the boundaries of the fields within which construction would occur.’ The chapter notes that there is no shortage of ditches and open arable fields for birds to displace into and also notes the extensive habitat creation being undertaken as part of the Proposed Development, which in the long term will offset any temporary displacement of birds during construction by providing an overall large net increase in habitat. It also discusses seasonal restrictions which will be introduced on some of the most disturbing elements of the works including avoiding the most disturbing works near the SSSI during the nesting season and undertaking pylon base installation outside the core wintering period. Paragraph 2.9.83 of the Chapter states that ‘Following application of the additional mitigation identified above there would be a minor adverse residual disturbance impact on receptors of up to District (breeding birds) or Regional (non-breeding birds) importance in the short term, lasting for between 1-2 seasons depending on location. However, the effect is reversible as soon as works cease in an area. Disturbance is therefore considered a minor adverse impact leading to a minor adverse effect which is not significant.’ Displacement of waterbirds within Pegwell Bay, including the determination of Flight Initiation Distance (FID) for various species is set out in paragraphs 5.9.35-5.9.36 of the Application Document 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-116]. The FID presented in the chapter are based on far more precautionary distances than those presented in the Bird Wise East Kent review, i.e., up to 500m for some species.
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37		There is nothing in the Applicant’s ES which demonstrates that this risk has been properly assessed when determining the impact of construction on bird species. Instead, the ES simply provides that at the operation / maintenance phase the effects will be “short to medium moderate adverse (significant)” (§2.9.216-219) ⁷⁴ Notably, the Applicant appears to have assessed the impacts on these species at the construction phase for the Suffolk element of the proposal only, but not for the Kent onshore element																																																																		
38		The area is also a longstanding breeding ground for herons and other waterbirds. Despite this, the heronry, which normally is located at the north-east end of the	The comment states the heronry is in the north-east part of the SSSI, which would not put it near the Converter Station. The Applicant assumes SMM meant north-																																																																	

⁷⁴ 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity [APP-062]

Reference	Matter	Points Raised	Applicant's Comments
		SSSI nearest to the converter station site, has not been used by waterbirds in the last breeding year. The RSPB's local group's view is that this is a result of light and noise pollution from cumulative impacts of development surrounding the SSSI. ⁷⁵ Again, the Applicant's ES does not appear to even address this impact, with no analysis of the impact on breeding waterbirds for the onshore Kent element of the proposal. In respect of the offshore elements, the ES does not address the heronry directly, and simply claims that the impacts to foraging and non-breeding waterbirds will be "negligible (non-significant)" at the construction and operation / maintenance phases (§5.9.62-65, §5.9.79-81, §5.9.82- 85, § 5.9.94-95) ⁷⁶	west. The SSSI is itself treated as a sensitive feature specifically for breeding birds. It has been agreed with Natural England that works causing noise levels above 60dB LMax within the SSSI (Weather Lees Hill) would not take place during the nesting season. In addition, a noise fence will be erected around the Converter Station site and controls on lighting will be imposed during construction (commitment B53 of Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]) and operation (commitment B58 Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]).
39		The Applicant's arboricultural impact assessment provides that (§6.3.3): <i>"In total, three individual trees and part of one hedgerow of moderate quality (Category B); and five individual trees, 10 tree groups, six part tree groups, one hedgerow and one part hedgerow of low quality (Category C) are likely to be removed to facilitate the Proposed Project. All of the trees to be removed are within the Order Limits."</i> ⁷⁷	No response required
40		The Applicant therefore plans to remove entirely the longest and widest stretch of hedgerow on Minster Marshes (200 metre length, 20 metre width), which is currently where all bird ringing and ornithological monitoring is carried out. Due to its length and depth, the hedge is of vital importance to a range of wildlife. Again, the Applicant has not considered this matter in its ES and assessment of likely impacts.	This is incorrect. The permanent loss of hedgerow due to the Converter Station is specifically included in the habitat losses presented in Application Document 6.2.3.2 (C) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] in the section on operational habitat losses. There will be a net increase in woody habitat of 6 ha near the converter station as a result of the proposed development.
41		Similarly to the analysis of protected and vulnerable species, the Applicant's analysis of protected sites (e.g. the Thanet Coast and Sandwich Bay SPA, Minster Marshes SSSI) fails to consider how construction effects (noise, vibration, dust) and operation effects (visual/electromagnetic disturbance) will affect these designated features. Where surveys have been provided, the conclusions are inconsistent, anonymised, undated and use baseline datasets which are unreferenced. The weight to be attached to these surveys should be severely limited unless further clarifying information is provided.	See Applicant's response to the Relevant Representation provided by CPRE (Kent), Save Minster Marshes and Kent Wildlife Trust among others, in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Response [REP1-115] , which contains a detailed response on adequacy of baseline data, impact assessment and mitigation.
42		In SMM's view these issues raise serious concerns about the Applicant's ability to satisfy the Examining Authority that species and habitats of principal importance for the conservation of biodiversity will be protected from the adverse effects of development and / or otherwise outweighed by the project's benefits. As detailed above, there are significant gaps in the Applicant's assessment methodology. The conclusions reached which claim the effects both at the construction and operation / maintenance phases will be minimal (or even negligible) do not reflect the reality on the ground. There is insufficient information currently for the Examining Authority to reach a conclusion on biodiversity matters, and in particular to test the Applicant's doubtful claim that there would be no likely significant residual effects during the construction or operation of the Sea Link project.	

⁷⁵ The Isle of Thanet News, 'Dismay at loss of herons and nesting birds in Minster Marshes area with 'industrial' noise and light pollution blamed' (14 July 2025). See: <https://theisleofthanetnews.com/2025/07/14/dismay-at-loss-of-herons-and-nesting-birds-in-minstermarshes-area-with-noise-and-light-pollution-blamed/>

⁷⁶ 6.2.4.5 Part 4 Marine Chapter 5 Marine Ornithology [APP-078]

⁷⁷ 6.10 Arboricultural Impact Assessment Part 1 of 2 [APP-294]

Reference	Matter	Points Raised	Applicant's Comments
43		SMM's view is that it is not possible to effectively mitigate these protected sites given their unique features. Nevertheless, in the event that the Examining Authority and Secretary of State are minded to recommend / grant consent, then SMM proposes that the following mitigation measures should be provided at a minimum to help minimise the adverse effects of the project on species and habitats: 43.1. Creation of compensatory habitats such as wetland restoration or grassland creation, with defined locations, sizes and management plans. 43.2. Use of seasonal construction restrictions to avoid bird and riparian mammals breeding seasons. The Applicant has only considered Cetti's Warbler when in reality a number of Schedule 1 birds nest on the site including Barn Owls and Tree Sparrows, while beavers breed between December and April and water voles breed between April to September. To avoid all disturbance to protected species, the only months construction can occur is in October and November, 43.3. Implementation of noise and light mitigation (e.g. directional lighting and acoustic barriers) to reduce disturbance to nocturnal species such as bats or migratory birds. While the Applicant has included directional lighting in their mitigation, they have not mentioned acoustic barriers. 43.4. Monitoring and adaptive management plans to ensure mitigation effectiveness, with independent ecological oversight to ensure accountability.	These are all already included as part of the Proposed Development and the DCO documentation. This includes acoustic barriers which are mentioned several times in Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. While seasonal restrictions on works have been included where essential, it is clearly impractical to only undertake construction during October and November. It is also not necessary to impose such a blanket restriction to avoid significant effects; for example, the restrictions on Schedule 1 birds only apply to their specific nest locations, the restrictions on water voles only apply to their burrow locations and are much narrower in duration then stipulated by SMM, and beavers do not breed within the Order Limits. Note that tree sparrow (<i>Passer montanus</i>) does not receive special protection under Schedule 1 of the WCA.
44	(5) Land use	With reference to agricultural land, NPS EN-1 provides expressly that applicants should “<i>seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5)</i>” (§5.11.12). It goes on to state that the Secretary of State should ensure that development is not sited on BMV land “without justification”, and “<i>where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality</i>” (§5.11.34).	A complete assessment of the impacts on agriculture, best and most versatile (BMV) land and soils in Kent has been undertaken. This is set out in Application Document 6.2.3.6 (B) Part 3 Kent Chapter 6 Agriculture and Soils [PDA-023]. The agricultural use of land within the majority of the Order limits will only be impacted on a temporary basis, with agricultural uses able to continue following construction, for land required for the installation of underground cables and temporary construction working areas. There would be 12.21 hectares of Best and Most Versatile land lost in Kent as a result of the Kent Onshore Scheme, the majority due to the construction of the new Minster Converter Station and Substation. No alternative sites were identified with a lower quality of agricultural land that performed as well from a practical perspective and when taking into consideration other environmental considerations. The site selection process for the Proposed Project is summarised in Application Document 7.3 Design Development Report [APP-321]. Both converter site option areas considered in Kent (Area A and Area B) were within BMV land, with Area A being predominantly Grade 2 and Area B, Grade 1. Avoidance of Grade 1 agricultural land was one of the considerations in selecting Area A (where the Minster Converter Station and Substation are proposed) (see paragraph 5.4.21 of Application Document 7.3 Design Development Report [APP-321]). This accords with paragraph 5.11.34 of NPS EN-1, which indicates that, where development of agricultural land is necessary, areas of poorer quality land should be preferred to those of higher quality.
45		As the Planning Statement recognises: “50.11% (85.01 ha) of the land within the Order Limits for the Kent Onshore Scheme is graded as BMV land, with the majority (53.36 ha) of this BMV land being ALC Grade 3a” (§7.9.5). It also confirms that “<i>Permanent loss of agricultural land reported under the construction</i>	No response required

Reference	Matter	Points Raised	Applicant's Comments
		<i>phase would remain lost during the operational phase” (§7.9.9), and that “construction of the permanent infrastructure for the Proposed Project would involve the permanent loss of BMV land (11.45 ha for the Suffolk Onshore Scheme and 12.21 ha for the Kent Onshore Scheme), which is assessed as a significant effect” (§7.9.12) (emphasis added).</i>	
46		Despite acknowledging these “significant” effects, the Applicant’s conclusion on the loss of valuable agricultural land is set out briefly in two paragraphs as follows: <i>“7.9.15 In summary, the Proposed Project minimises impacts on BMV agricultural land as far as practicable and includes mitigation measures to reduce impacts on the soil resource. The permanent loss of BMV land is considered necessary on the basis that there is urgent need for CNP Infrastructure such as the Proposed Project. Dealing with the local policy tests, the benefits provided by the Proposed Project, explained in Section 5 of this Planning Statement, outweigh the resultant loss of BMV agricultural land. The routeing and siting selection process confirms that there are no other suitable sites of poorer agricultural quality that can accommodate the Proposed Project. The impact on the viability of agricultural holdings was scoped out of the ES and will be dealt with through compensation agreements which lie outside of the ES process (as explained in Application Document 6.15 Scoping Opinion 2022). 7.9.16 Overall, it is considered that the Proposed Project is in accordance with the national and local policies relating to the protection of agricultural land as the use of agricultural land and the permanent loss of BMV land during construction is justified.”</i>	A complete assessment of the impacts on agriculture, best and most versatile (BMV) land and soils in Kent has been undertaken. This is set out in Application Document 6.2.3.6 (B) Part 3 Kent Chapter 6 Agriculture and Soils [PDA-023]. The agricultural use of land within the majority of the Order limits will only be impacted on a temporary basis, with agricultural uses able to continue following construction, for land required for the installation of underground cables and temporary construction working areas. There would be 12.21 hectares of Best and Most Versatile land lost in Kent as a result of the Kent Onshore Scheme, the majority due to the construction of the new Minster Converter Station and Substation. No alternative sites were identified with a lower quality of agricultural land that performed as well from a practical perspective and when taking into consideration other environmental considerations.
47		Based on the information currently presented by the Applicant, it is not possible to discern how the Applicant has come to the conclusion that alternative locations for Sea Link that would use poorer quality land are not available – particularly when a single landfall option has been proposed from the outset and no proper assessment has been provided to date demonstrating a sequential site selection process which seeks to avoid the loss of BMV land.⁷⁸ The Applicant also makes vague assertions as to the benefits of the proposal outweighing any resultant loss of BMV land, without giving any recognition to the economic or other benefits of Best and Most Versatile land as required under national policy (see §187(b) NPPF), including the need to secure the nation’s future food security. The result of taking BMV land permanently out of production has not been addressed. Likewise, whether any compensation will be provided for damage to existing farmland has not been clarified. SMM also notes that the DCO Application fails to address the impact on land subject to Higher Level Stewardship schemes. Without further information, it is simply not possible to conclude that the permanent loss of BMV land has been properly justified in accordance with NPS EN-1.	As set out in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368], the Proposed Project considered six landfall areas of search within the Kent study area. BMV land will be permanently lost mainly due to the construction of the Minster Converter Station and Substation, as agricultural use will be able to continue following construction and reinstatement on land required for the installation of underground cables and construction compounds. The site selection process for the converter station sites is summarised in Application Document 7.3 Design Development Report [APP-321]. Although the presence of BMV land was a consideration in the siting of converter stations, this had to be balanced against other key environmental and technical constraints. No alternative sites were identified with a lower quality of agricultural land that performed as well from a practical perspective and when taking into consideration other environmental considerations. The likely significant effects of the Proposed Project on agriculture and soils are fully assessed in Application Document 6.2.3.6 Part 3 Kent Chapter 6 Agriculture and Soils [PDA-023].

⁷⁸ Although the ‘Corridor and Preliminary Routeing and Siting Study’ identified four strategic options, these were discounted in favour of the current location proposal on the basis of costs reasons alone

Reference	Matter	Points Raised	Applicant's Comments
			Other than potential biodiversity impacts, which are considered in Application 6.2.3.2 (B) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] the presence of Higher Level Stewardship land is not considered relevant to the assessment of alternatives, as any loss will be addressed through financial compensation.
48		Further, the proposals involve considerable works on alluvial clay soil structure which is highly unsuitable for construction. Research into the original build for the Richborough Power Station (commenced in 1958) has shown that cracks appeared in the structure in 1962 and by the year 2000 concrete piles had to be used to underpin the soil. Further cracking was managed by encasing the cooling towers in a second layer of concrete. These deficiencies in the alluvial clay soil structure have not been acknowledged by the Applicant and incorporated into its analysis. (see Appendix 1: Hydrogeologist report).	The ground conditions at the converter site are understood, as demonstrated in Application document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065], informed by various ground investigation surveys undertaken at the site. Further ground investigations will be undertaken in the future. The foundation design for the converter station and substation platform will reflect this. It is likely that the design will include a raised development platform, with piled foundations through the Thanet Formation (including alluvium and clay) into the white chalk bedrock beneath. The foundations for the project will be designed to avoid the need for remedial works in the future beyond routine maintenance.
49	(6) Cumulative effects	NPS EN-1 notes that the EIA Regulations require an assessment of potential cumulative effects as part of the Environmental Impact Assessment (“EIA”), and that the decision maker should take this into account.	No response required
50		The Planning Statement (§7.16.31) notes the following in respect of the cumulative “interproject” effects for the Kent element of Sea Link: <i>“For the Kent Onshore Scheme there is the potential for a significant inter-project cumulative effect on LCA E1 Stour Marshes given the concentration of energy related development close to and within Richborough Energy Park. It should be noted the industrial setting presents a less sensitive part of LCA E1, which does not exhibit characteristics of the wider marsh. The mitigation planting associated with the Kent Onshore Scheme would provide some separation between the combined developments and the wider marsh landscape, thereby limiting the potential for cumulative significant effects to within the eastern periphery of LCA E1.”</i>	No response required
51		SMM is particularly concerned that major components of the project (i.e. landfall at Pegwell Bay and the converter / substation near Minster Marshes) are being added to previous infrastructure projects ⁷⁹ on a small island which will further strain and damage what is already a pressurised landscape and could be considered a ‘Zone of Sacrifice’ for the benefit of the wider UK.	No response required
52		The Applicant’s analysis of combined cumulative effects fails to properly recognise these impacts. For the Suffolk element of Sea Link, the Applicant states that <i>“In order to reduce the potential spread of infrastructure through other parts of Suffolk’s rural environment, the Proposed Project has sought opportunities to concentrate development in a single area”</i> including exploring <i>“potential for sharing some elements of infrastructure, such as temporary and permanent access, and allows for shared mitigation in the future”</i> (§7.16.34). Notably, these	Opportunities for coordination have been sought in Kent, but are limited by the limited number of similar developments with which to coordinate. Section 3.3 of the Application Document 7.10 Coordination Document [APP-363] identifies two other projects proposed in the vicinity of the Minster Converter Station and Substation site.

⁷⁹ E.g. the Nemo Link converter station and other consented projects such as the Richborough Energy Park development referred to above

Reference	Matter	Points Raised	Applicant's Comments
		opportunities do not appear to have been explored in respect of the Kent element – again raising serious doubts as to whether the effects from combined energy projects have ever been properly considered.	The Applicant has sought to site the Minster Converter and Substation close to the Richborough Energy Park to help concentrate energy related development in a single area. This is also the proposed location for the two projects identified and a third recently identified project. This section of the document concludes by stating: <i>“3.3.4 National Grid is continuing ongoing engagement with the host authorities regarding the identification of emerging projects that may interact with the Proposed Project in Kent and if there are further opportunities to coordinate.”</i>
53		SMM has reviewed the Applicant's list of projects within a 5 kilometre radius of the proposed Kent Onshore Scheme which may be capable of contributing cumulative effects. Through this process 17 separate developments have been identified which the Applicant has designated 'Tier 1 – Most Likely' – i.e. indicating a high likelihood that they will go ahead. These developments include the Manston Airport proposal; nine separate residential and mixed use developments including 4000 homes and four schools; and seven separate solar farms and battery storage facilities covering an area of 130 ha.	No response required
54		The Applicant, however, has listed developments within a 20 km radius. But then the cumulative impact assessment provides as follows: <i>“For the assessment socio-economics, recreation and tourism effects, the study area is defined at varying geographic levels according to the likely spatial extent of the effect under consideration (as set out in Application Document 6.2.3.10 Part 3 Kent Chapter 10 Socioeconomics, Recreation, and Tourism). As a result, the following study areas have been adopted:</i> • 60-minute travel area from the Kent Onshore Scheme Boundary for economic impacts*; • 1 km from the Kent Onshore Scheme Boundary for Local communities affected by severance; and • 500 m from Kent Onshore Scheme Boundary for residential properties, business premises, visitor attractions, community facilities, open space, development land and PRow and recreational routes. <i>*For cumulative economic impacts, professional judgement has been used to determine which cumulative schemes are assessed, as only comparable major infrastructure projects are anticipated to lead to potential significant cumulative socio-economic effects.”⁸⁰</i>	No response required
55		Whereas SMM's analysis has used a 5 kilometre radius to identify a range of developments which are capable of contributing cumulative effects, the Applicant has opted for a significantly reduced catchment area (1 kilometre and 500 metres respectively). This has resulted in these developments being scoped out of the assessment, allowing the Applicant to dismiss or minimise any cumulative impacts which affect the local communities as being of only minor significance	The socio-economic, recreation and tourism study area for inter project cumulative effects has been determined in line with other comparable DCO applications. The assessment considers inter project cumulative socio-economic impacts on residential properties, businesses, community facilities, open spaces, visitor attractions and PRow and recreational routes within a 500 m study area from the Proposed Project's order limits. This aligns with the DMRB LA112, where 500 m is

⁸⁰ 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073], p.4

Reference	Matter	Points Raised	Applicant's Comments
			the distance threshold beyond which it is considered that people are likely to be deterred from making trips to an extent that they would change their habits. The study area for impacts on local communities has been extended to a 1 km radius, in order to capture potential wider severance and accessibility effects for local residents associated with the Proposed Project.
56	(7) Economic and social impact	The Applicant seeks to rely on employment generation and wider economic benefits to the local area as benefits of the proposed development (see 7.1 Planning Statement, section 5.3). On closer analysis, however, these supposed benefits appear to be heavily exaggerated. The Applicant's socio-economic and tourism analysis states that " <i>The scale of operational employment generated is likely to be very limited, and as a result any effect on GVA will be small</i> " (emphasis added) (§10.3.7). ⁸¹	A response to this comment can be found in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
57		The majority of the workforce for the project will be sourced from outside of the local area. Moreover, the Applicant provides only a vague reference to the "potential" for training benefits and apprenticeships (§10.3.6), rather than any firm commitment to creating employment opportunities for those in the local community	The Applicant notes encouragement to recruit the construction workforce locally. As part of the DCO submission, the Applicant has not committed to preparing and implementing a specific Employment, Skills and Education Strategy at a project level. This is not considered to be an efficient or effective approach given the number of construction workers anticipated and that the Applicant has not identified any likely significant effects in relation to construction employment. However, the appointed contractor has set clear aims with regard to providing social value. As such, this matter will be discussed further with Thanet District Council in the course of ongoing engagement. In the Suffolk are the Applicant is exploring potential coordination with other projects in such as Sizewell C's 'College on the Coast', to understand if this may be an avenue to deliver wider skills benefits in a coordinated manner.
58		In addition, the potential damage to local tourism and business has not been adequately addressed. As above, the Applicant has only considered the impact on tourism within a 500 metre radius of the draft order limits, and on communities within 1 kilometre of those limits. This is a wholly unrealistic assessment given that all communities and business across the Isle of Thanet will be impacted by the construction and the vast number of vehicle movements which will serve a development of this nature and extent	A response to this comment can be found in Table 2.9 (Reference 2.9.11) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
59	(8) Traffic, pollution and health	The Applicant's analysis also underplays the impact on traffic, pollution and health and wellbeing.	Application Document 6.2.3.11 Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] takes a holistic approach to health and the assessment considers a wide range of health determinants which are relevant to mental health, quality of life and amenity (for example changes in landscape and visual amenity, noise, access to open space and employment) as well as physical health (for example associated with air pollution and access to healthcare facilities). This complete health and wellbeing assessment has been undertaken and concludes that there are no anticipated significant effects as a result of the Proposed Project.

⁸¹ 6.2.3.10 ES Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [APP-070]

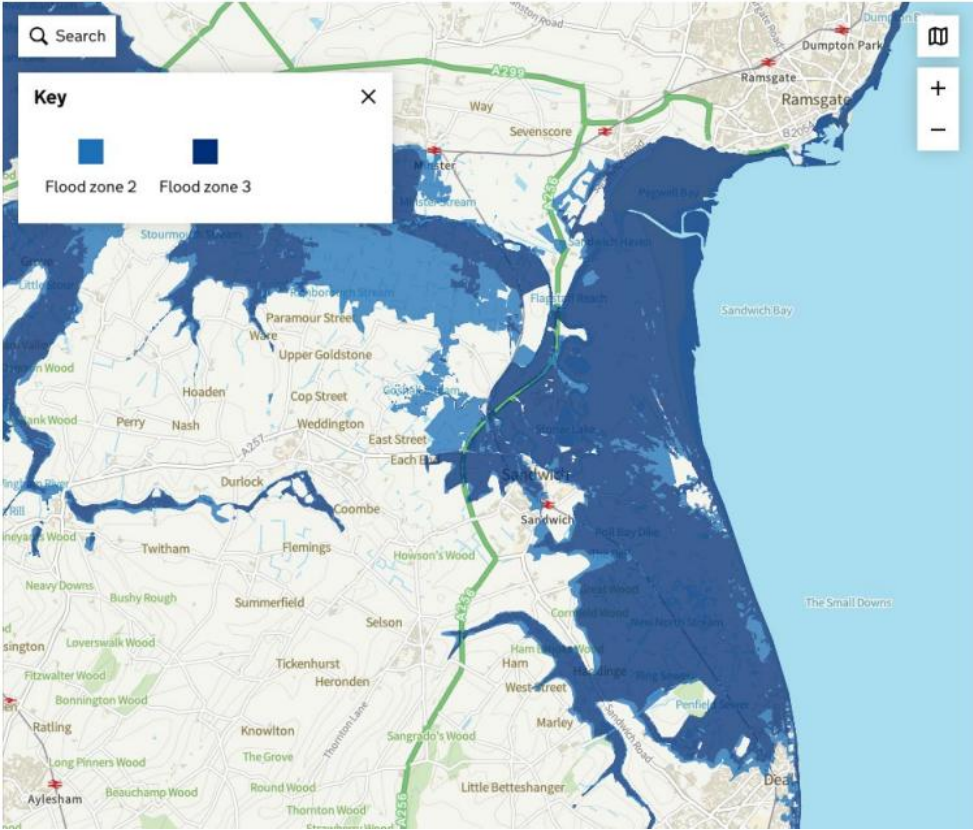
Reference	Matter	Points Raised	Applicant's Comments
			Specifically, the Applicant recognises that there is potential for noise, air quality, visual and traffic effects arising from construction of the Kent Onshore Scheme to impact on the amenity of residents, businesses, development sites, and users of open spaces and community facilities within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document (B) 6.2.3.11 Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. No significant adverse amenity effects are identified with regards to human health and wellbeing, with no significant effects arising from the construction of the Kent Onshore Scheme. Cumulative effects are also assessed in Application Document 6.2.3.13 (B) Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073], with the same conclusion.
60		In respect of traffic: 60.1. It is notable that the Applicant's traffic survey analysis was undertaken in January when the area experiences its lowest levels of tourism and seasonal business are closed. Despite the Applicant being made aware of this, it has decided not to conduct any further surveys which would reflect a more representative picture. The highway accident statistics are also misrepresented by the Applicant.	Whilst it is acknowledged that the traffic surveys within Kent were carried out in January 2025, the Baseline traffic flows which have informed Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] are based on an agreed survey methodology with KCC Highways and are appropriate for the purposes of the assessment work. Had higher Baseline traffic flows been adopted to consider seasonal fluctuations during the summer for example, then the percentage increases as a result of forecast construction traffic associated with the Proposed Project would have been lower than what was reported and assessed for the majority of the assessment criteria in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067], resulting in fewer potential impacts being identified. In addition, the majority of seasonal traffic (during summer months) is likely to be less peaked but is instead expected to be spread across the day and will therefore be less impactful during the typical (assessed) network and shoulder peak hours. In terms of highway accident statistics, Personal Injury Accident data were obtained from KCC for the agreed study area, covering the most recently available five-year period when the data was obtained. The collision rates identified for road links within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] would have been lower had these been based on higher Baseline flows (to consider seasonality), given that the same number of collisions would have been compared against higher traffic volumes (with fewer collisions per vehicle mile). Therefore, the sensitivity levels assigned to the receptors for the assessment of Road Safety are considered to be robust, with no adjustments deemed to be required.
		60.2. SMM has written to National Highways concerning the amount of construction traffic that a project of his scale will generate, particularly as the Applicant's documentation is not clear on the quantity of vehicles which will be needed. SMM's calculations indicate that there will be 40,000 lorry loads of aggregate needed to raise the site by 2 metres, and potentially further heavy loads for dewatering.	National Highways has been consulted regarding the proposals from an early stage. The assessment within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] adopts worst-case assumptions for construction traffic volumes, which provides a robust basis for impact evaluation by considering the busiest day of the construction programme. This has been based on construction traffic forecasts provided by design engineers on the project (who have experience delivering comparable schemes), not alternative traffic forecasts calculated by SMM.
		60.3. The Applicant's proposal appears to envisage bringing aggregate to the site from Ramsgate. The Ramsgate tunnel, however, was closed in the summer of	Route planning, monitoring and enforcement are incorporated within Application Document 7.5.1.2 Outline Construction Traffic Management and Travel Plan – Kent [APP-338], in order to mitigate the risk of using routes that are either out of use or unsafe to use.

Reference	Matter	Points Raised	Applicant's Comments
		2025 following a car fire. ⁸² The Applicant does not appear to have updated their risk assessment for dangerous wide loads on this route, nor do the plans adequately assess the risk of unexploded ordinance, which was a major issue uncovered during the NEMO Link construction in Pegwell Bay. ⁸³	The Applicant has undertaken detailed UXO risk assessments for the site that have highlighted the site at medium risk of UXOs being present. The Applicant is planning to reduce the UXO risk for working areas to As Low As Reasonably Practicable (ALARP) by the appointment of a UXO Consultant and additional pre-construction UXO survey works. This approach was undertaken during the intrusive ground investigation works completed previously by the Applicant and will be used for future surveys and construction works.
		60.4. The A299 Thanet Way, which serves as the main arterial road into the Isle of Thanet, currently has a 50 mph speed limit for nine miles because, for at least the second time, clay soil shrinkage has caused the road surface to undulate dangerously. In 2024, £4.4m was spent on reinforcing the road, but this has failed to solve the issue. The Applicant does not appear to have factored in the cost of damage the heavy machinery will cause along this road in its project costs or impact assessment.	A commitment to carry out road condition surveys is set out within Application Document 7.5.1.2 Outline Construction Traffic Management and Travel Plan – Kent [APP-338] . The requirements relating to road condition surveys will be further reviewed and secured as part of the CTMTP through Requirement 6 of Schedule 3 of Application Document 3.1(E) (Version 2, Change Request) draft Development Consent Order [CR1-027] , following further consultation with KCC Highways, who will need to approve the final proposals. For reference, based on the 2024 baseline traffic data used for the Applicant's assessment, the A299 has over 20,000 vehicles using it per day on average, of which approximate 1500 are HGVs. The peak forecast for the works proposed by the Applicant would require an additional 508 movements of which only 108 would be HGVs.
		60.5. Access to the pylon restringing side of the development will be through Minster village. All access roads to the village are single track unless Tothill Street is closed to parked cars. The Applicant estimates that there will be on average 30 HGVs / day accessing this side of the development, yet the Applicant has as of yet provided no traffic management plan to show how this will be managed	A response to this comment can be found in Table 6.2 (Reference 6.2.29) of Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses [REP1-115] .
61		The Planning Statement considers the effect on health and wellbeing arising from impacts on accessing open space, leisure and play facilities, and from transport access and connection during both the construction and operational phases as “not significant” (§7.15.17-18). However, the closure of the King Charles III footpath for up to eight times per hour for high goods vehicle crossing cannot simply be dismissed as “negligible”. The proposal will also impact the St Augustine Trail PRow – an important Christian pilgrimage route which the Applicant plans to permanently reroute (at least in part). The Applicant fails to consider the effect of surrounding the Great Oaks Small School (a specialist SEN school) with building and heavy traffic movements, and the impact this would have on the education of pupils who attend the school. The Applicant has stated that they will only work during school holidays to avoid disruption to pupils, but this is the main bird breeding season. It is impossible to avoid both disturbing breeding birds and riparian mammals and the pupils at Great Oaks.	The Applicant notes the local concerns regarding the impact of the construction period on the local PRow network and recreational routes, with particular concern regarding the impact the King Charles III Coastal Path. Section 10.9 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics Recreation and Tourism [REP1A-007] assesses the potential effects of the Proposed Project on disruption to the use of PRow and recreational routes. Impacts of the Kent Onshore Scheme on the King Charles III Coastal Path are identified in paragraphs 10.9.46 – 10.9.47. Given the national trail will be crossed by the trenchless HVDC alignment, which will be underground at depth, there are not anticipated to be any closures or diversions required. The St Augustine's Way follows the alignment of TE37 as runs along the northern boundary of the Kent Onshore Scheme Order Limits from Cottington Road in the east to Minster in the west. Impacts of the Kent Onshore Scheme on the King Charles III Coastal Path are identified in paragraphs 10.9.52 – 10.9.54. The footpath meets the King Charles III Coast Path at Cliffsend but neither route intercept the

⁸² The Isle of Thanet News, ‘Royal Harbour Approach tunnel remains shut for ‘foreseeable future’ following car fire’ (30 June 2025). See <https://theisleofthanetnews.com/2025/06/30/royal-harbourapproach-tunnel-remains-shut-for-foreseeable-future-following-car-fi>

⁸³ The Isle of Thanet News, ‘Nemo Link team discovered 985 potential unexploded bombs on cable link route to Pegwell’ (23 August 2017). See <https://theisleofthanetnews.com/2017/08/23/nemo-link-teamreveals-discovery-of-985-potential-unexploded-bombs-on-cable-link-rou>

Reference	Matter	Points Raised	Applicant's Comments
			Order Limits at this point. Overall, it is concluded that no significant socio-economic, recreation and tourism effects are anticipated on PRoW and recreational routes. Paragraph 10.9.74 notes that there is potential for noise, air quality, visual and traffic effects arising from construction of the Kent Onshore Scheme to impact on the amenity of private, community, recreational and tourism assets within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. For PRoW, amenity impacts are assessed under the determinant ‘Social Cohesion and Community Identity’. As defined in in Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003], this considers the “<i>potential adverse impacts on health and wellbeing resulting from disruption to community connectivity and potential changes to landscape and visual amenity, which could impact mental health</i>”. This assessment draws on evidence across multiple environmental disciplines to provide a comprehensive assessment, including the landscape and visual, socio-economics, and traffic and transport effects. Drawing on this evidence, and applying professional judgement, the assessment concludes that there would be no significant effects on social cohesion and community identity, including amenity impacts on PRoW and other recreational receptors. The health and wellbeing impacts on Great Oaks Small School is assessed within the determinant “Access to other Social Infrastructure” within Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. The health and wellbeing assessment firstly establishes the sensitivity of the population in relation to Access to other Social Infrastructure, which is classified as medium for both the general and vulnerable sub-population considering levels of deprivation and variable levels of self-reported health across the study area. The assessment then considers the conclusions from Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067], both of which conclude no significant effects in terms of severance, increased traffic movements, and driver delay impacts on the School. Considering the evidence across all relevant topics, and applying professional judgement, the assessment concludes that the magnitude of impact on “Access to other Social Infrastructure” is negligible during the construction phase. This results in no significant effects overall. The conclusion reached reflects assessment in accordance with established guidance and represents a proportionate assessment of the likely impacts on community health and wellbeing.
62		Finally, SMM has considerable concerns about the fire risks associated with placing electrical infrastructure in this location. The recent North Hyde fire at Heathrow was caused by a preventable technical fault due to a lack of maintenance, and it casts serious doubts on the Applicant’s ability to maintain this level of infrastructure in such a vulnerable location. There have been seven electrical substation fires and two battery fires in the United Kingdom in the past year. A proposal in this location, sited next to one of the largest battery storage plants in the United Kingdom (which lies southwest of the Isle of Thanet in the same direction as the prevailing winds) and a biogas plant to the north puts the population of the Isle of Thanet at an unacceptable fire risk	Fires at Substations and Converter stations are rare but a significant risk. Mitigation is incorporated into the design through the use of fire walls, the separation of assets within the stations and the selection of materials across the site including cladding. Key to the design is the control of fire hazards such as oil and diesel stores and oil filled equipment. Fire risk assessments will be produced at detailed design and will be reviewed and maintained throughout operation and will look to identify the fire hazards and reduce the risk of those hazards causing harm to as low as reasonably practicable. Rigorous maintenance and inspection programmes and safety protocols are also part of the Applicant’s operational procedures to mitigate the risk throughout

Reference	Matter	Points Raised	Applicant's Comments
			operation. The Applicant will also prepare for the worst case and develop emergency response plans in coordination with the emergency services.
63	(9) Flooding	The matters pertaining to flood risk that the Secretary of State should be satisfied of when determining the DCO application are set out at §5.8.36 of NPS EN-1. These include the need for the application to (1) be supported by an appropriate FRA, (2) apply and satisfy the Sequential Test as part of site selection, and (3) apply the sequential approach at the site level.	The Applicant has prepared a Flood Risk Assessment as reported in Application Document 6.8 Flood Risk Assessment [APP-292] supplemented by further information provided in Application Document 9.4 Supplementary Environmental Information - Flood risk assessment [AS-099] . Section 3 of the report addresses the Sequential Test and how this has been applied in terms of site selection and at the site level.
64		The Applicant claims it has complied with all of these elements, including the requirements of the NPPF / NPPG and local development plan. However, the Applicant has failed to address how it will manage groundwater flooding caused by the exceptionally high ground water in the Isle of Thanet area. This matter is merely recognised but not addressed substantively in its flood risk analysis. The Examining Authority should note that in June 2025, the Isle of Thanet and Sandwich received 2 inches of rain in under a 2 hour period, which caused extensive flooding to the area. There is a history of near-catastrophic flooding in Sandwich, including the closure of the A256 Sandwich Bypass in June 2025 following flash flooding. ⁸⁴	The June 2025 flood event, which lead to closure to the A256, was the consequence of an intense summer rainstorm event that overwhelmed surface and combined sewerage infrastructure. The Project would not contribute to flooding in the district under such a repeat scenario as the Project does not propose any discharge of surface water into the existing surface water/combined sewer network and includes sustainable drainage infrastructure that captures, retains and attenuates runoff generated from land within the Order Limits for all events up to and inclusive of a storm with an annual chance of 1% in any year, with additional allowance for increased rainfall intensity due to climate change over the Project's lifetime.
65		Unsurprisingly, the EA's 'flood map for planning' shows that considerable areas of the Kent coast, including the inland section of the Sandwich Bay and Pegwell Bay are identified within Flood Zones 2 and 3, with the latter triggering a requirement for passing the exception test.	The Flood Risk Assessment that has been prepared (Application Document 6.8 Flood Risk Assessment [APP-292]) presents flood zone mapping for the Kent Project (Figure 1C for construction elements and Figure 1D for operational infrastructure). The figures show that Flood Zones 2 and 3 have largely been avoided. Where this is not the case, at landfall, there is a commitment (W12) to bringing the offshore cables onshore using a trenchless technique, avoiding physical disturbance of several watercourses and areas of coastal floodplain. The Flood Risk Assessment also demonstrates application of and evidence supporting compliance with the exception test.
			

⁸⁴ BBC News, 'People rehomed after 'catastrophic' floods' (14 June 2025). See <https://www.bbc.co.uk/news/articles/c0eqv73d55eo>

Reference	Matter	Points Raised	Applicant's Comments
		Image 1: 'Flood map for planning' for the Sandwich Bay area (flood zones 2 and 3)	
66		The suggestion that flooding in this area is less than a 1 in 100 year event is not borne out by recent experience. ⁸⁵ These risks will only become worse if the Applicant's proposal to cover 9 hectares of land in concrete at 20 metre depth comes forward.	The 1 in 100 year event defines Flood Zone 3, representing flood extents during a storm with an annual chance of 1% in any year. 1 in 100 year storms can therefore occur in consecutive years. Flood Zone 2 defines the extent of flooding associated with the 1 in 1000 year event (with a 0.1% chance of occurring in any year. Key project operational infrastructure has been sited to avoid these zones and mitigation is embedded within the Projects design to prevent contributing to flood risk increases.
67	(10) Procedural flaws	<u>Future site visits</u> SMM have concerns in respect of the Examining Authority's planned site visits timetabled for March 2026. In particular, we are concerned that conducting a site visit in this period will not allow the Examining Authority to have a full understanding of the likely impacts of this project on the River Stour during the winter months, in particular the damage to BMV land which has been caused currently by the operation of lightweight vehicles by National Grid's contractors on the marshes following heavy rain. SMM therefore invite the Examining Authority to undertake additional site visits now, during the winter months, to ensure they have a complete picture before making their recommendation	The Applicant is happy to facilitate an accompanied site visit during the winter months should this be helpful to the ExA.
68		The Examining Authority will be aware that under Rule 16 of The Infrastructure Planning (Examination Procedure) Rules 2010, the Examining Authority (or members of the Examining Authority) may make unaccompanied site visits to an application site before, or during the examination; and may also undertake one or more accompanied site visits during the examination which it will notify to all interested parties. ⁸⁶ If it would assist the Examining Authority, members of SMM would happily accompany the Examining Inspectors in a future site visit to draw attention to particular features of the proposal's location and its surroundings, or, alternatively, provide a route map for those locations and features in advance of any future visit.	No response required
69		<u>Flawed consultation process on proposed changes</u> The Applicant's 'Change Application Consultation Document' claims that the Applicant is " <i>proposing to make small changes to the application</i> " and that " <i>[t]he changes we are proposing do not substantially alter the project as a whole</i> " (§1.1.3-1.1.4). Those changes are set out at section 4 of the document, and are said to consist of five proposed changes: 69.1. <u>Change 1</u> – Change to access at the Hoverport, Kent. The proposal is to extend the width of potential access from the hoverport to the intertidal area within the Order limits. It is claimed this will mean there will be no significant impact on saltmarsh from driving vehicles on or close to the saltmarsh habitat when accessing the intertidal area during construction, operation and maintenance. 69.2. <u>Change 2</u> – Change of works plans at Friston (Kiln Lane) substation, Suffolk. The proposal is to adjust the area for the new substation at Friston (Kiln Lane) so	No response required.

⁸⁵ The Isle of Thanet News, 'River Stour floods put East Kent farmland at risk says Minster farmer' (27 September 2025). See <https://theisleofthanetnews.com/2025/09/27/river-stour-floods-put-east-kentfarmland-at-risk-says-minster-farmer/>

⁸⁶ See also Guidance: Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (30 April 2024), Paragraph 016 Reference ID 07-016-20240430

Reference	Matter	Points Raised	Applicant's Comments
		that it matches the area already approved for two Scottish Power Renewables wind farm projects, East Anglia ONE (North) and East Anglia TWO. This is said to be for consistency purposes to make plans easier to understand for local people and stakeholders and ensure landscaping / drainage plans are consistent. 69.3. <u>Change 3</u> – The Henge, Suffolk. The proposal is to adjust the boundaries of the project and move the planned underground cable route, so it goes around a newly discovered heritage asset (a Neolithic Henge), with a 30-metre buffer zone to avoid the Neolithic Henge. 69.4. <u>Change 4</u> – Benhall Railway Bridge, Suffolk. The proposal is to add additional land around Benhall Railway Bridge (on the B1121) into the Order limits, to provide additional flexibility when transporting large equipment to the new converter station. 69.5. <u>Change 5</u> – Increase in area for maintenance of new hedge to south of B1119, Suffolk. The proposal is to widen the strip of land south of the B1119 (near Fristonmoor Lane in Suffolk) to give additional space to plant the proposed new hedge and maintain the new hedge and the ditch. The new hedge is said to be an essential mitigation measure to reduce effects on the landscape and visual amenity and screen views of the converter station, as well as helping wildlife move between woodland and hedgerows/trees.	
70		The Guidance on the examination stage for Nationally Significant Infrastructure Projects provides that:⁸⁷ <i>“It is expected that applications will be as well prepared as possible prior to submission and an application will not be accepted by the Planning Inspectorate to proceed to examination if it is not of a satisfactory standard. However, there are occasions when applicants may wish to make changes to an application after it has been accepted for examination, but this should not be the routine practice.</i> ... <i>In deciding whether to accept an applicant’s proposed changes to an application, the Examining Authority will need to consider a number of factors such as whether:</i> • the changes would mean the project is effectively a different one from that contained in the application; • the application (as changed) is still of a sufficient standard for examination; • sufficient consultation on the changed application can be undertaken to allow for the examination to be completed within the statutory timetable; • the changes would breach the principles of fairness and reasonableness for parties participating in the examination; and • any other procedural requirements can still be met. <i>It is expected that applicants will discuss the implications of any changes they wish to make with relevant statutory consultees and notify the Examining Authority at the earliest opportunity. This means that proposed change requests must be</i>	The Applicant announced its intention to make changes to the DCO Application and set out the proposed approach for targeted consultation in the Application Document 9.19 Sea Link DCO notification of change to DCO application [AS-138]. Any comments from the ExA on the targeted consultation approach were set out in the Notification of Procedural Decision (known as the Rule 9 - Notification of Procedural Decision [PD-011] and were taken on board by the Applicant and accommodated in the targeted consultation, as confirmed in the Applicant’s response to the ExA’s Rule 9 letter of 25 September 2025 in 9.76.1 Change Request Cover Letter [CR1-001]. The Applicant has carried out the consultation on the proposed change in accordance with the Planning Inspectorate’s guidance on the procedure for making changes following submission of an application, which is set out in ‘Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination - GOV.UK’, and any additional comments received from the Examining Authority, taking a proportionate approach to the nature and extent of the proposed changes. In their letter dated 5 December 2025 The Examining authority accepted into examination the Applicant’s request for proposed changes to the development consent order. In their letter the ExA confirmed: <i>“...the ExA is satisfied that the proposed changes, whether considered individually or taken together, would not be so substantial as to amount to a materially different project from that which was applied for. The changes are capable of being examined within the remaining statutory timescale and there is sufficient time available for</i>

⁸⁷ Guidance: Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (30 April 2024), Paragraph 018 Reference ID 07-018-20240430.

Reference	Matter	Points Raised	Applicant's Comments
		<i>made at an early stage in the examination to enable any appropriate consultation on the change within the statutory examination period.”</i>	<i>interested parties to digest, understand and comment upon them and for compliance with the CA Regulations.”</i>
71		The Guidance also provides that “ <i>Making substantial change requests is likely to be incompatible with a fast-track examination process, as there will be insufficient time to accommodate changes to the 4-month examination timetable to allow for representations to be made about proposed changes</i> ”. ⁸⁸	
72		In the present case, the Applicant’s proposed changes are not acceptable both on a procedural and substantive basis: 72.1. The consultation is procedurally flawed. It is well-established that whether or not consultation of interested parties and the public is a legal requirement, if it is embarked upon, it must be carried out properly: <u><i>R v North East Devon Health Authority ex p Coughlan</i></u> [2001] QB 213, [108]. As such, there are four basic requirements for legally adequate consultation (“the Gunning criteria”), namely: (1) the consultation must be at a time when the proposals are still at formative stage; (2) the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response; (3) adequate time must be given for consideration and response; and (4) the product of the consultation must be conscientiously taken into account in finalising any proposals: <u><i>R v Brent London Borough Council ex p Gunning</i></u> [1985] 84 LGR 168, [189]. 72.2. The Applicant announced its intention to make changes to the DCO Application on 7 October 2025 and provided a deadline for responses by 7 November 2025. The timing and duration of consultation will vary from project to project, depending on size and complexity, and the range and scale of the impacts. Nevertheless, it is axiomatic that a reasonable time period will need to be provided for consultees to examine relevant documents and provide their responses. In a DCO application of this scale and controversy, with proposed changes that require detailed technical input (especially regarding impacts), a consultation period of just 31 days as provided by the Applicant here is unrealistic and disproportionate to the issues at hand. The obligation is that “<i>those with a potential interest in the subject matter know in clear terms what the proposal is and exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response</i>”: as per Lord Woolf MR in <i>Coughlan</i>, [112]. The Applicant’s consultation document, which runs to fewer than 20 pages and fails to provide any substantive detail of the proposed changes, cannot reasonably be said to meet that standard. In particular, the Applicant’s failure to carry out an environmental survey of the impacts arising from the proposed changes to the hoverport means the public are simply unable to properly understand the effect of these proposed changes and provide a considered and informed response. 72.3. Further, the Applicant has failed to properly notify affected and interested parties of the consultation. SMM, for example, were not notified directly by the Applicant, but instead learnt of the consultation one week after it had commenced, on 13 October, having been alerted to the change on the Sea Link website by a third party. SMM will not be the only ones who will have had their right to make	

⁸⁸ Paragraph 018 Reference ID 07-018-20240430

Reference	Matter	Points Raised	Applicant's Comments
		representations severely curtailed. The Applicant on their website claims that “ <i>We have now written to relevant stakeholder and residents living near to the changes we are proposing</i> ”; however, SMM are aware of several examples of residents who live directly opposite the hoverport and within the draft order limits who have not been contacted, or who were only notified several days after the consultation period had commenced.	
		72.4. Given the above, it is clear that, at least, Gunning criteria (1)-(3) have been breached, and it remains to be seen whether the Applicant proceeds to take into account the product of this latest consultation before finalising any proposed changes submitted to the Examining Authority in accordance with Gunning criteria (4).	
		72.5. The changes proposed are substantial. In particular:	
		72.5.1. The Applicant held its statutory pre-application consultation between October and December 2023. The documents made available to the public at that time did not indicate any use for the hoverport site. In July 2024, the Applicant produced amended plans which included, for the first time, the use of the hoverport site for construction, maintenance and a construction compound. The Applicant explained that this was to avoid damage to the saltmarsh during construction, and that the area would be used solely as access for construction traffic. When the DCO Application was accepted for examination in April 2025, this was on the basis that no detailed environmental survey had been undertaken given the limited use of the hoverport area for maintenance works within the intertidal zone, despite the sensitive saltmarsh habitat. Between October 2023 and September 2025, the Applicant had almost 24 months in which to carry out a detailed survey of the hoverport area but decided not to do so.	Regarding access to the hoverport for surveys, the Applicant has been seeking access for surveys since the use of the hoverport for access was identified (which was late 2024, not late 2023) but voluntary access has not been granted. Access is now being achieved through a s172 submission. Irrespective it is important to note that use of the hoverport is proposed for vehicular access only, and evidence from aerial photography indicates that routes are available through the hoverport that would avoid extensive habitat management or removal. In addition, the change application increases the flexibility to find a route through the site that presents the minimum potential for habitat impact.
		72.5.2. The Applicant now proposes a significant and substantial change to the proposal which was originally submitted for examination. The Applicant seeks to extend the extend the width of potential access from the hoverport to the intertidal area, to include the carrying out of construction involving at least four 15-20t excavators, which brings with it the risk of heavy metal leaching and other pollutant impacts. Despite this risk, the Applicant has again refused to undertake a detailed environmental survey, and simply provides a bare assertion in the Change Application Consultation Document that “ <i>There won’t be any new or different significant environmental effects introduced from the proposed change as it provides enough flexibility for the access route to have no significant impact on the sensitive saltmarsh habitat</i> ” (§4.2.8).	The proposed change has been made for the purposes of avoiding any interaction with saltmarsh habitat, which has been slowly encroaching upon the southern hovercraft ramp, which was originally the sole point of access proposed onto the foreshore. Application Document 6.3.3.5.A ES Appendix 3.5.A Preliminary Contamination Risk Assessment [APP-169] provides an assessment of land contamination within the study area (including the hoverport) in accordance with Environment Agency guidance Land Contamination Risk Management (LCRM). The assessment recognised the hoverport as a potential source of contamination. However, the impact assessment concluded that on the basis of the activities proposed at the hoverport (vehicle access, with mitigation available in the form of bog mats or track matting), significant effects are not anticipated.
		72.5.3. SMM has already submitted representations in respect of the proposed change to the hoverport which identifies several concerns, including (1) a lack of clarity over the changes being proposed, and (2) the serious risk of pollution from use of the hoverport apron and the excavation of the exit pits. The detail will not be repeated here, but the relevant submission is provided at Appendix 2: Response to the request for Change 1 – Access to the Hoverport, Kent.	The Applicant has responded to these representations in Application Document 9.76.3 Change Request Consultation Document [CR1-053]. The Applicant notes that the exit pits for the trenchless landfall works would be some distance away from the footprint of the former hoverport.

Reference	Matter	Points Raised	Applicant's Comments
		72.5.4. Given the lack of any proper environmental assessment carried out over the hoverport area, the Applicant cannot reasonably argue that there will not be any new or significant environmental effects introduced from the proposed change. It simply does not have the information to make such a definitive statement. In any event, the failure to provide an environmental survey / assessment means that the Examining Authority is not in a position to judge whether the changes would mean the project is a different one from that contained in the original application. Further, without that environmental assessment, statutory consultees and interested parties have not been given a proper opportunity to consider the proposed changes and provide an intelligent response.	As stated above the change application with regards to the hoverport has been made for the purposes of avoiding any interaction with saltmarsh habitat, which has been slowly encroaching upon the southern hovercraft ramp, which was originally the sole point of access proposed onto the foreshore. Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] has been provided to accompany the Change Application and concludes no new or different significant environmental effects from those reported in the Environmental Statement. This is not unexpected as the changes are intended simply to provide flexibility to avoid impacts on saltmarsh habitat in Pegwell Bay. This is referenced in the Application Document 2.3 (C) Land Plans Part 1 of 2 (Version 2, change request) [CR1-003]. As the change application has now been accepted by the ExA, there will be opportunity within the examination timetable for the changes to be examined.
73		It follows from the above that an adequate consultation has not been carried out. Accepting the Applicant's proposed changes would breach the principles of fairness and reasonableness for parties participating in the Examination. The consultation period will need to be extended in order to (1) allow the Applicant to carry out and produce the results of a detailed environmental survey / assessment of the likely effects of the proposed changes, and (2) allow sufficient time for parties participating in the examination to consider this information and provide their responses. Extending the consultation period in this way, while necessary, would undermine the ability for the Examination to be completed within the statutory timetable. Regardless, even on the limited information available, it is clear that the proposed changes are substantial and represent a significant departure from the project contained in the original application and the expectations which have been set by the Applicant and communicated to the public.	Please see above responses
74		For these reasons, the Examining Authority should refuse to accept the Applicant's proposed changes.	
75		<u>Flawed pre-application consultation</u> SMM acknowledges that the DCO Application has been accepted for examination, and that this decision cannot be reopened during the examination stage. Nevertheless, SMM has previously raised a number of concerns about the adequacy of the Applicant's pre- application consultation process. These concerns included the fact that (1) the Kent element of the proposal was screened out prior to the non-statutory consultation, meaning that consultees were not given a proper opportunity to argue in favour of alternatives; (2) the consultation was not adequately publicised and there has been a failure to properly inform those affected by the proposals or with a potential interest in the subject matter; and (3) relevant documents were not provided to affected parties, including landowners whose land is being compulsorily purchased.	As set out in National Grid's Our Approach to Consenting (National Grid, 2022) options appraisal is carried out to determine a preferred option or options that are then be consulted on. In Kent the options appraisal process only identified one preferred option as documented in Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] which was consulted on as part of the 2022 non-statutory consultation. Application Document 8.1 Corridor and Preliminary Routeing and Siting Study (CPRSS) [APP-368] described all the other options considered and the reasons for the selection of the emerging preference. This document formed part of the non-statutory consultation materials.

Reference	Matter	Points Raised	Applicant's Comments
76		As is evident in the new issues which have arisen in respect of the latest consultation into the proposed changes to the scheme, the public's ability to engage substantively with this process continues to be curtailed in practice by the Applicant.	The Applicant is not aware of new issues arising as a result of the proposed change to the order limits in the vicinity of hoverport, other than the potential benefit it brings in reducing the risk of construction vehicles interacting with saltmarsh habitat.
77	(11) Inadequate mitigation	77. While SMM welcome the opportunity to explore mitigation measures which would adequately address the adverse impacts of the proposal (see e.g. those set out in the ecology section above), the mitigation currently being proposed by the Applicant is wholly unsatisfactory. In particular: 77.1. The proposed mitigation land is not functionally linked land and is surrounded by the River Stour with permanent moorings and frequent traffic on one side, and a busy dual carriageway on the other. It will also be subject to constant light pollution and noise from the nearby salvage yard, metal fabrication unit (Stevens & Carlotti) and Discovery Park; as well as vibration from a new solar plant on the other side of the River Stour. The mitigation land is unsuitable as a replacement for the species and habitats it is intended to support. Golden plover rely on large open spaces like Minster Marshes. 77.2. Further, the experiences on the nearby NEMO Link project do little to inspire confidence in the Applicant's proposed mitigation measures. In addition, the NEMO Link project has caused irreversible damage to soil structure on agricultural land (see circled area in image below and Appendix 1: Hydrogeologist report).	No response required See Applicant's response to the Relevant Representation provided by CPRE (Kent), Save Minster Marshes, Kent Wildlife Trust, IUCN and RSPB among others, in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115], regarding the adequacy of the golden plover mitigation area. This mitigation area, including its extent, location and management prescriptions, has been agreed with Natural England. The Nemo Link interconnector was developed by National Grid Ventures (NGV) not the Applicant. National Grid Ventures (NGV) is a different and fully independent business to NGET (the Applicant), with an entirely separate board of directors, management, staff, physical location and digital environment. There is complete independence of decision making, and NGET has no control over decisions made by NGV (and vice versa). Regarding soils, mitigation for the Proposed Project is set out in Application Document 7.5.10.2 Outline Soil Management Plan – Kent [APP-355].
			
		Image 2: Aerial view of part of NEMO Link project site area 77.3. The image above also shows vehicles in the current ground survey works are not entering / exiting the site via a single route as required to avoid damaging a larger area than is necessary. SMM has spoken with the site foreman who has confirmed that no traffic management plan is in place, mats have not been used,	The trafficking of topsoil at the entrance to the compound occurred early in the compound construction and is now being avoided through the use of track matting forming the access point to the compound. A site visit was undertaken by National Grid's soil specialist to review the site and working approach, which confirmed that access to individual ground investigation points was being undertaken to minimise

Reference	Matter	Points Raised	Applicant's Comments																																																								
		and heavy machinery has blocked public and landowner access. One can expect the same type of behaviour will occur if the Sea Link proposal goes ahead.	the extent of trafficking, and that measures would be identified for specific locations to remove any rutting and surface compaction once works are complete. Such works will be controlled through the binding nature of the measures included in the Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [CR1-043]																																																								
78	(12) Public opposition and survey results	SMM recognises that the number of objections to this scheme is not a material consideration. Nonetheless, it is notable that when the Applicant conducted its own research and questioned 955 people about the Sea Link proposal in Kent, 58% of respondents opposed its positioning on Minster Marshes, citing flood risk and ecology concerns. The substance of those concerns, for the reasons outlined above, are material to the consideration of this application. In addition, in their letter of 1st September to the Examining Authority, the Applicant stated: “<i>For this application over 6,000 Relevant Representations have been received, which to the best of the Applicant’s knowledge is a greater number than have been received on any DCO application to date.</i>” This is indicative of the strong feelings against the Applicant’s proposals.	The concerns cited, as they relate to flood risk and ecology, are addressed in Application Documents 6.2.3.4 Part 3 Kent Chapter 4 Water Environment [APP-064] and 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. The process followed for identifying the proposed site of the Minster Converter and Substation is set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044].																																																								
79		More recently, SMM has undertaken its own survey of attitudes towards the proposal and the DCO process. We have had over 700 respondents in the month we have been running the survey. The quantitative results are shown in the table below and the narrative responses are attached at Appendix 4: Narrative responses. <table><tr><th></th><th>Agree</th><th>Somewhat agree</th><th>No opinion/ don't know</th><th>Somewhat disagree</th><th>Disagree</th><th>Highest number % of total</th></tr><tr><td>NG have explored brownfield sites</td><td>10</td><td>4</td><td>13</td><td>45</td><td>609</td><td>89%</td></tr><tr><td>Marshland is suitable for building Europe's largest converter station</td><td>5</td><td>3</td><td>2</td><td>11</td><td>660</td><td>97%</td></tr><tr><td>Project will deliver BNG</td><td>10</td><td>4</td><td>13</td><td>33</td><td>620</td><td>91%</td></tr><tr><td>Location choice will have a positive climate change impact</td><td>8</td><td>3</td><td>7</td><td>28</td><td>587</td><td>93%</td></tr><tr><td>I feel my points will be dealt with fairly</td><td>23</td><td>34</td><td>87</td><td>130</td><td>401</td><td>59%</td></tr><tr><td>Reduction of open spaces in Thanet has had a negative impact on my mental health</td><td>472</td><td>116</td><td>52</td><td>12</td><td>26</td><td>70%</td></tr><tr><td>I use hoverport for recreation</td><td>427</td><td>91</td><td>111</td><td>11</td><td>37</td><td>63%</td></tr></table> <i>Table 1: Save Minster Marshes survey (conducted via JotForm over one month; 712 responses received; full download available)</i>		Agree	Somewhat agree	No opinion/ don't know	Somewhat disagree	Disagree	Highest number % of total	NG have explored brownfield sites	10	4	13	45	609	89%	Marshland is suitable for building Europe's largest converter station	5	3	2	11	660	97%	Project will deliver BNG	10	4	13	33	620	91%	Location choice will have a positive climate change impact	8	3	7	28	587	93%	I feel my points will be dealt with fairly	23	34	87	130	401	59%	Reduction of open spaces in Thanet has had a negative impact on my mental health	472	116	52	12	26	70%	I use hoverport for recreation	427	91	111	11	37	63%	No response required
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80		The results above are indicative of a proposal which has been advanced without any proper consideration of the views of the local community. 97% of respondents believe that Minster Marshes is not a suitable location for a project of this scale and nature. Concerningly, 59% of participants do not have faith that their views will be properly considered and represented through this DCO process. SMM hopes that this Examination process will provide an opportunity for those views to	The Applicant has had regard to feedback received at all stages of the development of the Proposed Project. This is set out in Application Document 5.1 Consultation Report [APP-301]. Furthermore, there are opportunities for Interested Parties to engage throughout the examination of the Proposed Project.																																																								

Reference	Matter	Points Raised	Applicant's Comments
		be heard and to be taken into account, which until now the Applicant has tried at every opportunity to sideline.	
81	Conclusion	For all the reasons above, SMM's position is that the Applicant has substantially underplayed the significant adverse impacts of Sea Link on the natural landscape, ecology and biodiversity, in addition to failing to properly apply the mitigation hierarchy and assess reasonable alternatives. These matters are highly relevant to the Examining Authority / Secretary of State's consideration of (1) the overall planning balance, (2) the relevance of NPSs EN-1 and EN-5, and (3) the application of section 104 of the Planning Act 2008. Further, the failure to conduct proper consultation both at pre-application stage and in respect of the latest proposed changes to the application, means that the principles of fairness and reasonableness for parties participating in the Examination have been compromised.	See above responses
82		Unless the issues above can be resolved through future Examination hearings, then it follows that the DCO Application cannot be recommended for approval.	

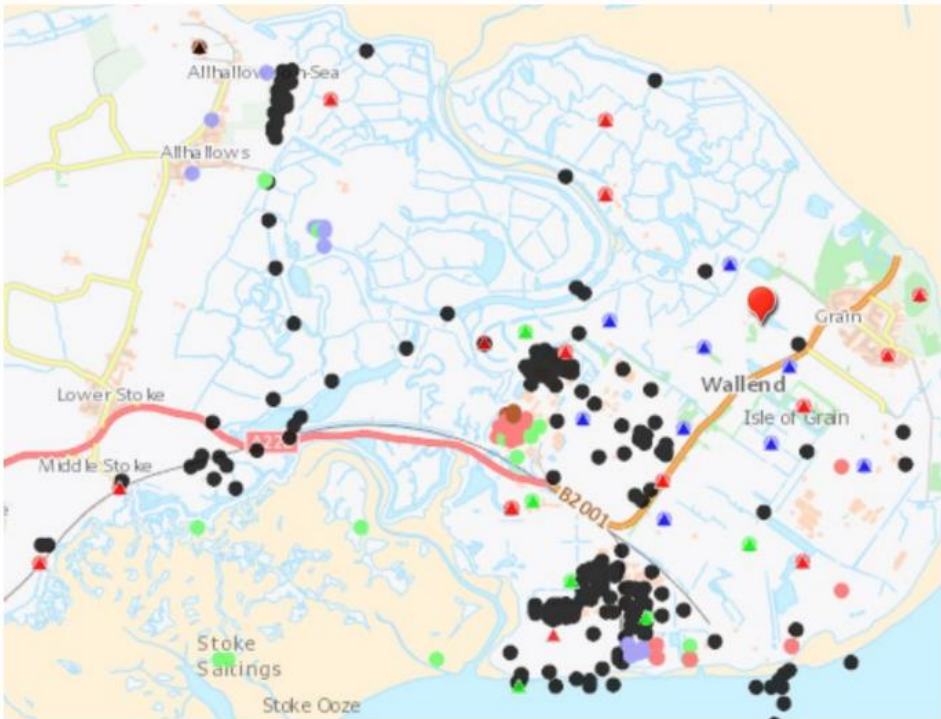
Table 2.28 Save Minster Marshes Appendix 1 Hydrogeological Assessment [REP1-248]

Reference	Matter	Points Raised	Applicant's Comments
1	What is a good agricultural soil	1. Soil promotes the growth of plants by creating a medium in which their roots grow. The book “Soil Conditions and Plant Growth” 10th Ed by E. W Russell contains 810 pages. 2. Compaction by vehicles destroys good soil. 3. Russell p510 (see figure 1) shows a comparison of a well-structured soil on pasture and a poorly drained weekly structured arable soil. The good soil has large number of soil aggregates which hold a film of water and allow rainwater and oxygen to pass downwards. Any and all soil structure will be destroyed by vehicles certainly to a depth of 0.6m and most likely 1.2m. Figure 1 2. Roots need to grow in voids which contain water and oxygen. Therefore, a good soil is located above the water table and with a void content of perhaps 40% (Russell, p491). The most important group of agents that create structured pores in undisturbed soil are plant roots. If roots cannot grow, they cannot create a topsoil. 2 Compaction by vehicle reduces void content perhaps down to 5-10%. Saturation by water creates anaerobic conditions and the following changes occur:- 1. Organic material + aerobic bacteria + oxygen produce Carbon Dioxide which forms Carbonic Acid. 2. Low permeability means Oxygen is not replaced. Eventually Oxygen is used up. 3. Roots need Oxygen, so begin to die. 4. Bacteria which cause fermentation produce alcohol, which is poisonous to roots 1 part in 1 million 5. Nitrate is converted to ammonia which kills invertebrates 6. More stagnant conditions produce methane and Hydrogen sulphide (rotten egg smell). Hydrogen sulphide is toxic to all life apart from Methanogenic Bacteria. 3. What is particularly damaging to soils is compaction by tyres and then flooding as this will lead to the rapid creation of methanogenic conditions. Once this occurs it is irreversible. The creation of a topsoil takes thousands of	Refer to Application Document 6.2.3.6 Kent Chapter 6 - Agriculture and Soils [PDA-023] and Application Document 7.5.10.2 Outline Soil Management Plan - Kent [APP-355] that sets out specific measures to mitigate damage through the disturbance of in-situ soil materials. It contains specific guidance in relation to soil handling, including, soil stripping, soil stockpiling and soil reinstatement.

Reference	Matter	Points Raised	Applicant's Comments
		years and requires the creation of the correct structure, physics, chemistry and biology.	
2	How Tyres Compact Soil	1. The weight of the tyre compacts the soil. There are three basic aspects to this: 1. Pressure exerted by tyre which is controlled by pressure within it 2. Width of tyre controls depth to which pressure is exerted 3. No of times a vehicle passes over the same ground. 2. The compaction of soil depends on strength, particle size and moisture content. A soil with a higher shear strength will become less compacted than a soil with a lower shear strength. However, moisture content reduces shear strength so rainfall may increase moisture to such an extent that if a vehicle passes over it will be severely compacted whereas if this occurred before the rainfall, the effect would be slight. Hence farmers take great care to ensure they do not run vehicles over soil when it could be severely compacted. 3. Compaction beneath a tyre is calculated by the Bousinesq equation p336 and 337 Soil Mechanics Concepts and application (). See Figure 2 below. Compaction is a result of the pressure bulb which extends to twice width of the foundation, which in this case is the width of the tyre. At a depth equal to the width of foundation or tyre, the pressure exerted by the tyre will be 0.5 of that at the ground surface. Repeated driving over the same piece of ground will cause further compaction (which is the way soil is compacted for embankments carrying roads and railways). The vehicles on the sit will have tyre widths of 0.6m or greater, meaning they will exert a pressure equal to half the tyre pressure at 0.6m and at 0.3m about 0.8. Topsoil will have a depth of 0.3m to 0.6m so it will be compacted such that it will have a minute void content and extremely low permeability and become saturated with a few millimetres of rain. Methanogenic conditions will develop within days and kill all roots. All crops will die. 3 Figure 2 4. The site comprises a top metre with higher strength, the crust on a custard, below which the ground is much softer. At a depth 1.2m, twice the width of a tyre, the ground below a depth of 1.0m will fail when a vehicle passes above. This will result in wheel or track breaking through the top 1.0m crust bogging down the vehicle and ruining the soil. 5. Once the soil has become compacted, saturated and methanogenic conditions prevail it may be impossible to return it to its previous conditions within a period of 100s of years. The topsoil is result of various factors operating over 100s of years.	Refer to Application Document 6.2.3.6 Kent Chapter 6 - Agriculture and Soils [PDA-023] and Application Document 7.5.10.2 Outline Soil Management Plan - Kent [APP-355] that sets out specific measures to mitigate damage through the disturbance of in-situ soil materials. It contains specific guidance in relation to soil handling, including, soil stripping, soil stockpiling and soil reinstatement. Topsoil stripping and the construction of haul roads and working areas on sub soils are proposed to protect the topsoil from direct loading.
3	Construction issues on ground comprising very soft clay/silts and loose sands and high-water table at surface	1. The first issue is that the terrain is flat and so rainwater will pond. Removal of the vegetation means the rain falling on the soil will cause particles to be loosened. The marsh soil contains a high proportion of silt which is very easily disturbed. 2. This water cannot be discharged to The River Stour as the sediment will be greatly in excess of discharge limits. The sediment content could reach 30,000 ppm where a discharge limit may be 20 ppm. The water will need to be stored for up to 7 days. A 1 in 100 storm produces 0.06m of rain! 1Ha is 10,000 sq metres. Therefore, every hectare would produce 600 cubic metres of water. In winter, the water is at the surface so where can the water be stored? When rainwater washed topsoil of an embankment of the CTRL into the River Stour, 5km was damaged and it took years to recover. 3. The site operations will be adversely affected by surface water and groundwater at and close to the surface. This will mean that much of the year the following will be needed. 4. Construction de-watering which	Mitigation measures included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] in relation to the requirement for any temporary dewatering activities to be undertaken in accordance with Environment Agency guidance and the relevant licences/permits (GH07), which will cover the requirement for sediment control. The ground conditions at the site have been investigated by preliminary ground investigation, which has informed the current design including the construction methodology and drainage proposals. Further ground investigation will be undertaken in due course to refine the design and drainage proposals.

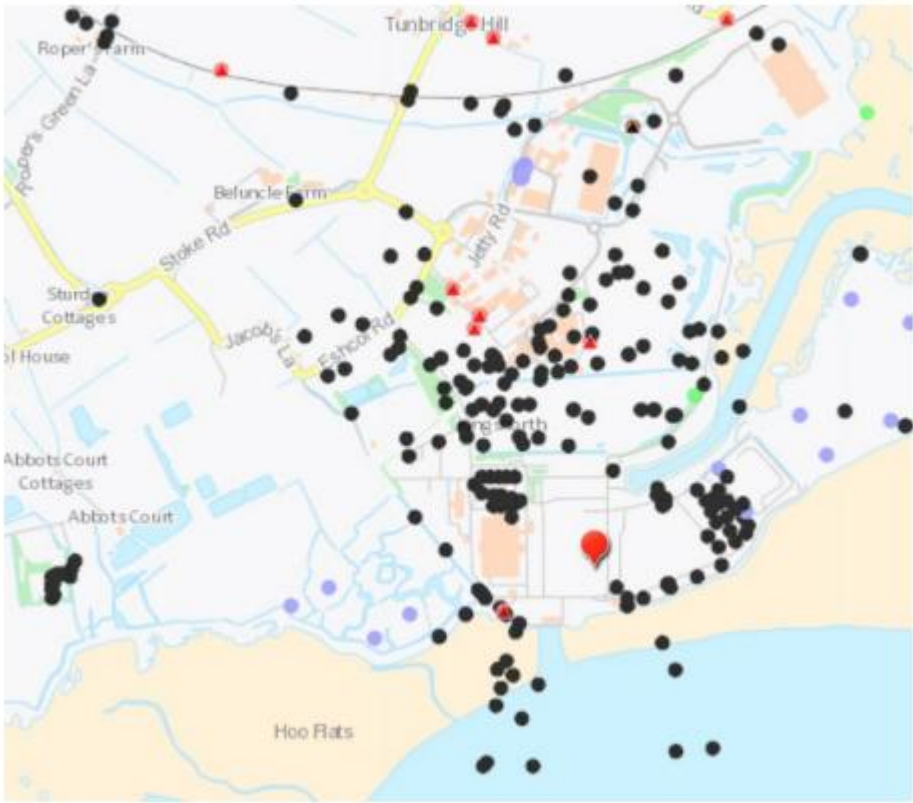
Reference	Matter	Points Raised	Applicant's Comments																														
		will required such as some sort of ground barriers and water abstraction system. Low permeability silts and clay are more difficult to de-water and hence more expensive that sands. 5. The design and construction dewatering systems require advanced engineering skills. A good guide is Groundwater Lowering in Construction by [REDACTED] There will be a need for extensive de-watering of pipelines and roads. A Good example of the type of system needed is shown on p234 Fig 7A2 – See Fig 3. And p 271 and 292 3 is a photo of what the site will look like in dry conditions, wet will be far worse. 6. Treating the water so it is suitable to discharge into the River Stour. The sediment content is likely to reach 30000 ppm and most river water abstraction treatment systems can only cope with 2000ppm. Therefore, water will have to be stored. The speed at which at particle falls through water depends upon the following:- a. Diameter b. Specific gravity. Clays and quartz SG is about 2.65 whereas Humic material about 1.3. c. Dynamic viscosity of water. The stickiness which increases with the cold. Like treacle, it is thicker in the cold than the warm. 7. The diameter of the particles are likely to range from Fine Sand, at 0.1mm or 10-4 m to finest at 0.45um. When it comes to calculations of settling velocities anything below 5m becomes unreliable due to Brownian Motion <table><tr><th>Diameter</th><th>Winter 4° C Dynamic Viscosity 1.57x10-3 Pa/S</th><th></th><th></th><th>Summer 20° Dynamic Viscosity 1.01x10-3 Pa /S</th><th></th></tr><tr><td></td><td>SG 2.65</td><td></td><td>SG1.3</td><td>SG 2.65</td><td>SG 1.3</td></tr><tr><td>0.0001m/0.1mm</td><td>5.7x10-3m/s</td><td></td><td>1.1x10-4m/s</td><td>8.9 x10-3m/s</td><td>1.6 x10-3m/s</td></tr><tr><td>0.000005m/0.005 mm</td><td>1.43x10-5m/s</td><td></td><td>2.6x10-7m/s</td><td>2.22 x10-5m/s</td><td>4.04x10-65m/s</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> Particle comprising humic material with a diameter of 0.005mm in winter could settle 2.6 x10-7 m/s compared to a sand particle in summer which will settle at 8.9x10-3m/s, which is approximately 34,000 times slower. 8. Pollutants such as nitrates, phosphates and pesticides can stick to particles. What becomes important are the following a. Electrical charges on particles. Silt and fine sand will largely comprise quartz in the shape of balls, like marbles. The charge will be almost non-existent and therefore there will be little sticking of pollutants. Clay and humic particles are charged; nitrate, phosphate and pesticides stick to them more than Quartz. b. Surface area of particle. As the particle becomes smaller , a kilogramme of silt particles of diameter 0.000005m or 0.005 mm has a much larger surface area than a kilo of Fine sand particles of diameter 0.0001m or 0.1mm. 7 Example 0.1kg of Soil Diameter of Particles 0.0001m/0.1mm, surface area = 5.67 x10-1 m2 Diameter of soil particle 0.000005m/0.005mm, surface area = 1.36x10+1 m2 9. Settling out of particles carrying nitrate, phosphate and pesticide is a way of treating water to reduce pollutant load but this requires settling out of sub 5um /0.005 mm particles, especially humic but these with a specific Gravity of 1.3 which is about half that of Clay or Silt at SG of 2.65. Most of the rain falls in winter when the water is colder and therefore Dynamic Viscosity is higher. In order to settle out the particles it will be probably necessary to store the water for 7 days. The problem is that in winter the site is likely to be flooded with water at the ground surface so where will the water be stored? Each	Diameter	Winter 4° C Dynamic Viscosity 1.57x10-3 Pa/S			Summer 20° Dynamic Viscosity 1.01x10-3 Pa /S			SG 2.65		SG1.3	SG 2.65	SG 1.3	0.0001m/0.1mm	5.7x10-3m/s		1.1x10-4m/s	8.9 x10-3m/s	1.6 x10-3m/s	0.000005m/0.005 mm	1.43x10-5m/s		2.6x10-7m/s	2.22 x10-5m/s	4.04x10-65m/s							
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Reference	Matter	Points Raised	Applicant's Comments
		location will have specific soils and pollutants which will mean tests will have to be undertaken to design specific treatment.	
4	Environmental Impact of Silt, Phosphate, Nitrates and Pesticides Entering Rivers	1. The Closed season for coarse fishing is 15th March to 15th June. Fish need to lay eggs in well oxygenated water. 2. Fertilisers and herbicides will have been applied to the soil. Soil washed into River Stour will contain the following:- i. Fine Sand, Clay and Silt ii. Possible water with pH below 7 iii. Aluminium Oxide iv. Bacteria v. Nitrate vi. Phosphate vii. Herbicides. 3. This will cause multiple problems. Vegetated surface reduces or prevents items I to vii entering a river. 4. Fish need to spawn on clean gravel/sand or plants. Eggs are laid in shallow depressions called Redds in the gravel at the bottom of the river. The male fertilises the eggs and spreads gravel over them. If silt containing items listed in 4.2 before spawning, this will lead to the following:- • Reduced oxygen reaching eggs so increasing mortality • Fertilisers will encourage bacterial and or algal growth which will reduce oxygen, so increase mortality • Herbicides will kill or damage eggs • pH water below 7 and containing aluminium will kill eggs 8 • Items i. to iv. will also kill invertebrates on the riverbed on which fish feed • If the above are deposited on the eggs the mortality will be even greater • The situation is even more fatal to eggs if a layer of silt is laid over the eggs. Eggs die off and, if there is insufficient oxygenated water, anaerobic conditions will develop producing methane, ammonia and even hydrogens sulphide. All are toxic to eggs. The result can be death of all eggs in the Redd. • Sediment from an embankment on the CTRL severely damaged 5km of the River Stour. 5. Fig 5 Shows a Redd with and without Silt. The presence of nitrate and phosphate means that bacteria will grow on the Silt further reducing oxygen reaching the eggs. If anaerobic conditions occur all eggs will die.	Mitigation measures included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] in relation to the requirement for any temporary dewatering activities to be undertaken in accordance with Environment Agency guidance and the relevant licences/permits (GH07), which will cover the requirement for sediment control. As highlighted above, the ground conditions at the site have been investigated by preliminary ground investigation, which has informed the current design including the construction methodology and drainage proposals. Further ground investigation will be undertaken in due course to refine the design and drainage proposals.
5	The proposed construction of the Converter Station will cause vast damage irreversible damage to The Marshes and River Stour.	1. Temporary Haulage Roads. Temporary haulage roads will have to be constructed along which vehicles can move without sinking into the ground, especially in winter. 2. Construction of Converter Station. So far basic details have not been provided: a. Area of building b. Load exerted by building on ground c. Foundation design. 3. One carries on loading the soil until it stops compressing; this is when sufficient water squeezed out to top settlement. This is not practical at this site. The design has not been submitted but what may be needed is to construct a platform raised above the ground on very large piles sunk into Thanet Sands or most likely, The Chalk. In appearance it will be like a North Sea platform. This will be very expensive and need importation of vast amounts of steel and/or concrete. The machines needed to construct wide deep piles are very large and heavy so will need well built haulage roads. 4. Piling will be required. However, the risk from unexploded bombs made geophysics too risky so how will piling be possible? There is no reason why there cannot be several 100kg bombs located close to each other so detonation from piling causes one to explode and others nearby. What is the result of say 4 bombs exploding with a combined weight of 4000kg? 5. Much of the site will be flooded in winter. One can build bridges across rivers and platforms in the sea but one uses vary large barges with cranes of very high capacity. 6. One could construct a sheet pile around the site or a cofferdam and de-water within but this would be very expensive and create irreparable damage to River Stour and The Marshes. Choosing this site	Temporary haulage roads will be used on the project as a standard mitigation for protecting the subsoil across the site. The routing of the permanent access road also forms part of the temporary haulage road network to combine works. The area of the Converter and Substation sites have been provided within the submission within the Application Document 2.5.2 Works Plans [REP1-002] and Typical layouts which include building sizes are provided within Application Document 2.13 Design and Layout Plans [APP-037]. Building loadings and detailed foundation designs are not required to inform the DCO process and shall be developed at detailed design. Piling is required at the site and access for piling rigs has been assessed as part of the project development. No North Sea platforms are proposed as part of the is project. UXO risks will be managed during any piling process through the use of Magnetometer surveys, similar to those undertaken during the bore hole works undertaken as part of the ground investigation. The Flood Risk Assessment that has been prepared (Application Document 6.8 Flood Risk Assessment [APP-292]) presents flood zone mapping for the Kent Project (Figure 1C for construction elements and Figure 1D for operational infrastructure). The figures show that Flood Zones 2 and 3 have largely been



Water table in London Clay below 30m bgl. BH BGS ID 635750, BGS TQ87NE16, NGR 586120,175740 Depth 12m Drift 52m London Clay 72m Reading and Woolwich 12 78m Thanet 250 m Chalk There has been extensive industrial construction on the Isle of Grain so there is the knowledge of how the ground behaves under load.

Kingsnorth Power Station



Reference	Matter	Points Raised	Applicant's Comments
		Underlain by London Clay with Chalk at depth BH BGS ID 756338, BGS Ref TQ87SW85 , NGR 580790, 175840 Depth 1.4m bgl Made Ground 2.6m Alluvium 2.8m Terrace Gravel 4.3m London Cly 38.07m Woolwich and Reading, Thanet Beds BH 13 BGS ID 756283, BGS Ref TQ87SW48/c, NGR 580700. 172900 Depth 7.9m Drift 29.0m London Cly 40.2m Black heath, Woolwich and Reading 68m Thanet 147.5m Upper Chalk 206m Middle Chalk 244m Lower Chalk Water struck at 25m bgl. Dungeness 	
7	Summary	1. The proposed construction of the Converter Station on the Minster Marshes will produce vast permanent damage to the marshes and the River Stour. 2. The construction of the Converter Station will be far more technically difficult at the Minster Marshes site compared to Sellinge, Isle of Grain, Kingsnorth Power Station and Dungeness Power station. 14 3. The prosed sites at Sellinge, Isle of Grain an and Dungeness are well above the water table, are located on firm ground and have had construction undertaken nearby. Consequently, there is existing site investigation data and data from the monitoring of structures on the ground. Construction at Sellinge, Isle of Grain, Kingsnorth Power station and Dungeness will be quicker, cheaper and simpler than on the Minster Marshes.	The Proposed Project, including the converter station in Kent, has been developed in accordance with National Grid's approach to project development, as set out in Application document 7.3 Design Development Report [APP-321]. This involves a balanced consideration of various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to what the most appropriate project design to take forward. This has included robust consideration of alternatives.

Table 2.29 Save Minster Marshes Appendix 3: Impact of Sea Link Construction on Bat Populations at Minster Marshes [REP1-250]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction and Context	As a local resident and environmental scientist, I have examined the ecological implications of the National Grid's proposed Sea Link project with particular reference to its impact on bats within and around Minster Marshes, Kent. My academic background and ongoing postgraduate study in Environmental	Impacts on bats during construction and operation have been assessed in detail in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. This includes habitat loss (both for foraging/commuting and roosts) and disturbance (particularly from lighting)

Reference Matter		Points Raised	Applicant's Comments
		Management have focused on the relationship between anthropogenic disturbance, ecosystem structure, and the chemical and biological processes that underpin ecological stability. Bats are legally protected under the Conservation of Habitats and Species Regulations 2017 and serve as indicators of healthy, functioning ecosystems. Any activity that fragments their feeding or commuting routes risks destabilising the ecological balance of this sensitive landscape	during both construction and operation. As stated in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049], No bat roosts, or trees with roost potential, are to be removed due to the works. There will be a substantial net long-term increase in habitat available for bats as a result of the Proposed Development as set out in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] and including 6.5 ha of woodland and 1 km of native hedgerow. The chapter details measures to control incidental lighting during both construction and operation (with specific reference to 1 lux) and ensure continued connectivity of hedgerows during construction. There are also set out in the Register of Environmental Actions and Commitments.
2	Species Presence and Local Importance	Anecdotal records, local observations, and video evidence confirm the regular presence of Common Pipistrelle (<i>Pipistrellus pipistrellus</i>) and Daubenton's bat (<i>Myotis daubentonii</i>) at Minster Marshes. Within the wider area, up to 16 bat species have been recorded and are likely to utilise the site for foraging and navigation. The Kent Night-time Bat Walkover and Static Detector Reports (6.4.3.2.L Parts 1–3) submitted by the National Grid identify consistent bat activity along the Minster Stream corridor and adjoining hedgerow and treeline networks, the same landscape elements earmarked for construction access and infrastructure placement. These wetland margins, hedges, and shelterbelts form essential linear flight corridors linking the Pegwell Bay SSSI with inland foraging zones. Their loss or degradation would create ecological “breaks” across a currently continuous and dark corridor landscape.	
3	Habitat Disturbance and Fragmentation	The Arboricultural Impact Assessment (6.10, Parts 1–2) records 758 tree features within the Kent Order Limits and predicts Root Protection Area (RPA) incursions into nine hedgerows, two woodlands, and over sixty individual or grouped trees. Even though few trees are scheduled for complete removal, partial canopy loss, pruning and soil compaction within these RPAs will diminish the ecological quality of the remaining vegetation. Species such as <i>Pipistrellus</i>, <i>Myotis</i> and <i>Plecotus</i> depend on dense linear vegetation to navigate and to avoid predation. Thinning, trimming and lighting along these corridors will expose bats to wind, illumination, and open gaps they may refuse to cross, effectively fragmenting habitat continuity.	
4	Lighting, Noise and Behavioural Disturbance	Construction activity and the operation of the converter station will introduce artificial light, vehicle movement, and acoustic disturbance into an area that is presently dark and tranquil. Illuminance levels exceeding even 1 lux can displace light-sensitive species, while prolonged noise and vibration can disrupt feeding patterns and roost use.	

Reference	Matter	Points Raised	Applicant's Comments
		The project documentation provides no enforceable “dark-corridor strategy” to maintain natural night conditions along key flight paths between Minster Stream, the surrounding drainage ditches, and adjacent hedgerows	
5	Ecological Cascades and Food-Web Effects	Beyond the direct disturbance to roosting and commuting bats, the proposed clearance of trees, scrub, and marsh vegetation will trigger trophic cascade effects throughout the local ecosystem. Vegetation removed for access roads, haul routes, and the converter footprint forms the basis of primary production, the plant growth that supports invertebrate populations. Reduced floral diversity and canopy cover will lower the abundance of nocturnal flying insects such as Chironomidae, Ephemeroptera and Lepidoptera, which constitute the main diet of bats. A decline in invertebrate biomass will not only reduce prey availability for bats but will also impact insectivorous birds, amphibians, and other higher trophic levels, further destabilising the food web of the marshes and adjacent SSSI habitats	
6	Policy and Legal Non-Compliance	The proposed works appear inconsistent with: • EN-1 (National Policy Statement for Energy) §5.4.32 and §5.4.53, which require the full mitigation of impacts on irreplaceable habitats and prohibit their deterioration unless exceptional reasons exist. • NPPF (2024) §193 (c), which directs refusal of developments leading to the loss or deterioration of irreplaceable habitats, including veteran trees and ancient hedgerows, without a demonstrably adequate compensation strategy. • The Habitats Regulations 2017, which protect all bat species against disturbance and loss of habitat connectivity. These policy failures demonstrate that the proposed development, as currently designed, cannot meet statutory ecological safeguards.	Please refer to Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] which confirms that there will be no loss of ancient woodland, ancient trees, veteran trees or any other irreplaceable habitats. Please see response to point 1 above regarding potential impact on bats. The applicant is therefore confident that there are no policy failures.
7	Wider Landscape Connectivity	Minster Marshes form a natural ecological corridor linking Pegwell Bay, Minster Stream, and the Sandwich Bay to Hacklinge Marshes SSSI. The construction footprint, lighting, and increased traffic would sever this linkage, reducing ecological resilience across the wider wetland network — contrary to the Thanet District Local Plan (Policy SP27) commitment to protect and enhance green infrastructure connectivity.	Policy SP27 of the Thanet Local Plan states: “<i>Opportunities to improve Thanet's Green Infrastructure network by protecting and enhancing existing Green Infrastructure assets and the connections between and providing new Green Infrastructure assets should be identified early in the design process for major developments</i>”. An Outline Landscape and Ecological Management Plan (oLEMP) (Application Document 7.5.7.2 Outline Landscape and Ecological Management Plan – Kent [PDA-035]) has been prepared and has identified these opportunities. The result of the proposals set out in the oLEMP is that there will be a permanent net increase in woodland, wetland and semi-natural grassland habitats around the Minster Converter Station and Substation, and through the creation of swales along the permanent access road. The Kent Onshore Scheme will therefore make a positive contribution to the green infrastructure network, as required by Policy SP27.

Reference	Matter	Points Raised	Applicant's Comments
8	Conclusion	The cumulative evidence, including National Grid's own surveys, shows that Minster Marshes support a diverse and active bat population whose survival depends on the very habitats targeted for alteration. The combination of hedgerow fragmentation, RPA incursions, lighting and noise disturbance, and loss of primary production will undermine food resources and habitat continuity not only for bats but for the broader marshland ecosystem. Given the statutory protections afforded to bats and the irreplaceable character of Minster Marshes, it is submitted that the precautionary principle must apply. The Examining Authority should require that either the development be re-sited or fundamentally redesigned, or that comprehensive and enforceable ecological safeguards, including dark corridors, no-dig construction zones, and habitat restoration plans, be implemented prior to any approval.	Please see above responses

2.26 Saxmundham Town Council [REP1-259]

Table 2.30 Saxmundham Town Council [REP1-259]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	Saxmundham Town Council comprehensively identified the issues of the cumulative impact of construction traffic, workforce vehicle, and delivery movements associated with the multitude of projects either ongoing or planned in our Relevant Representation. Since submission of this document, enabling works for Sizewell C and EA1N and EA2, project work has advanced and already the road traffic in the town is significantly increased.	The Applicant has sought to minimise the amount of construction traffic needing to travel through Saxmundham by creating an access point off the B1121. The only traffic proposed to be routed through Saxmundham is traffic required to construct the eastern abutment of the River Fromus bridge crossing. Once the bridge is in place, this will be the main point of access during both construction and operation of the converter station, avoiding traffic having to route through Saxmundham.
2	Current projects	Furthermore, the following projects are now progressing: 1. National Grid Ventures Lion Link: The statutory consultation is scheduled for January 2026. We would, therefore, should consent be granted, estimate the project to commence 2028/2029. 2. South Saxmundham Garden Neighbourhood, a development of 800 residential units to the south of the town and to the east of the A12 with an employment area to the west of the A12. We understand that the developer will be applying for outline planning permission by the end of 2025. Thus the implications for cumulative traffic impacts should be considered in the examination of the Sea Link project. It is envisaged that enabling works will be undertaken prior to commencement that will include either a traffic light or roundabout controlled crossing on the A12 between the B1121 to Benhall/Saxmundham and B1119 Bendham/Saxmundham junctions. Thereafter, we understand that the developer would seek	The potential inter-project cumulative effects with other proposed developments, including LionLink and South Saxmundham Garden Neighbourhood, are considered within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. The long list of other developments considered is provided in Application Document 6.3.1.5.B ES Appendix 1.5.B Inter-Project Cumulative Effects Long List [APP-092] and the short list is provided in Application Document 6.3.1.5.C ES Appendix 1.5.C Inter-Project Cumulative Effects Short List [APP-093]. No DCO application has been submitted yet for the Suffolk Water Recycling Transfer & Storage Project (SWRTS). As indicated, a non-statutory public consultation on this project will close on 10 December and the Applicant will submitted a response to this consultation by the specified deadline. The project is still in the process of assessing pipeline options and potential land parcels for the above ground infrastructure, and no preferred locations have been selected. At this early stage, it is therefore not possible to assess the likelihood of

Reference	Matter	Points Raised	Applicant's Comments
		to construct the employment area. Expected commencement date: 2026-2027. 3. Essex and Suffolk Water are undertaking a six-week non-statutory consultation (from 29 October to 10 December 2025) for work throughout Suffolk. In Saxmundham this relates to a new pipeline from the north to Saxmundham Water Tower and a further pipeline from the town to Sizewell C.	significant cumulative effects with any degree of certainty; only projects for which there is certainty of information can be considered in the Inter-Project Cumulative Effects Assessment. As an application for this project has yet to be submitted, the cumulative effects of SWRTS with the Proposed Project would be assessed as part of the future application for the SWRTS.
3	Mitigating community impacts	Taking the above into consideration, Saxmundham will be surrounded by, and subject to, major construction works for many years. We therefore exhort the major infrastructure developers to work together to ensure that the impacts on our community are fully mitigated	The Applicant has assessed the inter-project cumulative effects, i.e. the effects of the Proposed Project in addition to any other contemporaneous development within the same zone of influence, and this is presented in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. The Applicant is aware of the importance of coordination with other projects, as highlighted in the Overarching National Policy Statement for Energy EN-1 (NPS EN-1) (Department for Energy Security and Net Zero, 2024), National Policy Statement for Renewable Energy EN-3 (NPS EN-3) (Department for Energy Security and Net Zero, 2024), and National Policy Statement for Electricity Networks EN-5 (NPS EN-5) (Department for Energy Security and Net Zero, 2024). Policies in these NPSs require the consideration and evaluation of coordination for onshore and offshore electricity transmission infrastructure to minimise adverse impacts on the local environment and host communities. The Applicant has set out the Proposed Project's compliance with the relevant coordination policies in Application Document 7.10 Coordination Document [APP-363]. This document provides an overview of the various coordination approaches that have been considered and, where practicable, implemented by the Proposed Project.
4	Traffic impacts	As previously stated in both our Statutory Consultation Response and Relevant Representation, to reduce road traffic congestion, developers should utilize Sizewell C's park and ride facilities, off-site freight management facility and worker accommodation. Moreover, they should work together to ensure that they avoid peak construction times. Failure to do so will not only result in debilitating traffic congestion for residents but also extend contract times with deliveries being delayed.	Responses to this comment have previously been provided within Table 1.14 of the Applicant's response to Saxmundham Town Council at Statutory Consultation (Application Document 5.1.6 Appendix E Statutory Consultation), as well as within Table 7.10 (Reference 7.10.3) of Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116].
5	Consideration for alternatives	Ideally, consideration should be given to finding alternative options and locations for Nationally Significant Infrastructure Projects that have not yet been granted Development Consent. The burden of construction will adversely affect our residents for many years.	The Applicant's approach to the consideration of alternatives is set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. With respect to construction traffic effects, please see response to point 1 above.

2.27 Southern Water Services Limited (SWS) [REP1-263]

Table 2.31 Southern Water Services Limited (SWS) [REP1-263]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Protective Provisions	We note the ‘standard’ set of protective provisions for the benefit of statutory undertakers contained in Part 1 of Schedule 10 to the draft Order. We have confirmed to the Applicant that we will be seeking to modify the standard set of protective provisions. SWS wishes to engage with the Applicant with a view to reaching agreement on an alternative form of protective provisions for our benefit, to deal with the impacts on our interests so as to avoid detriment to our undertaking arising from the Project. We are still considering the impacts of the Project and what provisions or mechanisms are needed to ensure that our network and assets are not adversely impacted by the Project. We consider it likely that any such concerns could be resolved through such means. If we can reach agreement on the form of protective provisions to address our concerns, we consider that our objection can be resolved swiftly and we can confirm that it is our intention to positively engage with the Applicant regarding our concerns.	The Applicant acknowledges the comment raised and will continue to work with Southern Water Services Limited (SWS) on the Protective Provisions.
N/A	SoCG	The Applicant has identified SWS in its Statement of Commonality as a party with which it intends to develop a Statement of Common Ground, and we have asked the Applicant for a copy of this so that we may provide input, where necessary.	The Applicant acknowledges the comment raised and has share the latest Draft Statement of Common Ground with SWS

2.28 Suffolk & Essex Coast & Heaths National Landscape Partnership [REP1-270]

Table 2.32 Suffolk & Essex Coast & Heaths National Landscape Partnership [REP1-270]

Reference	Matter	Points Raised	Applicant's Comments
1	Suffolk & Essex Coast & Heaths National Landscape	The National Landscape Partnership consider that: There is now emerging evidence of how relevant authorities, such as National Grid, can demonstrate their compliance with the enhanced section 85 of the Countryside and Rights of Way Act (2000) duty (as amended by section 245 of the Levelling Up and Regeneration Act (2023)) when taking decisions that will affect a designated landscape such as the Suffolk & Essex Coast & Heaths National Landscape, this includes: • Suggested works but forward by National Grid in relation to their Norwich to Tilbury proposals. • Proposals relating to the impacts of the Kent Downs National Landscape in relation to Highways England’s proposals for a Lower Thames Crossing.	Further information on the Applicant consideration of compliance with the enhanced section 85(A1) (s85) of the Countryside Rights of Way (CRoW) Act (2000) duty to seek to further the purpose of the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty (SECHAONB) is contained in Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120] .

Reference Matter	Points Raised	Applicant's Comments
	The National Landscape Partnership considers that National Grid should enter into discussions to develop a series of measures to demonstrate their compliance with the revised section 85 Countryside and Rights of Way Act (2000).	
2	The scheme proposer provides evidence of how it has considered the statutory Suffolk Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-28, particularly the management objectives contained within that plan, including: - Proposals for development considered under the Planning Act 2000 (and subsequent revisions) in the AONB and its setting, such as Nationally Significant Infrastructure Projects, should have regard to AONB purpose and adhere to the mitigation hierarchy. - Nationally Significant Infrastructure Project compensation and mitigation funds are used to deliver AONB purpose. - The defined Heritage Coast and purpose is recognised in decision making.	There have been a number of meetings with the National Landscape Partnership to discuss compliance with the enhanced s85 duty of the CRoW Act relating to furthering the purpose of the SECHAONB (including 30 September 2024, 30 October 2024 and 28 August 2025). The earlier meetings led to the inclusion of a section within the Planning Statement (Application Document 7.1 (C) Planning Statement [AS-057]) setting out the relationship of the acid grassland enhancement with the AONB Management Plan. This is further expanded upon at 3.2.4 within Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120]. As assessment of the statutory purpose of the SECHAONB has been undertaken and is presented within the Planning Statement (Application Document 7.1 (C) Planning Statement [AS-057]). The proposals have had regard to the mitigation hierarchy, which is set out within section 1.7 ‘Proposed Project Design and Embedded Mitigation’ of the Landscape and Visual chapter (Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048]). This includes avoidance where possible, by locating the Suffolk Converter Station site away from the SECHAONB to limit potential effects on its setting. Section 2.4.16 of Application Document 7.4.8 Draft Statement of Common Ground East Suffolk Council and Suffolk County Council [APP-329] should be referred to with regard to the Applicant’s position in relation to compensation for residual landscape and visual effects. The approach to the assessment of effects on the Suffolk Heritage Coast was discussed in detail and agreed during thematic meetings with the National Landscape Partnership. It was agreed to present the effects separately to those associated with the AONB but noting the similarities in baseline and to only present where there would be differences. This is set out within Application Document 6.3.2.1.C ES Appendix 2.1.C Landscape Designation and Landscape Character Assessment [APP-097].
3	The scheme proposer demonstrates how it has sought to co-ordinate its development proposals with other energy projects impacting the Suffolk & Essex Coast & Heaths National Landscape (proposed, consented, under construction and operational) to reduce impacts on the designated landscape. How the scheme proposer has sought to reduce impacts on the statutory purpose of the National Landscape, the conservation and enhancement of Natural Beauty.	The Applicant has produced a coordination document which sets out the approach to coordination with other projects at the strategic and/or project levels to reduce impacts on the environment and local communities, see Application Document 7.10 Coordination Document [APP-363] .

Reference	Matter	Points Raised	Applicant's Comments
		This should include an assessment of the standalone project and in combination effects on the Natural Beauty indicators (Landscape Quality, Scenic Quality, Relative Wildness, Relative Tranquillity, Natural Heritage Features, Cultural Heritage) and Special Qualities on the National Landscape and its setting, see: https://coastandheaths-nl.org.uk/wpcontent/uploads/2021/01/Natural-Beauty-and-Special-Qualities-of-the-Suffolk-Coastand-Heath.pdf	Measures taken to reduce impacts on the statutory purpose of the SECHAONB are contained within the embedded mitigation proposals, in section 1.7 'Proposed Project Design and Embedded Mitigation' of the Landscape and Visual chapter (Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048]). This includes avoidance where possible, by locating the Suffolk Converter Station site away from the SECHAONB to limit potential effects on its setting. An assessment on the Natural Beauty Indicators for the SECHAONB and its setting is set out within Application Document 6.3.2.1.C ES Appendix 2.1.C Landscape Designation and Landscape Character Assessment [APP-097] and Special Qualities Indicators within Application Document 7.1 (C) Planning Statement [AS-057]. Additionally, the assessment, split into the Natural Beauty Indicators and Special Qualities Indicators has also now been undertaken considering inter-project cumulative effects, which should be referred to in Table 4.1 and Table 4.2 of Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120].
4		The scheme proposer should conform to the South East Marine Plan seascape policy which includes: <i>Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape.</i> <i>Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference:</i> <i>a) avoid</i> <i>b) minimise</i> <i>c) mitigate adverse impacts so they are no longer significant.</i> <i>If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area.</i> <i>Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area.'</i>	An assessment on the Natural Beauty Indicators for the SECHAONB and its setting is set out within Application Document 6.3.2.1.C ES Appendix 2.1.C Landscape Designation and Landscape Character Assessment [APP-097]. This includes consideration of indirect effects on the setting of the SECHAONB relating to those occurring within the seascape context, such as intervisibility with the cable laying barge out at sea. The Landscape Assessment appendix also presents an assessment on Seascape Character Type (SCT) 03 Nearshore Waters within Table 4.1. The assessment of effects for both the Natural Beauty Indicators of the SECHAONB and SCT 03 Nearshore Waters concludes that there would be no likely significant effects arising from the Proposed Project. Measures taken to reduce impacts on the statutory purpose of the SECHAONB and seascape and landscape character are contained within the embedded mitigation proposals, in section 1.7 'Proposed Project Design and Embedded Mitigation' of the Landscape and Visual chapter (Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048]). Application Document 7.1 (C) Planning Statement [AS-057] sets out the planning balance considered to apply to the Proposed Project.

2.29 Suffolk Energy Action Solutions (SEAS) [REP1-272 to REP1-282]

Table 2.33 Suffolk Energy Action Solutions - Landscape and Visual [REP1-272]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	SEAS submits this Written Representation to add to its Relevant Representation (RR-5210) on Landscape and Visual Impact dated 23 June 2025,1 (for ease of reference, Annex B to this written representation). SEAS relies upon RR-5210 in full, and SEAS repeats the points made there, including the Applicant's underplaying of the Proposals' landscape and visual impacts (alone and cumulatively), and deficits in the Applicant's LVIA (likewise).	A response to SEAS RR can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
2		The particular focus of this written representation, is the Applicant's failure/refusal to provide cumulative block visualisations or photomontages of the proposed LionLink Saxmundham converter station alongside Sea Link infrastructure, despite: (a) the obvious need for them; (b) the Examining Authority's clear request of the Applicant form them by the ExA's s.89(3) letter of 8 July 2025 (PD-005); (c) the information the Applicant already has to hand; and (d) the Applicant advising that its sister company National Grid Ventures (NGV) is likely to publish the LionLink PEIR in early 2026.	A response to this comment and an explanation can be found in Application Document 9.6 Applicant's Response to the s89 Procedural Decision [AS-061] that was submitted to ExA on 24 July 2025. As set out in Application Document 9.6 Applicant's Response to the s89 Procedural Decision [AS-061] , no model has yet been made available for the LionLink project, so it is not possible to produce a cumulative photomontage showing the Sea Link project alongside the LionLink project. The Applicant has committed to provide the requested visualisations once a suitable model, including ground model, has been provided by NGV.
3		The omission materially undermines the landscape and visual impact assessment (LVIA) and obstructs public and statutory scrutiny.	Visualisations showing the indicative location of the LionLink converter station alongside the Sea Link converter station were submitted alongside Application Document 9.6 Applicant's Response to the s89 Procedural Decision [AS-061] .
4		The Applicant has acknowledged that it does communicate and coordinate with its sister company NGV (e.g. at the Preliminary Meeting) and the Applicant has produced a joint "co-ordination" masterplan for up to three converter stations, including LionLink.	
5		Despite this, the Application fails to present the necessary visual evidence of the combined impact of the Proposals' infrastructure with the proposed LionLink infrastructure.	
6		This is procedurally unjust, risks misleading, and in SEAS' view is in conflict with the need to ensure proper assessment of the Proposals, contrary to the principles underlying the Planning Act 2008, the Infrastructure EIA Regulations and the updated National Policy Statements (EN-1 and EN-5), and good practice in cumulative landscape and visual effects assessment.	
7		SEAS submits that the Applicant should be required to revise the Application information to include the cumulative visualisations/photomontages requested by the Examining Authority, and so allow for the Examining Authority to assess the Proposals' cumulative landscape and visual impact on the basis of that evidence.	

Reference	Matter	Points Raised	Applicant's Comments
8	Why cumulative visualisations/ photomontages showing the LionLink converter station at Saxmundham are required	First, the Applicant relies upon LionLink for its “need” case (wrongly, but that is another matter).	The Applicant has set out the reasons why the Proposed Project is required in their response to the SEAS Relevant Representation Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
9		Second, the Applicant has made clear there is an acknowledged intention on the part of National Grid Group plc to co-locate both the Proposals’ converter station and the proposed LionLink converter station at the same Saxmundham site.	It must be noted that the Applicant (National Grid Electricity Transmission) and National Grid Ventures (NGV) are legally separate entities. NGET has no influence or control over decisions made by NGV, similarly NGV has no influence or control over decisions taken by NGET. Nonetheless, opportunities for coordination between these projects have been thoroughly explored and, where feasible, delivered.
10		Third, the Applicant has made clear that LionLink is proceeding to PEIR.	The Applicant notes this point.
11		Fourth, the Applicant has had a quantity of indicative information at its disposal for a considerable time, as follows:	The PEIR LVIA considered four options as follows: • Option 1: Proposed Project converter station and SPR Friston Substation – this assumes one converter station at Saxmundham and Friston Substation comes forward under the current SPR consent becoming part of the future baseline; • Option 2: Proposed Project converter station and Proposed Project Friston Substation – this assumes one converter station at Saxmundham and that Friston Substation is built as part of the Proposed Project; • Option 3: Proposed Project with co-location converter stations and SPR Friston Substation – this assumes three converter stations at Saxmundham and Friston Substation comes forward under the current SPR consent becoming part of the future baseline; and • Option 4: Proposed Project with co-location converter stations and Proposed Project Friston Substation - this assumes three converter stations at Saxmundham and that Friston Substation is built as part of the Proposed Project. The PEIR presented an indicative location for the Sea Link converter station in National Grid’s preferred location, as well as indicative locations for up to two further converter stations. This was to illustrate what the site could look like with up to three converter stations. Block photomontages were prepared to illustrate the above scenarios based on assumed maximum height parameters and illustrative footprints of the three converter stations at Saxmundham. The lateral and vertical parameters were indicative of the preliminary stage of design and assessment. The consenting strategy for Sea Link has evolved since PEIR and the coordination strategy with LionLink has become clearer (Application Document 7.10 Coordination Document [APP-363]). Whilst wirelines could theoretically be produced based on NGV Coordination Masterplan in Application Document 7.10 Coordination Document [APP-363] these would be misleading as the information in Application Document 7.10
12		The Applicant’s Preliminary Environmental Information Report (PEIR, October 2023) includes block massing visuals of up to three converter stations (Volume 3, Part 2, Chapter 2, Figures 2 of 6). These visuals were presented to the public and so far as SEAS is aware, remain valid.	
13			
14			
	The Applicant’s Coordination Masterplan (APP-363) includes three development scenarios: Sea Link alone, Sea Link + LionLink, and Sea Link + LionLink + Nautilus. APP-363 Appendix A (February 2025) maps, amongst other things, indicative footprints (“bays”) for three converter stations, access routes, landscape mitigation zones, and construction compounds.		
	The Applicant’s AS-064 is able to present a dotted line in the sky showing the indicative breadth of the LionLink converter (but this is all it presents). Thus, the Applicant cannot point to a lack of indicative information.		

Reference	Matter	Points Raised	Applicant's Comments
			Coordination Document [APP-363] is indicative in nature and entirely illustrative. As explained in response to Reference 2 above, the Applicant has committed to provide the requested visualisations once a suitable model, including and ground model, has been provided by NGV.
15		Fifth, and sixth, there is the obvious procedural disconnect, and the risk of misleading, if the information is not supplied.	It is in no way unusual for different projects to come forward at different times. As set out in Application Document 9.6 Applicant's Response to the s89 Procedural Decision [AS-061] dated 24 July 2025 information of a suitable quality and accuracy is simply not available from NGV at this point, and the Applicant's approach is in accordance with the relevant Planning Inspectorate Guidance.
16		Seventh, is the location's obvious landscape/visual sensitivity.	Noted
17		Then, reflecting the above, there is the ExA's limpid request in PD-005: Saxmundham converter station	The request is dependent upon the availability of information that is currently not available to the Applicant.
18		The ExA requests visualisations with photomontages showing the cumulative effects of the proposed Lionlink converter station from viewpoints 1, 2, 3, 4, 5, 6, 14, 15, 16, 17, 18, 19 and 20 as well as the additional viewpoint requested above. SEAS considers this request more than justified.	
19	Procedural disconnect	Following the ExA's request in PD-005, at Issue Specific Hearing 1 (11 November 2025), the Examining Authority requested clarification on the availability of cumulative visualisations. NGET stated that statutory consultation for LionLink will not begin until January 2026 and that no 3D model is planned.	It merits noting that the Applicant reported what it understood from NGV, in respect of the NGV LionLink proposals.
20		This creates a procedural gap: the Applicant's strategic justification for the Proposals relies on LionLink (entirely on LionLink, given Nautilus has gone, though even then LionLink does not come close to justifying the Applicant's claimed "need" for the Proposals: The Applicant has not understood what its own figures mean, now Nautilus is out of the picture).	The Applicant has set out the overarching strategic need for the Proposed Project in their response to Suffolk Energy Action Solutions (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]). It is simply not correct to say that the strategic need for the Proposed Project relies: 'entirely on LionLink',
21		Yet the LionLink PEIR will not be available until after key examination deadlines (and it seems if the Applicant proceeds as it proposes, no cumulative visualisations/ photomontages showing LionLink will ever be available).	No response required
22		SEAS raised concerns at ISH1 accordingly, noting that the public is being asked to respond to Sea Link's strategic and environmental case without access to NGV's PEIR or visual evidence for LionLink, and without a proper effort by the Applicant to fill the gap. This undermines democratic scrutiny and risks procedural unfairness.	At all stages the Applicant has provided inter-project cumulative effects assessment information proportionate to the information available to it, and in accordance with the approach set out in guidance published by PINS, which recognises that cumulative assessment is very much dependent upon the certainty (availability and accuracy) of information for the other projects. The fact that these visualisations cannot be produced is in no way related to

Reference	Matter	Points Raised	Applicant's Comments
			a lack of 'effort'; it is entirely due to a lack of information being available for the LionLink project at this stage. Based upon the information that is available for LionLink, the Applicant has already reported that cumulative effects are likely to be significant, as reported in Application Document 6.2.5.3 Part 5 Combined Chapter 3 Summary of Likely Significant Effects [APP-087] which states that: <i>"Potential inter-project cumulative effects on landscape character and visual amenity (LCA L1, SCT03 Nearshore Waters and visual amenity for viewpoints 1-7, 15-17, and 19-21) at all project stages as a result of the combination of the Proposed Project and LionLink Offshore Interconnector."</i> This is not an issue of under-reporting of potential effects; it is about the risk of misrepresenting the LionLink project's proposals, recognising the stage those proposals are currently at, in advance of the LionLink project publishing its own information at statutory consultation early in 2026 (which will then be subject to the outcomes of NGV's consultation). The Applicant notes also that the Sea Link proposals, including Converter Station models, will be available to the LionLink project for NGV to prepare accurate visualisations as part of NGV's application for development consent, similar to the approach the Applicant has been able to take using models of SPR's substation proposals.
23	Misleading public consultation and visual evidence	During statutory consultation, the public was shown visualisations of the Proposals' infrastructure in isolation. The absence of LionLink in visualisations/photomontages misrepresented the true scale and impact of the proposed infrastructure.	At all stages the Applicant has provided inter-project cumulative effects assessment information proportionate to the information available to it, and in accordance with the approach set out in guidance provided by PINS, which recognises that cumulative assessment is very much dependent upon the certainty (availability and accuracy) of information for the other projects.
24	Misleading public consultation and visual evidence	The Planning Inspectorate's Advice on Cumulative Effects Assessment (Sept 2024, updated Mar 2025) acknowledges challenges in assessing cumulative effects with limited information. However, it also states that applicants are expected to compile indicative design and location information.	The Applicant can find no reference in the PINS guidance to compiling indicative design and location information. The guidance actually requires that detailed information be gathered. "Stage 3: Information gathering <i>At this stage, the applicant should gather information on each of the other existing and, or approved developments shortlisted at Stage 2. The applicant is expected to compile detailed information to inform the Stage 4 assessment. The information should include but not be limited to:</i> <i>proposed design and location information</i> <i>proposed programme of construction, operation and decommissioning</i> <i>environmental assessments that set out baseline data and effects arising from the other existing and, or approved development</i> <i>Relevant data is likely to be available from different sources including the Planning Inspectorate, planning authority and statutory bodies' websites, and direct liaison with stakeholders including applicants' developers."</i> (our emphasis) The guidance does not suggest the applicant should compile indicative information; the guidance expects an applicant to gather detailed information in direct liaison with other applicants. The Applicant has

Reference	Matter	Points Raised	Applicant's Comments
			requested this detailed information from NGV; however, it does not yet exist. When it does, the Applicant has committed to preparing visualisations as appropriate.
25	Misleading public consultation and visual evidence	The Application has compiled information: there is no reason for the Applicant not to use it to produce cumulative visualisations/photomontages.	Refer to response to Reference 11-14 above.
26	Misleading public consultation and visual evidence	Instead, annotated visuals from five viewpoints in AS-064 only show indicative outline extents of the Lionlink Converter Station without visualisation/photomontage.	The Applicant has committed to provide the requested visualisations once a suitable model, including a ground model, has been provided by NGV.
27	Landscape and visual harm from co-located infrastructure	The Saxmundham site lies within LCA L1 and adjacent to the Suffolk Coast and Heaths National Landscape. The cumulative presence of Sea Link and LionLink would result in permanent industrialisation of a sensitive rural landscape.	A response to SEAS RR can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The Applicant has also prepared a response to the Michelle Bolger Expert Landscape Consultancy (MBELC) 2025 report cited and attached to the SEAS Relevant Representation on Landscape and Visualisation. This is contained in Application Document 9.81 Applicant's Response to Suffolk Energy Action Solutions (SEAS) Relevant Representation: Michelle Bolger Expert Landscape Consultancy (MBELC) Report 2025 and will be submitted at Deadline 3.
28	Landscape and visual harm from co-located infrastructure	The Coordination Masterplan confirms that Bay 2 is the preferred location for LionLink, and that shared access routes, compounds, and mitigation zones are planned. This intensifies visual harm and requires full assessment.	A response to SEAS RR can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The Applicant has also prepared a response to the Michelle Bolger Expert Landscape Consultancy (MBELC) 2025 report cited and attached to the SEAS Relevant Representation on Landscape and Visualisation. This is contained in Application Document 9.81 Applicant's Response to Suffolk Energy Action Solutions (SEAS) Relevant Representation: Michelle Bolger Expert Landscape Consultancy (MBELC) Report 2025 and will be submitted at Deadline 3.
29	Landscape and visual harm from co-located infrastructure	The ES fails to assess this cumulative impact within the core LVIA, relying instead on fragmented references in the cumulative chapter (APP-060). This is inadequate and misleading.	A response to SEAS RR can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The Applicant has also prepared a response to the Michelle Bolger Expert Landscape Consultancy (MBELC) 2025 report cited and attached to the SEAS Relevant Representation on Landscape and Visualisation. This is contained in Application Document 9.81 Applicant's Response to Suffolk Energy Action Solutions (SEAS) Relevant Representation: Michelle Bolger Expert Landscape Consultancy (MBELC) Report 2025 and will be submitted at Deadline 3.
30	What is missing	The Sea Link Environmental Statement (ES) does not include photomontages/visualisations showing the LionLink converter station alongside Sea Link, despite the acknowledged intention to co-locate	Refer to response provided in Reference 11 – 14 above.

Reference	Matter	Points Raised	Applicant's Comments
		both projects at the Saxmundham site, and despite the Applicant already having a quantity of indicative information at its disposal.	
31		The Applicant's AS-064 merely shows a dotted line in the sky in various viewpoints. It describes these as "cumulative visualisations" (see AS-061), but they are not visualisations in any proper sense of the word.	
32		The Applicant's responses to the Examining Authority (of 24 July 2025 (AS-061), and 1 September 2025 (AS-084), not altered by AS-106) claim that as no 3D model of LionLink exists from its sister company, that is an insuperable obstacle to producing more. We quote from AS-061: SEAS Landscape and Visual WR – Deadline 1 5 <i>"The LionLink project is a National Grid Ventures project at an early stage of development and there is no fixed design or 3D model yet available for the LionLink project. The LionLink project has not yet published a Preliminary Environmental Information Report or carried out statutory consultation. The Applicant understands that statutory consultation on the LionLink project is planned for Autumn/Winter 2025, but understand that there is no intention to produce photomontages for statutory consultation. Therefore, no model is yet in production or likely to be available in the near future. The lack of certainty over the location, design and dimensions of the LionLink project and lack of a 3D model means that it is not possible to produce cumulative photomontages at this stage. Anything the Sea Link team could produce would carry a high risk of inaccurately representing the LionLink project and how the projects may appear together in the landscape. This could hinder rather than assist with assessment of the project against the requirements of Section 104 of the Planning Act 2008."</i>	
33		The notion that the best the Applicant can do to show what the Proposals and LionLink would look like together is the dotted horizontal lines of AS-064 cannot stand.	
34		As noted, the Applicant has already produced: (a) indicative block massing in the PEIR; (b) indicative footprints in APP-363; and (c) the AS-064 horizontal dotted lines.	
35		SEAS appends to this written representation the relevant figures in the PEIR to assist the Examining Authority and demonstrate that cumulative visualisations are entirely possible, as well as necessary, and that the Applicant should have produced them some time ago.	
36	SEAS Requests the Following Actions	SEAS respectfully urges the Examining Authority to: • Require NGET to submit cumulative photomontages showing Sea Link and LionLink converter stations, if no better information is available then these are to use existing block massing visuals and Coordination Masterplan assumptions. • Reassess the landscape and visual impact of the proposal in light of these cumulative visualisations.	No response required

Reference	Matter	Points Raised	Applicant's Comments
		• Consider deferring or revising examination deadlines to allow meaningful public and statutory response once LionLink's PEIR is available. • Treat the absence of appropriate cumulative visual evidence as a material deficiency in the Application.	
37	Conclusion	The failure to provide cumulative visualisations/photomontages of the LionLink converter station with the Proposals' infrastructure, despite acknowledged coordination, existing visuals, and strategic interdependence is a serious flaw in the Sea Link application.	The Applicant refutes the claim that the LVIA is undermined by the absence of cumulative visualisations showing LionLink converter station or that it fails to follow the principles of cumulative assessment. The cumulative landscape and visual effects of the Suffolk Onshore Scheme have been assessed using cumulative Zone of Theoretical Visibility (ZTV) analysis, the Applicant's detailed understanding of the landscape character and visual amenity of the study area and the information available at the time of the assessment for each cumulative development. The cumulative landscape and visual assessment concludes that there is potential for significant cumulative effects on LCA L1 Heveningham and Knodishall Estate Claylands and from representative viewpoints, arising primarily from the combined effects of the Suffolk Onshore Scheme with EA1N, EA2 and LionLink developments at all project stages. The preparation of cumulative visualisations for the proposed LionLink converter station would not alter these findings, as the assessment already identifies the likelihood of significant cumulative effects. Furthermore, visualisations are a supporting tool within the professional LVIA process and do not constitute the assessment itself. Cumulative visualisations have only been produced where sufficiently detailed published information exists, for example, the EA1N and EA2 substations, as presented in Application Document 9.6.1 Appendix A Indicative cumulative visualisations of the National Grid and Scottish Power Renewables substations near Friston [AS-062]. While the Applicant has requested detailed information from NGV, this material is not yet available. Once it is provided, the Applicant remains committed to preparing cumulative visualisations as appropriate.
38		It undermines the landscape and visual impact assessment, obstructs public scrutiny, and violates the principles of transparency and cumulative assessment.	
39		SEAS submits that the application cannot be properly examined or consented without full visual evidence of the coordinated infrastructure.	
40		We therefore request that the Examining Authority require revised visualisations and reassessment and consider this omission as grounds for refusal or procedural remedy.	
Annex A	Visualisations	To assist the Examining Authority, SEAS attaches Annex A, comprising the following figures from the Sea Link Preliminary Environmental Information Report (PEIR), October 2023: These visuals directly contradict the applicant's claim that cumulative photomontages "cannot be produced" due to lack of design certainty. They provide a clear and indicative basis for assessing the combined landscape and visual impact of co-located infrastructure.	Refer to response provided in Reference 11 – 14 above
Annex A	Visualisations	SEAS submits these figures as evidence that: • Cumulative visualisation is possible using existing assumptions and coordination data. • The public has already been shown indicative visuals of all three converter stations. SEAS Landscape and Visual WR – Deadline 1 7	Refer to response provided in Reference 11 – 14 above

Reference	Matter	Points Raised	Applicant's Comments
		The Examining Authority should require updated cumulative photomontages based on these materials.	

Table 2.34 Suffolk Energy Action Solutions - Ecology and Biodiversity [REP1-273]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	This Written Representation expands upon SEAS’s Relevant Representation (RR-5210) on Ecology and Biodiversity, submitted on 23 June 2025. It incorporates new evidence from expert reports, community testimony, procedural responses, and hearings held since that date.	No response required
2		SEAS objects to the Sea Link Development Consent Order (DCO) on ecological grounds. The application fails to meet legal, policy, and scientific standards for assessing and mitigating harm to biodiversity, protected species, and designated habitats. It does not deliver Biodiversity Net Gain, nor does it provide enforceable mitigation or credible monitoring.	
3		Key concerns include inadequate surveys for protected species, failure to assess impacts on functionally linked land and SPA qualifying features, a forecast net loss of 20.5% in habitat units, and the absence of a secured biodiversity strategy	
4		The application fails both derogation tests under the Habitats Regulations and lacks enforceable mitigation, monitoring, or adaptive management. Professional and procedural failings in ecological authorship further undermine confidence in the submitted assessments.	
5		This document now identifies some important points since the SEAS Ecology and Biodiversity RR.	
6	Community and Expert Evidence given at OFH1	Open Floor Hearing 1 revealed widespread concern about irreversible habitat loss, wildlife displacement, and fragmentation of ecological corridors. Residents described the destruction of trees and hedgerows already caused by Sizewell C, with Sea Link threatening further loss near Saxmundham and the B1121.	Please see the Applicant’s response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
7		RSPB North Warren, Sandlings SPA, and Leiston-Aldeburgh SSSI were repeatedly cited as at risk from cable landfall and trenching. The clustering of infrastructure was described as draining the lifeblood from Suffolk’s biodiversity and rural identity.	
8		Dr. Matthew Denny PhD MCIEEM raised serious concerns about the Habitats Regulations Assessment (HRA), including the absence of dedicated surveys for marsh harrier and nightjar, despite their known presence and SPA status. The HRA fails to assess functionally linked land and omits consideration of in-combination effects with LionLink and other NSIPs. The application does not	

Reference	Matter	Points Raised	Applicant's Comments
		exclude fallback trenching, lacks robust monitoring, and fails both legal derogation tests.	
9		Dr. Gillian Horrocks described the Heritage Coast as a nationally significant ecological corridor linking Norfolk and Essex, home to multiple SPAs, SSSIs, Ramsar sites, and nature reserves. She warned that prolonged infrastructure clustering would irreversibly damage rare habitats and undermine the area's role as a climate buffer.	Please see the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
10		She also raised concerns about the proximity of works to schools and settlements, citing inadequate air quality monitoring and risks to child health. Her evidence underscored the need for robust cumulative assessment and ecological safeguarding.	Please see the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
11	Applicant's inadequate responses to Dr Hunt's questions at ISH1	At Issue Specific Hearing 1, on 11 November 2025, Inspector Hunt asked the Applicant questions regarding trenchless landfalls.	Please see the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
12		It was painfully obvious from the Applicant's answers (or, rather, non-answers) that the Applicant had either simply not considered, or not adequately considered, the many issues raised by those questions. Despite them going directly to Protected Sites (including going directly to the no-harm-to-site-integrity test) and Protected Species.	Please see the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
13	RSPB Position and Procedural Response	The RSPB, as a statutory nature conservation body and landowner at RSPB North Warren, has raised formal objections. Their Relevant Representation highlights the failure of the HRA and EIA to assess impacts on designated sites including Sandlings SPA, Leiston-Aldeburgh SSSI, and the Outer Thames Estuary SPA.	A response to these points can be found in Table 6.12 of Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses [REP1-115] .
14		They also criticise the absence of emergency response procedures, inadequate mitigation for noise and light disturbance, and the lack of a feedback loop for ecological monitoring.	
15		The RSPB has called for the Examining Authority to expand the Principal Issues to include functionally linked land, adequacy of mitigation, and implications for land management. They also note the lack of coordination between Sea Link and other NSIPs, which undermines the assessment of cumulative impacts. SEAS agrees.	
16			
17	The Applicant's September Responses: Key Concessions and Omissions	The Applicant's responses to the ExA dated 1st and 16th September 2025 confirm several critical weaknesses. The Applicant has not committed to a biodiversity monitoring plan, despite Natural England's request.	The Applicant has responded to this point in its response to Natural England's RR in Application Document 9.34.1 Applicant's Comments on Relevant Representations Identified by the ExA [REP1A-043] .
18		It refuses to undertake further ecological surveys, even where data gaps and equipment failures are acknowledged.	The Applicant provided a detailed response to this point, both in Application Document 9.18 s89 (3) 16 September Covering Letter [AS-106] and also in the respective responses to relevant representations that raised points relating to survey gaps. These responses make it very clear that there is no need for further surveys.

Reference	Matter	Points Raised	Applicant's Comments
19		While trenchless landfall is referenced, open cut ducted installation remains the default for most terrestrial sections, and fallback trenching is not excluded in the draft DCO.	Open cut cable installation is the default installation technique in the terrestrial environment, unless there is a need to employ trenchless techniques, for example special crossings like the crossing of the A256. With respect to the application excluding fall back trenching, this point was addressed in detail in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
20		The Applicant also downplays cumulative and in-combination impacts, despite widespread concern from statutory consultees and local stakeholders.	The Applicant strongly disagrees with this statement and has provided reasoning for this in various RR responses, including those set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
21		These omissions reinforce the procedural and ecological deficiencies identified by SEAS, the RSPB, and others.	There are no procedural or ecological deficiencies as demonstrated through the Applicant's responses to RRs including those submitted by RSPB (Table 6.12 of Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses) and SEAS (Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]).
22	Further Technical and Procedural Deficiencies	The above are on top of the already-identified inadequacies in the Applicant's work. These also include various technical and procedural deficiencies. For example, the Statement of Competence includes contributors without verified qualifications and misuses professional titles, breaching the CIEEM Code of Conduct.	This point was addressed in the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
23		The Biodiversity Net Gain calculation shows a 20.5% net loss in habitat units, with internal inconsistencies and reliance on unsecured off-site credits. Mitigation measures are caveated and unenforceable, and no formal monitoring framework exists to trigger adaptive responses.	This point was addressed in the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
24		Key species and habitats, including brown hare and priority ponds, are omitted from assessment.	This point was addressed in the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
25		Additional detail is provided in Appendix A, which includes SEAS's original Relevant Representation and the full expert report by Nick Sibbett CEng MCIEEM.	Please see the Applicant's response to SEAS RR set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
26	Conclusion	These Proposals present a clear and unacceptable threat to Suffolk's ecological integrity.	Please refer to the above responses. The Applicant disagrees with the points made.
27		They, and the DCO Application for them, fail to meet statutory requirements under the Environment Act 2021, the Electricity Act 1989, the EIA Regulations 2017, and the Habitats Regulations 2017.	
28		To add insult, they do not deliver Biodiversity Net Gain, nor do they provide credible or enforceable mitigation for the loss of habitats, species, and ecological connectivity.	

Reference	Matter	Points Raised	Applicant's Comments
29		The Environmental Statement is incomplete and unreliable. The HRA is procedurally defective and legally non-compliant. The cumulative ecological burden of Sea Link, LionLink, Sizewell C, EA1N, EA2, and other NSIPs has not been properly assessed.	
30		Community testimony, expert ecological analysis, and statutory stakeholder objections all point to the same conclusion: this application cannot be lawfully (or indeed morally) consented in its current form.	
31		The Examining Authority is required to apply the precautionary principle as a matter of black letter law, and similarly to uphold the integrity of the Development Consent system.	
32		The only correct response to this DCO Application is refusal.	

Table 2.35 Suffolk Energy Action Solutions - Cultural Heritage [REP1-274]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	The particular focus of this written representation is the applicant's failure to assess the cultural heritage impact of the newly identified Neolithic hengiform monument within the Sea Link cable corridor near Friston, a site of exceptional archaeological significance.	Please see detailed responses below.
2		This omission represents a serious deficiency in the Environmental Statement (ES), undermining compliance with EN-1, the NPPF (2024), and the Infrastructure Planning (Decisions) Regulations 2010.	
3		The continued absence of cumulative visualisations for the co-located LionLink converter station remains a secondary but compounding concern, further obscuring the full extent of harm to designated heritage assets.	
4		This Written Representation expands upon SEAS's Relevant Representation (RR-5210) and the Final Heritage Impact Assessment (June 2025) by David Edleston BA(Hons) Dip Arch RIBA IHBC (Annex A).	
5	Friston Neolithic Hengiform Monument and Wider Archaeological Landscape	A previously unrecorded Neolithic hengiform monument has been identified within the proposed Sea Link cable corridor near Friston, Suffolk. The feature has been assessed by Suffolk County Council Archaeological Service as a site of exceptional rarity and high archaeological value. Historic England has confirmed its national significance and advised that preservation in situ is the only appropriate management approach.	A possible enclosure was partially identified through geophysical survey undertaken as part of the baseline surveys near Friston (Application Document 6.3.2.3.D ES Appendix 2.3.D Geophysical Survey Report [APP-112]). The potential for impacts on this asset, defined as 'FRS107', were assessed as part of the application version of the Cultural Heritage Assessment in paragraphs 3.9.45-3.9.47 (Application Document 6.2.2.3 Part 2 Suffolk Chapter 3 Cultural Heritage [APP-050]), with the
6		In response, National Grid Electricity Transmission has proposed a minor modification to the project's order limits, approximately one hundred metres	

Reference	Matter	Points Raised	Applicant's Comments
		on either side of the monument to allow the underground cable route to be re-aligned and avoid direct impact.	assessment based on the geophysical survey data as archaeological evaluation trenching had not taken place at this stage.
7		However, the surrounding area has not yet been subject to archaeological evaluation. Suffolk County Council has recommended that full geophysical survey and trial trenching investigations be undertaken to determine the extent and context of the monument before any routing decisions are finalised.	The possible enclosure was then subject to archaeological evaluation trenching as part of the Phase 2b works, and this suggested the enclosure may be a Neolithic henge (Application Document 9.3.2 Suffolk Section Phase 2B Archaeological Evaluation Report [AS-136] ; Application Document 9.3.3 Suffolk Section Phase 2B Archaeological Evaluation Report Extract illustrating the location of the henge in relation to the proposed scheme [AS-137]).
8		The Examining Authority has supported this position, noting in its Rule 9 letter (PD-011) that further archaeological work is required and that the forthcoming Environmental Statement Addendum must justify the proposed route selection.	Consultation was undertaken with the Suffolk County Council Archaeological Advisor and Historic England who agreed that if the feature was a henge, it would be considered to be of national significance and of schedulable quality. As such, it was agreed to increase the Order Limits to avoid the asset and undertake further archaeological investigations.
9		This concern is echoed by other Interested Parties. In a submission dated 29 September 2025 (PDA-064), Mr Nick Scarr observes that as of late September, no archaeological activity was visible at the site, despite the Applicant's stated intention to conduct surveys in September/October 2025 (AS-138, Appendix C). This raises serious questions about the Applicant's commitment to timely and adequate evaluation.	Additional geophysical survey was undertaken in September and October 2025 and this has confirmed that the feature is a 'G-Shaped Enclosure' and not a henge. Consultation with Suffolk County Council Archaeological Advisor and Historic England has resulted in a possible Bronze Age date being assigned to the feature (based on its form and the date of other features in the wider landscape recorded during the Phase 2b evaluation trenching). The consultation also confirmed that the feature was not considered to be of national significance and was not of schedulable quality, as documented in the Application Document 7.4.3 Draft Statement of Common Ground with Historic England [REP1-075] . As such, impacts on the asset could be mitigated through standard measures including full archaeological excavation, recording, and publication.
10		Mr Scarr further notes that the Applicant's proposed order limit change "cannot be regarded as a sufficient or adequate submission" until full archaeological data are available. His submission includes annotated maps and photographic evidence, reinforcing the need for transparency and procedural integrity.	
11		The hengiform monument is not an isolated anomaly. It sits within a wider landscape of high archaeological potential. The Oxford Archaeology report (2864, September 2025) (AS-136) identifies Early Neolithic pits, Bronze Age features, and curvilinear depressions possibly linked to the henge ditch. These findings suggest a complex prehistoric ceremonial landscape, with the monument as a focal point.	Part of the G-Shaped Enclosure lies beyond the Order Limits, as submitted in the DCO application. The Suffolk County Council Archaeological Advisor confirmed that if mitigation via full archaeological excavation was proposed by the Applicant, the full extent of the G-Shaped Enclosure would need to be uncovered and excavated, as partial excavation of the remains would not be acceptable. As such, as part of a Change Request, the Applicant proposes to retain the option of being able to install the cable route and haul road as set out in the submitted DCO application with an expansion to the Order Limits around the heritage feature in order to allow full excavation of the heritage feature (if required). Also, as part of the Change Request, it is proposed that the Order Limits are extended to the east to provide the flexibility to avoid the G-Shaped Enclosure, should this be identified as the preferred option following the analysis of the trial trench evaluation results.
12		The presence of such features indicates that further discoveries are not only possible but likely. The area's archaeological richness demands a landscapescale reassessment, not piecemeal mitigation. To proceed with routing decisions before this wider context is understood risks irreversible harm to a nationally significant heritage environment.	Additional archaeological evaluation trenching is being undertaken (November and December 2025), and the results of this will be published prior to the end of examination. The published document will also include a revised assessment of potential impacts on the 'G-Shaped Enclosure'.
13		The significance of this landscape extends beyond prehistoric archaeology. The corridor between Friston, Snape, and Saxmundham lies within one of the richest Anglo-Saxon heritage zones in the UK. Just a mile from Friston is the Snape Anglo-Saxon burial site the only other known UK ship burial site alongside Sutton Hoo, seven miles away.	Noted. This asset discussed in this Written Representation falls outside of the Study Area used to inform the Cultural Heritage Baseline (Application Document 6.3.2.3.A ES Appendix 2.3.A Cultural Heritage Baseline Report [APP-109]) as agreed with stakeholders at Scoping.

Reference	Matter	Points Raised	Applicant's Comments
14		The Snape site, though partially excavated, contains unexamined burial mounds and artefacts of national importance, including a 16-metre boat and the finest known pagan Saxon finger-ring. These finds suggest a well-established SEAS Cultural Heritage WR – Deadline 1 3 ceremonial tradition and a continuous community presence from the 7th century onward.	Noted. This asset discussed in this Written Representation falls outside of the Study Area used to inform the Cultural Heritage Baseline (Application Document 6.3.2.3.A ES Appendix 2.3.A Cultural Heritage Baseline Report [APP-109]) as agreed with stakeholders at Scoping.
15		Friston itself derives from the Anglo-Saxon ‘Frisa Tun’ - “place of the Frisians” and is recorded in the Domesday Book. Saxmundham’s name also reflects Saxon origins. Together, these place-names and archaeological sites form a coherent cultural landscape, deeply rooted in early medieval settlement and ritual practice.	Noted. The Early Medieval period is discussed in the paragraphs 4.1.33 to 4.1.36 of Application Document 6.3.2.3.A ES Appendix 2.3.A Cultural Heritage Baseline Report [APP-109] . This acknowledges placename evidence suggesting a number of settlements within the Study Area have an early medieval origin (Paragraph 4.1.36). The baseline also notes that based on the settlement pattern, the Suffolk Onshore Scheme would appear to pass through the agricultural fields associated with Early Medieval settlements. This is supported by the geophysical survey Application Document 6.3.2.3.D ES Appendix 2.3.D Geophysical Survey Report [APP-112] and archaeological evaluation trenching (Application Document 6.3.2.3.E ES Appendix 2.3.E Aerial Photography and LiDAR Report [APP-113] and Application Document 6.3.2.9.A ES Appendix 2.9.A Suffolk Noise Survey Data [APP-135]) which have revealed limited evidence dating to the Early Medieval period.
16		SEAS submits that the cultural and archaeological value of this landscape has been fundamentally underestimated. The Examining Authority must consider not only the immediate impact on the Friston hengiform monument, but the broader implications for a nationally significant heritage corridor.	Noted. Please see above response relating to the ‘G-Shaped Enclosure’. This was previously interpreted as a possible henge but is now confirmed by Historic England and the Archaeological Advisor to Suffolk County Council to be a likely Bronze Age enclosure and not of national importance. This is documented in Application Document 7.4.3 (B) Draft Statement of Common Ground with Historic England [REP1-075] .
21	Harm to Designated Heritage Assets	The Final Heritage Impact Assessment confirms that the converter station, access road, and River Fromus bridge will cause less than substantial but nonetheless material harm to the significance of all seven designated assets.	A response to these comments can be found in Appendix A of Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
22		Hurts Hall (Grade II) is particularly vulnerable. The Sea Link converter station already intrudes on its historic parkland setting and gateway views from the B1121. The proposed LionLink converter station, to be sited northeast of Sea Link, would extend the industrialisation further across the landscape. In views from the B1121, LionLink would form a visual backdrop to Hurts Hall, compounding the loss of rural character and perceptual coherence. This cumulative intrusion risks severing the visual and spatial relationship between Hurts Hall and its historic landscape, including The Layers and the Fromus Valley.	Regarding the additional comment on cumulative assessment of Saxmundham Converter Station and Lion Link Converter Station on the Grade II listed Hurt’s Hall, the inter-project cumulative effects are assessed in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . This identifies no significant cumulative effect between the Proposed Project and Lion Link in relation to impacts through change to the setting of designated heritage assets. In doing so it refers to the project co-location assessment submitted in Application Document 7.10 Coordination Document [APP-363] . Paragraphs 6.2.31 - 6.2.44 provide the background to co-located options development and assessment, stakeholder consultation, and concept masterplanning for the converter station site where it was identified that the converter station site has capacity to accommodate up to three co-located converter stations. The evidence-base for this conclusion is provided in Appendix A of that document, where the assessment of the Saxmundham Converter Station co-located as a group of up three converter stations on the same site (including Lion Link Converter Station) was subject to Archaeology and Heritage appraisal as Section 3.4, including in
23		Church of St John the Baptist (Grade II*) and the Saxmundham Conservation Area will suffer moderate adverse impact due to visual intrusion and fragmentation of historic townscape views, particularly from The Layers and the southern approach.	
24		Buxlow Manor (Grade II*), Hill Farmhouse (Grade II), Sternfield House (Grade II), and Church of St Mary Magdalene (Grade II*) will experience low to moderate adverse impacts due to intervisibility and degradation of their	

Reference	Matter	Points Raised	Applicant's Comments
25	Policy Context and Legal Tests	rural settings. These impacts are cumulative and were not fully assessed in the ES.	relation to the setting of Hurts Hall. This noted key views towards the hall and its setting within its denuded parkland, but highlighted the impact of the Fromus crossing and permanent access as the main source of impact, and this would be required for the Proposed Project in insolation of Lion Link. The impact assessment of the Proposed Project on Hurts Hall in isolation of other schemes was assessed in paragraphs 3.9.116 and 3.11.7 of Application Document 6.2.2.3 Part 2 Suffolk Chapter 3 Cultural Heritage [APP-050] as moderate adverse at Year 1 of Operation, lowering to minor adverse at Year 15 of operation following the maturation of mitigation planting. No additional, cumulative effect, that would raise the assessment above these reported levels, has been identified in relation to Lion Link.
26		National Policy Statements EN-1 and EN-5 require that “great weight” be given to the conservation of designated heritage assets, and that harm to their significance be avoided wherever possible. Where harm is unavoidable, it must be clearly justified and demonstrably outweighed by public benefit.	In response to the policy identified in the comments, the Applicant wishes to highlight that NPS EN-1 paragraph 5.9.6 also extends the protection and policy tests for designated heritage assets to non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments (national importance).
27		The National Planning Policy Framework (NPPF, 2024) extends this protection to non-designated heritage assets of national importance, including archaeological remains. It states that substantial harm to such assets should be wholly exceptional and subject to rigorous scrutiny.	The Applicant wishes to clarify that NPS EN-1 paragraph 5.9.27 also states that “ <i>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset’s conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance</i> ”. NPS EN-1 paragraph 5.9.28 states “ <i>any harm or loss of significance affecting any designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification</i> ”.
28		The Infrastructure Planning (Decisions) Regulations 2010 require the Examining Authority to “have regard” to the desirability of preserving listed buildings and conservation areas. EN-1 elevates this to “considerable importance and weight,” requiring a proportionate and evidence-based assessment of harm.	As discussed in responses above regarding the G shaped enclosure, consultation with Suffolk County Council Archaeological Advisor and Historic England confirmed that the Friston hengiform monument referred to by SEAS as a feature not considered to be of national significance and is therefore not of schedulable quality, as documented in the Application Document 7.4.3 Draft Statement of Common Ground with Historic England [REP1-075] .
29		The Planning (Listed Buildings and Conservation Areas) Act 1990, as modified for NSIPs, imposes a statutory duty to consider the impact of development on the setting and significance of listed buildings and conservation areas.	The policy test for non designated heritage assets of schedulable quality therefore does not apply the G shaped enclosure referred to by SEAS as the Friston hengiform.
30		The discovery of the Friston hengiform monument — confirmed by Historic England as nationally significant — triggers the highest level of policy protection. The ES fails to assess this asset, and the proposed corridor amendment has not been justified through archaeological evidence. This undermines compliance with EN-1, the NPPF, and the Planning Act.	As discussed above, impacts on the asset can be mitigated through standard measures including full archaeological excavation, recording, and publication.
31		The absence of cumulative visualisations for Sea Link and LionLink further prevents lawful assessment of setting impacts on designated assets. Without these visuals, the Examining Authority cannot discharge its statutory duties under the 2010 Regulations or EN-1.	See response in Table 2.33 above
32		The wider cultural landscape encompassing Snape, Sutton Hoo, Saxmundham, and Friston has not been considered holistically. The	The Study Area used to inform the baseline, as well as the archaeological potential, of Application Document 6.3.2.3.A ES Appendix 2.3.A Cultural

Reference	Matter	Points Raised	Applicant's Comments
		anthropological and archaeological evidence suggests that this corridor is of national and international significance. The ES fails to reflect this, and the application cannot be considered sound or complete.	Heritage Baseline Report [APP-109] was agreed at Scoping with Historic England and Suffolk County Council. Historic England have stated that they are satisfied that the baseline and assessment have examined and assessed the Suffolk Onshore Scheme in an appropriate way [REP1-199] .
33	SEAS Requests the Following Actions	SEAS respectfully urges the Examining Authority to: Require the Applicant to submit a revised archaeological assessment that includes the Friston hengiform monument, with a full evaluation of its significance, context, and options for preservation in situ.	Please see above response relating to the 'G-Shaped Enclosure'
33		Defer acceptance of the proposed cable corridor amendment until comprehensive archaeological investigations have been completed and their findings fully considered	Please see above response relating to the 'G-Shaped Enclosure'
33		Require a landscape-scale reassessment of the Friston–Snape–Saxmundham corridor, recognising its exceptional archaeological richness and the likelihood of further discoveries.	Please see above response relating to the 'G-Shaped Enclosure'
33		Require the Applicant to submit cumulative visualisations showing Sea Link and LionLink converter stations in context with designated heritage assets, including Hurts Hall, Saxmundham Conservation Area, and listed churches and farmsteads.	See response in Table 2.33 above
33		Treat the omission of cumulative visual evidence and the failure to assess the Friston hengiform monument as material deficiencies in the application.	Please see above response relating to the 'G-Shaped Enclosure' and response in Table 2.33 above
33		Recommend refusal of development consent unless the proposals are re-sited or redesigned to avoid the identified harm to both designated and non-designated heritage assets.	See above responses
34	Conclusion	The Sea Link application fails to assess the full cultural and archaeological significance of the Friston–Snape–Saxmundham corridor. The omission of the nationally important Friston hengiform monument and the lack of cumulative visualisations for LionLink undermine the Environmental Statement and breach planning policy. SEAS urges the Examining Authority to defer corridor amendments, require full archaeological investigation, and reassess cumulative heritage harm. Without these steps, the application should be refused.	See above responses.
Annex A	Visualisations	To assist the Examining Authority, SEAS attaches Annex A, comprising the following figures from the Sea Link Preliminary Environmental Information Report (PEIR), October 2023: These visuals directly contradict the applicant's claim that cumulative photomontages "cannot be produced" due to lack of design certainty. They provide a clear and indicative basis for assessing the combined heritage impact of co-located infrastructure.	See response in Table 2.33 above

Table 2.36 Suffolk Energy Action Solutions - Water Environment [REP1-275]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	This Written Representation (WR) is submitted by Suffolk Energy Action Solutions (SEAS) for Deadline 1 of the Examination into the proposed Sea Link project (EN020026).	No response required
2		It builds on SEAS's Relevant Representation (June 2025, 'SEAS Water Environment Summary FINAL') and sets out detailed technical and policy-based concerns relating to flood risk and water-environment impacts. The submission has been updated to take account of subsequent correspondence issued by the Examining Authority (ExA) under Rules 6, 9 and 17 and section 89(3) of the Planning Act 2008, as well as the Applicant's responses (PD-005 to PD-008 and AS-061 to AS-106).	
3		The WR focuses on whether the Applicant has demonstrated compliance with National Policy Statements EN-1 and EN-5, the National Planning Policy Framework (December 2024) and relevant local-plan policies concerning flood risk and sustainable drainage.	
4	Scope of Evidence and Supporting Information	This Written Representation draws on technical review work undertaken by SEAS independent hydrological and planning specialists GWP Consultants. The GWP Consultants work is appended as Appendix A (unfortunately it was not possible for the author of the GWP Consultants work to respond to SEAS' queries regarding it prior to the 23 June 2025 deadline for relevant representations, hence it was not submitted then, and it remains as it was).	Points drawn from the GWP report are responded to below.
5		The GWP Consultants work provides a detailed technical critique of the Applicant's Flood Risk Assessment and drainage proposals, identifying significant omissions and inconsistencies. That technical analysis underpins the conclusions set out in this submission and reinforces SEAS's position that development consent should not be granted in the absence of a comprehensive, policy-compliant demonstration of flood safety, mitigation, and resilience.	
6		References are provided throughout to the Applicant's Environmental Statement documents (APP-051 to APP-341), subsequent submissions (AS-061 to AS-106), and relevant national and local policy documents. All documents cited in-text are listed in the section "Documents Referenced in this Written Representation".	
7	Future Submissions	SEAS intends to provide further evidence and comment as the Examination progresses, including responses to the Examining Authority's Written Questions and any future updates to the Applicant's drainage or flood-risk material. SEAS reserves the right to supplement or amend this Written Representation in light of any new information submitted to the Examination.	
17	Policy Non-Compliance	The Sequential Test has not been properly applied across the full scheme. It is claimed the Sequential Test is passed on the basis the converter station is in Flood Zone 1, but no alternatives are assessed for flood-prone cable routes, haul roads, or crossings. This contravenes NPS EN-1 paragraphs	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043] .

Reference	Matter	Points Raised	Applicant's Comments
		5.8.9, 5.8.23, 5.8.29 which require applicants to apply a sequential approach to all site components to ensure development is directed to areas of lowest flood risk, with the Exception Test used only where lower-risk alternatives are not available (APP-292, Section 3.2.9–3.2.14, pp. 20–23).	
18		National Grid relies on generic avoidance and embedded mitigation to dismiss flood risk to and from the development. However, EN-1 and EN-5 both require assessment of risk under future climate scenarios, which is not adequately demonstrated where surface water and groundwater modelling are omitted (APP-292, Table 1.2, p. 13; APP-051, para 4.3.5, p. 35).	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043] .
19		The SuDS hierarchy is not followed. Infiltration is excluded for the Saxmundham site without presenting infiltration test data, yet discharge to IDB-controlled drains is proposed without catchment capacity modelling. This violates local policy (SCLP9.6) and NPPF drainage standards (APP-292, Section 4.3, pp. 31–38).	The SuDS hierarchy has been followed as documented in Application Document 6.8 Flood Risk Assessment [APP-292] .
20	Inadequate Flood Risk Assessment (FRA)	Surface water flood modelling was not carried out. Despite known local flood history, surface water flood zones were only referenced from online datasets. No runoff flow modelling or volume quantification has been provided for the Saxmundham converter site (APP-292, Section 4.4, pp. 38–43; APP-051, para 4.3.7, p. 35).	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043]. The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
21		No assessment has been made of overland flow routes based on LiDAR terrain analysis or topographic modelling. As a result, the application does not demonstrate how haul roads, cable corridors and bunds will interact with existing storm runoff pathways. This weakens the applicant's analysis of pluvial flood impacts and contravenes NPPF paragraph 170 and EN-1 paragraphs 4.10.8- 4.10.11 (APP-292, Section 4.4, pp. 38–43; APP-051, para 4.3.6, p. 35).	Existing storm runoff pathways are mapped as part of the Environment Agency Risk of Flooding from Surface Water dataset (updated in 2025) and in outputs of the modelling that informed the Friston Surface Water Management Plan. Both data sources have informed Application Document 6.8 Flood Risk Assessment [APP-292] , which assesses pluvial flooding and describes mitigation measures to manage the Projects impacts on this source of flood risk.
22		Groundwater flood risk is dismissed on the basis of “qualitative judgment” and without any borehole or seasonal groundwater data. This is a major omission given the site's location over the Waveney and East Suffolk Chalk and Crag aquifers, which are in poor quantitative and chemical status (APP-292, Appendix D, p. 120; APP-293, Table 3.3, p. 12).	As detailed within Application Document 6.8 Flood Risk Assessment [APP-292] the potential for the Suffolk Onshore Scheme to encounter groundwater, has been assessed using ground investigation data undertaken for the Proposed Project. Groundwater monitoring has been undertaken across the Proposed Project within the Suffolk Onshore Scheme and is contained within Application Document 6.3.2.5.D ES Appendix 2.5.D Ground Investigation Report – Suffolk [APP-119]. Groundwater monitoring was undertaken across a number of visits over the period of September to December 2023, in addition a number of locations were installed with continuous monitoring equipment to monitor the groundwater level. In relation to the Waveney and East Suffolk Chalk and Crag aquifers and the quantitative and chemical status of these aquifers this relates to the Water Framework Directive assessment and does not relate to groundwater flooding potential.

Reference	Matter	Points Raised	Applicant's Comments
			In regards to Appendix D of Application Document 6.8 Flood Risk Assessment [APP-292] this only relates to the potential groundwater flooding risk in relation to the proposed Kent Converter Station and not the entirety of the Proposed Project.
23		No detail is provided on the interaction between elevated groundwater, trenchless crossings, or long-term construction dewatering. The scheme may introduce new pathways for aquifer pollution or flow alteration without assessment (APP-292, Section 4.3.15, p. 37; APP-115, Table 3, p. 13).	A response to this comment can be found in Table 2.55 Geology and Hydrogeology of Application Document 9.34.1 Applicants Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
24	Construction Phase Risk	The Drainage Management Plan (DMP) and Flood Management Plan (FMP) are placeholders only, deferred to the post-consent stage, with no site-specific or worked-up measures presented in the DCO application. This omission is not simply technical but material to the application's compliance with EN-1 paras 5.8.13-5.8.15, 4.10.13, which require developers to demonstrate, at application stage, that the site can be developed safely without increasing flood risk elsewhere. The failure to state the design standard for construction drainage makes it impossible for regulators or the Examining Authority to judge compliance.	The Applicant confirms that temporary SuDS designed and built to serve the construction phase of the Project will be designed to manage runoffs for all events up to and including the 1 in 100 (1%) AEP storm, in accordance with Suffolk County Councils' Guidance: The Suffolk Flood Risk Management Strategy (2023). Application Document 6.8 Flood Risk Assessment [APP-295]
25		No specific storm return period is stated for construction-phase drainage design. This omission is material. Without this information, the physical viability of drainage schemes and their ability to mitigate increased flood risk cannot be assessed, as required by EN-1 paragraph 5.8.13 and NPPF paragraphs 170– 172. The Outline Code of Construction Practice and Flood Risk Assessment both refer to general drainage principles but do not define the design event used to size attenuation or infiltration infrastructure (APP-292, Table 1.1, p. 7; APP-341, W14).	The Applicant confirms that temporary SuDS designed and built to serve the construction phase of the Project will be designed to manage runoffs for all events up to and including the 1 in 100 (1%) AEP storm, in accordance with Suffolk County Councils Guidance: The Suffolk Flood Risk Management Strategy (2023) Application Document 6.8 Flood Risk Assessment [APP-295] .
26		Earthworks at the Fromus crossing and converter station access roads involve large areas of soil disturbance, yet no sediment runoff modelling or volume predictions are provided. Compaction, trenching, and spoil storage may significantly increase local surface water flow rates (APP-292, Section 4.3, pp. 31–38; APP-051, para 4.3.6-4.3.7).	Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102] contains several commitments to managing construction worksite runoff in terms of both runoff quantity and quality to prevent localised flooding and pollution, including GG15, W20. Also, as confirmed by the above responses all construction work sites would be served by SuDS designed and built manage runoffs for all events up to and including the 1 in 100 (1%) AEP storm.
27		The proposal includes 11 temporary culverts and 1 bridge over the River Fromus, but no quantitative assessment of floodplain storage loss, obstruction or overtopping is presented. The bridge is to be 6 m tall with 80 m approaches, yet no embankment drainage design is shown (APP-292, Appendix B, drawing section, unpaginated; APP-231, Figure 6.4.2.4.3).	The bridge over the River Fromus has been subject to detailed, quantitative assessment, with a hydraulic modelling study having been undertaken, reviewed and approved by the Environment Agency (detailed in Appendix B of Application Document 6.8 Flood Risk Assessment [APP-292]). The permanent drainage serving the bridge and its approaches will collect and route runoff to a permanent infiltration basin, designed to store and infiltrate rainfall generated by storms of up to and including the 1 in 100y + 45% allowance for climate change. The temporary culverts would be designed in accordance with the commitments secured through inclusion in Application document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and

Reference	Matter	Points Raised	Applicant's Comments
			Commitments (REAC) [REP1-102] , ensuring that there is no obstruction to flows nor loss of floodplain storage.
28		There is additional uncertainty as to whether the flood modelling has used the correct bridge design parameters. The dimensions and elevation used in the model appear to reflect the lower, temporary construction-phase bridge, not the final permanent bridge which is expected to be approximately 6 m high with extended embankments. If so, the modelling does not account for the final bridge's full obstruction potential, residual risk of overtopping, or interaction with floodplain flow paths. This casts doubt on the validity of the flood modelling results and means the applicant has failed to assess the worst-case scenario, contrary to EN-1 paragraph 5.8.13 and NPPF paragraph 170 (APP-292, Appendix B, pp. 5–7).	There is no temporary construction phase bridge proposed, only the permanent bridge. Options for the soffit height include 4 m, 5 m and 6 m options. These permanent bridge designs have been subject to flood modelling, and the modelling has been reviewed and accepted by the Environment Agency.
29		The flood modelling undertaken for the permanent River Fromus bridge is limited to the area within the Order Limits and provides no assessment of potential flood level increases upstream into Saxmundham or downstream along the Fromus. This fails to comply with EN-1 paragraph 5.8.13, which requires consideration of whether flood risk is increased elsewhere, regardless of red line boundary (APP292, Appendix B, pp. 5–7).	This is incorrect. The flood model domain extends approximately 5.8 km upstream and approximately 4.9 km downstream of the proposed Fromus bridge crossing, capturing all potential flood level increases. The modelling has been reviewed and accepted by the Environment Agency.
30		National policy (EN-1 para 5.8.13) requires that flood risk be considered “to the development and elsewhere”. By limiting its hydraulic modelling to the Order Limits, the applicant has failed to meet this obligation. The floodplain extent clearly crosses the red line boundary, yet no impacts on adjacent land or receptors are modelled or discussed.	The hydraulic modelling has not been limited to the Order Limits, please see response above.
31	Operational Drainage System Deficiencies	At the Saxmundham converter station, infiltration is declared unviable, and attenuated discharge to watercourses is proposed. Yet there is no modelling of cumulative discharges or receiving watercourse sensitivity, especially where IDB drains lead into the Fromus or Hundred catchments (APP-292, Section 4.3, pp. 31–38).	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
32		No empirical data are presented to show greenfield runoff rates can be achieved. There are no infiltration test logs, groundwater depth measurements, or topsoil permeability assessments included in the application (APP-292, Table Ex1.1, p. 10; APP-341, W12).	
33		No site-specific groundwater monitoring data is provided to demonstrate that infiltration lagoons will function correctly. The Outline Drainage Strategy concedes that groundwater levels are unconfirmed and states only that ponds will be made “as shallow as possible” (APP-292, Section 4.3.10, p. 34; Appendix C, p. 4). Without verified separation between pond base and groundwater, the viability of infiltration-based drainage cannot be confirmed, which fails to meet EN-1 para 5.8.13.	
34		The CoCP assumes surface water will be “managed to prevent runoff off-site” but provides no defined capture, treatment, or exceedance flow route design to demonstrate this (APP-341, W14–W15; APP-340, Section 2.4.27–2.4.28, p. 9).	

Reference	Matter	Points Raised	Applicant's Comments
35		There are inconsistencies between the drainage strategy text and layout plans. For example, several construction areas appear to route turbid construction runoff to infiltration ponds without pre-treatment, contrary to the stated separation of clean and dirty water flows. These discrepancies undermine the credibility of the strategy and breach NPPF para 172 and SCLP9.6 (APP-292, Appendix C, p. 3; Appendix A drainage plans, unpaginated).	
36		The strategy cannot be evaluated or approved against policy standards (e.g. 1-in100-year + climate allowance) because the return period used for drainage sizing is not provided. This makes the Outline Drainage Strategy non-compliant with EN-1 para 5.8.13 and NPPF para 172.	
37	Increased Downstream Risk to Friston and Saxmundham	The project footprint lies in the upper Fromus catchment. Increased flow volumes, faster runoff from impermeable surfaces, and altered flow pathways are likely to increase downstream flood risk at Friston, where previous projects (EA1N/EA2) already raised concerns (APP-051, para 4.3.4, p. 35; APP-115, Table 3, p. 13).	The permanent and temporary drainage serving the Project is designed to accord with local and national policy standards to prevent downstream flood risk impacts. The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
38		There is no cumulative hydrological modelling that includes SPR's EA1N/EA2 or Sizewell C's runoff or drainage infrastructure. This ignores policy under EN-1 paragraph 4.2.5 and NPPF 185 requiring cumulative impact assessment (APP292, Section 4, pp. 31–43; APP-051, para 4.2.15, p. 31).	Sizewell C works do not directly impact on the drainage or receiving watercourses of the proposed project. The Applicant has worked closely with SPR to align drainage designs specifically around the Suffolk substation area near Friston, with the drainage from the impermeable areas of the Suffolk substation being fully infiltrated into the ground. No surface water runoff from the substation will be discharged into existing ditches and watercourses. The detailed design for the drainage will allow for the cumulative runoff from SPR and NGET substations. The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
39	Uncertain Post-Operational Risk	There is no post-decommissioning drainage strategy. The DCO application provides no plan to remove impermeable surfacing or reinstate soils to preconstruction runoff conditions at the end of the project life (APP-292, Section 4.4, pp. 38–43).	In the event of decommissioning all impermeable areas would be removed, however given the nature of the infrastructure being proposed it is considered likely that through maintenance and replacement works, the assets will remain in operation beyond the initial design life of the project. The operational life of the infrastructure will be determined by future energy demands and technology.
40		No clear, legally binding body is identified for long-term SuDS or flood management infrastructure maintenance. The CoCP and CEMP merely defer	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of

Reference	Matter	Points Raised	Applicant's Comments
		these responsibilities without naming a responsible entity (APP-341, W15; APP340, Section 2.4.28, p. 9)	the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
41		The applicant fails to assess whether infiltration during operation could raise groundwater levels sufficiently to increase flood risk to off-site receptors, including residential properties and buried utilities in Friston and the Fromus valley. Given the likelihood of shallow groundwater already near surface in these locations, infiltration may elevate flood risk to property or buried infrastructure. This pathway is not acknowledged in the FRA or groundwater technical appendices and contravenes EN-1 para 5.8.13 and the principle of not increasing flood risk elsewhere (APP-292, Appendix D, pp. 1–3; APP-115, Table 3, p. 13). This undermines the requirement under EN-1 para 5.8.13 and NPPF para 170 that development must not increase flood risk elsewhere, including through indirect groundwater mechanisms.	A response to this comment can be found in Table 2.54 – Water and Flood Risk of Application Document 9.34.1 Applicants Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
42	Cumulative Impact on Flood Risk and the Water Environment	The application does not assess how combined surface water runoff from multiple Sea Link components (converter station, bridge, access roads) will interact across catchments, particularly in the River Fromus valley. Shared receptors are acknowledged but not modelled or analysed quantitatively (APP059, Table 12.2, pp. 5–6; APP-140, Table 1.8, p. 12).	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043] .
43		The inter-project cumulative effects assessment dismisses flood risk interactions with Sizewell C and EA1N/EA2 on the basis of being in different catchments, but this is not supported by hydrological data. Shared ZOIs (500 m) are acknowledged, but flood interactions are not assessed (APP-060, Table 13.1, p. 3; Table 13.3, p. 12).	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043] .
44		No assessment is presented for the cumulative impact of sequential discharges from multiple NSIPs into the same IDB drains or watercourses. Cumulative loading, timing overlap, and receiving water capacity are not addressed (APP060, Table 13.39, p. 167).	A response to this comment can be found in Table 2.10.24 Water and Flood Risk of Application Document 9.34.1 Applicants Comments on Relevant Representations [REP1A-043] .
45		Groundwater risks are considered only on a per-project basis. The potential cumulative effects of trenching and HDD works by Sea Link, Sizewell C and LionLink in the East Suffolk Crag aquifer are not assessed (APP-060, Table 13.3, p. 13; APP-141, para 1.2.24, p. 5).	A response to this comment can be found in Table 2.55 Geology and Hydrogeology of Application Document 9.34.1 Applicants Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
46		Traffic from overlapping NSIPs increases road surface runoff near flood-sensitive sites, but these drainage effects are excluded from the water environment assessment (APP-142, Table CTOT, S-RL12 and S-RJ11, pp. 3–4).	It is unclear how additional vehicles on a road would increase runoff.
47		The application relies on assumptions of non-overlapping construction schedules to dismiss cumulative impacts, yet also states peak construction may occur simultaneously across projects (APP-060, Table 13.4 and Table 13.6, pp. 15, 21)	Further details relating to the potential overlap of cumulative schemes within Suffolk are provided in Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] . This concludes that the peak construction phases for each scheme are planned to be staggered (between 2026 and 2030) and are therefore highly unlikely to all fully

Reference	Matter	Points Raised	Applicant's Comments
			overlap. The duration of any potential effects of overlapping peak construction activity (third party scheme and the Proposed Project) will be limited to a few consecutive months and due to short-term temporary duration of any potential adverse impacts, the residual effect cannot therefore be considered as significant (duration of effect is a consideration identified in paragraph 1.27 of the 2023 IEMA Guidelines for the Environmental Assessment of Traffic and Movement).
48		The cable corridor and haul road, extending over 10 km in length and up to 40 m in width, will intersect and potentially truncate existing stormwater flow routes. No hydrological modelling or temporary culvert design is provided to demonstrate how diverted surface water will be managed across the corridor. This may result in unassessed flood risk to adjacent land parcels and violates NPPF para 170 and EN-1 para 5.8.13 (APP-292, Appendix A flood maps, unpaginated; APP-051, para 4.3.7, p. 35). The application does not assess whether the construction corridor fragments or redirects pre-existing drainage pathways between subcatchments, nor whether runoff will be artificially concentrated in particular areas. These design impacts may give rise to new areas of offsite flooding, contrary to the intent of EN-1 para 5.8.13.	Please see responses to items 21 and 27.
49	Failure to Address Examination Concerns on Flood and Drainage Risk	Since SEAS submitted its original Relevant Representation in June 2025, the Examining Authority (ExA) has issued a series of correspondence under Rule 17 and section 89(3) of the Planning Act 2008 (PD-005 to PD-008) requesting further information on flood-risk assessment, drainage design standards, and cumulative effects. These formal requests confirm that the Examining Authority shares the substantive concerns raised in this Written Representation.	The Applicant submitted Application Document 9.4 Supplementary Environmental Information – Flood Risk Assessment [AS-099] providing the further information requested. Drainage design standards accordance with local and national policy requirements and have been confirmed in response to items 25 and 27 above. The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
50		In its letter of 8 July 2025 (PD-005), the ExA requested clarification on how the Applicant had applied climate-change allowances and extreme-event scenarios within the flood-risk modelling. It also sought confirmation that embedded mitigation measures—such as bunds, haul roads and drainage embankments— would not displace floodwater beyond the Order Limits. These matters directly mirror SEAS's concerns regarding inadequate climate-change robustness and the absence of worst-case or residual-risk assessment.	The flood risk modelling that has been undertaken complies with local and national guidance with regard to applying climate change allowances and has considered extreme event scenarios. This is clearly described within Section 3.2 of Application Document 6.8: Flood Risk Assessment [APP-292] .
51		The ExA reiterated these concerns in its subsequent letter of 5 August 2025 (PD006), specifically asking whether the proposed drainage strategy would demonstrably reduce flood risk or simply redistribute it. This correspondence directly supports the points made in earlier sections of this Written Representation, where the viability and effectiveness of the Applicant's mitigation measures are challenged.	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.

Reference	Matter	Points Raised	Applicant's Comments
52		In its formal response of 1 September 2025 (AS-084), the Applicant stated that a “precautionary approach” had been applied in line with Environment Agency climate-change guidance and referred back to the submitted Flood Risk Assessment. However, no updated hydrological modelling or supporting data were provided to demonstrate that the embedded drainage proposals can accommodate projected runoff volumes. This absence of evidence reinforces SEAS’s concern that the principal flood-mitigation measures remain untested and lack detailed design justification.	The Project’s drainage features and watercourse crossings (bridges and culverts) have been designed in accordance with all current guidance and standards linked to climate change allowances. The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
53		The Applicant’s Project-wide Drainage Strategy Summary (submitted with AS084 and reiterated in AS-106) introduces no new technical evidence. It restates generic design intentions—such as achieving greenfield runoff rates—but includes no site-specific hydraulic modelling, topographical assessment, or verification of drainage feasibility. This omission confirms the continued relevance of the deficiencies identified in earlier sections of this Written Representation.	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
54		The Applicant also re-issued Chapter 4 – Description of the Proposed Project as part of AS-084. The revised text contains no substantive changes to the drainage strategy and provides no additional information on hydrological pathways, infiltration potential, or construction feasibility of drainage infrastructure. Accordingly, the technical analysis and concerns set out in this Written Representation remain current and unaddressed.	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
55		In summary, despite repeated procedural opportunities provided through the ExA’s correspondence (PD-005 to PD-008) and the Applicant’s own subsequent submissions (AS-061 to AS-106), no substantive update has been made to the flood-risk evidence base. The Applicant has not supplied the additional modelling or site-specific data requested by the ExA, leaving the fundamental issues of drainage design, flood-pathway interaction and climate-change resilience unresolved. This continued lack of engagement with flood-risk fundamentals confirms SEAS’s view that the application fails to demonstrate that the project can be safely delivered without increasing flood risk elsewhere.	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
56		In its response to the Rule 6 Letter (EN020026-000885-SEAS - PM Letter, 8 October 2025 Final), SEAS noted that the Applicant had still not provided the hydrological or drainage evidence repeatedly requested under Rule 17 and section 89(3). The response also highlighted that ongoing change requests—particularly those involving the Benhall Bridge redesign—introduce new floodpathway risks that have not been assessed within the existing Flood Risk Assessment. The absence of any updated analysis at this stage compounds the procedural and evidential deficiencies already identified by the ExA.	No part of the land within the revised Order Limits associated with the Benhall Bridge change is in Flood Zone 2 or 3 (the fluvial floodplain), either in the current day and when considering the impacts of future climate change. The land is also out with the high and medium surface water flood zones. The proposals therefore have a neutral effect with regards to flood risk and do not introduce any new flood risk pathways.

Reference	Matter	Points Raised	Applicant's Comments
57		The Applicant's Change Request introducing the revised Benhall Bridge design materially alters the flood-risk context. The increased bridge height and extended approach embankments would change local flow paths and floodplain-storage capacity, yet no updated hydraulic modelling or floodplain-compensation assessment has been provided.	No part of the land within the revised Order Limits associated with the Benhall Bridge change is in Flood Zone 2 or 3 (the fluvial floodplain), either in the current day and when considering the impacts of future climate change. The land is also outwith the high and medium surface water flood zones. The proposals therefore have a neutral effect with regards to flood risk.
58		As outlined in SEAS's Rule 6 Letter response (EN020026-000885 – SEAS, Procedural Meeting Letter Response, 8 October 2025), this omission leaves the Examining Authority (ExA) and Interested Parties without the necessary evidence to understand whether the revised design exacerbates off-site flood risk, contrary to EN-1 paragraph 5.8.13 and the procedural expectations set out in PD-005 to PD-008.	Please see responses above.
59	Overall Conclusions	The Sea Link DCO application contains multiple and serious deficiencies in its treatment of flood risk and water-environment impacts. These include: Failure to apply the Sequential and Exception Tests comprehensively to all elements of the development, contrary to EN-1 paragraphs 5.8.9, 5.8.23 and 5.8.29.	Please see above responses
60		Omission of surface-water flood-flow modelling, overland-routing analysis and defined storm-return periods for drainage design. These omissions prevent demonstration of compliance with EN-1 paragraph 5.8.13.	
61		Lack of evidence for long-term drainage performance and for post-decommissioning flood-risk management.	
62		Failure to assess whether infiltration during operation could raise groundwater levels and increase flood risk to off-site receptors, including nearby properties and infrastructure—contrary to EN-1 paragraph 5.8.13 and NPPF paragraph 170, which require that development must not increase flood risk elsewhere.	
63		Inconsistent drainage layout plans and strategy descriptions, making it impossible to verify what mitigation is proposed or whether it is viable.	
64		Key elements of the flood-risk case—such as bridge design, drainage sizing and flow-path modelling—are limited to the Order Limits, contrary to EN-1 paragraph 5.8.13, which requires assessment of flood risk “to the development and elsewhere.”	
65		Absence of quantitative cumulative hydrological modelling across project components and phases.	
66		Dismissal of inter-project flood risks without adequate justification or analysis, in breach of EN-1 paragraph 4.2.5 and NPPF policy.	
67		These deficiencies collectively undermine compliance with EN-1, EN-5 and the NPPF, as well as relevant local planning policies on flood risk and sustainable drainage. The application fails to demonstrate that the proposal	

Reference	Matter	Points Raised	Applicant's Comments
		can be delivered without increasing flood risk elsewhere or causing cumulative degradation of water environments.	
68		Deferring drainage and flood-mitigation measures to post-consent approvals removes effective scrutiny from the examination process. These technical and evidential shortcomings have been compounded during the Examination by the Applicant's repeated failure to address the Examining Authority's formal requests for further information on drainage and flood-risk matters.	
69		In view of these deficiencies, SEAS submits that development consent for Sea Link should be refused on flood-risk grounds.	
70		This Written Representation has been updated to reflect the Examining Authority's requests for information under Rule 17 and s89(3), and the Applicant's responses. It also takes into account relevant procedural documents issued under Rules 6 and 9 of the Planning Act 2008. SEAS reserves the right to submit further evidence should additional drainage or flood-risk material be provided during the Examination.	

Table 2.37 Suffolk Energy Action Solutions - Traffic and Transport [REP1-276]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	Suffolk Energy Action Solutions (SEAS) provided a Relevant Representation (RR-5210) specifically on Traffic and Transport dated 23 June 2025 (the SEAS Traffic/Transport RR) 1, and another of the same date concerning Cumulative Effects, which has a significant traffic/transport component (AS-038) (the SEAS Cumulative Effects RR).	Noted, responses to SEAS Traffic/Transport RR and SEAS Cumulative Effects RR can be found in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
2		The SEAS Traffic/Transport RR was informed by, and attached, a detailed piece of expert work in the form of a report prepared by [REDACTED] Associates traffic/transport consultants (the PJA Report). The PJA Report also supported the traffic/transport element of the SEAS Cumulative Effects RR	Comment is noted.
3		Since submission of SEAS Relevant Representations, the Applicant has provided no further traffic/transport information has come to light, and the Examining Authority's Procedural Notices and the Applicant's (non-substantive) responses to them, the Suffolk Open Floor Hearings (OFH1) and the Issue Specific Hearing One (ISH1) held on 11 November 2025, have been highly illuminating.	The Applicant has provided responses to SEAS Traffic/Transport RR and SEAS Cumulative Effects RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . Furthermore, the Applicant has produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] . The Applicant also responded to the ExA's questions on cumulative traffic impacts during ISH1.
4		Matters rest with events at ISH1. There, following questions from Inspector Regan seeking to understand why, given EN-1, the Applicant has not supported the Application with a Transport Appraisal, only a "Transport Assessment Note" (one of PJA's many key concerns), Inspector Regan set out his understanding that the Applicant would be providing some detailed	The Applicant responded to the ExA's questions on cumulative traffic impacts during ISH1. The Applicant has since produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] . A response justifying the approach to prepare a Transport Assessment Note has previously been provided in response to the SEAS

Reference	Matter	Points Raised	Applicant's Comments
		traffic/transport assessment work at Deadline 1. In response to Inspector Regan, the Applicant's King's Counsel stated that the Applicant would be providing something, but that it would not be new information.	Traffic/Transport RR Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
5		Inspector Regan indicated that representations from Interested Parties in response would be for Deadline 2.	Comment is noted.
6		In these circumstances, SEAS: Relies upon the SEAS Traffic/Transport RR in full, including the PJA Report attached to it. (2) Relies upon the traffic/transport element of the SEAS Cumulative Effects RR in full. (3) By this traffic/transport written representation focuses on matters that merit comment in light of events, information or evidence arising since those Relevant Representations and the PJA Report, including reflecting on evidence given at OFH1. In other words, matters additional to the SEAS Traffic/Transport RR and the traffic/transport element of the SEAS Cumulative Effects RR. (4) Otherwise, awaits the Applicant's further evidence promised for Deadline 1.	Noted. As above, the Applicant has provided responses to SEAS Traffic/Transport RR and SEAS Cumulative Effects RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . Furthermore, the Applicant has produced Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
7		For ease of reference, the SEAS Traffic/Transport RR and the PJA Report are appended to this written representation	Comment is noted.
8		The Applicant's Proposals, along with other energy NSIPs in the area (not to mention additional major projects), will have very long lasting impacts on the affected communities. For many individuals, the impacts will be life-defining.	The traffic and transport cumulative assessment concludes otherwise. For example, Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] concludes that the duration of any potential effects of overlapping peak construction activity (third party scheme and the Proposed Project) will be limited to a few consecutive months and due to short-term temporary duration of any potential adverse impacts, the residual effect cannot therefore be considered as significant (duration of effect is a consideration identified in paragraph 1.27 of the 2023 IEMA Guidelines for the Environmental Assessment of Traffic and Movement).
9		Traffic is a standout problem, with communities facing the prospect of drawn out years, even decades, of traffic impacts from these Proposals and the others.	As above, the traffic and transport cumulative assessment set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] and subsequently Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] conclude otherwise.
10		As such, it is essential that the examination process is conducted with the benefit of best evidence, full transparency, and scientific and forensic rigour, along with independent technical oversight as necessary.	Comment is noted.
11		These written representations are provided in an effort to assist the Examining Authority, in addition to SEAS' relevant representations (and oral evidence at the PM, OFH1 and ISH1) to date.	Comment is noted.

Reference	Matter	Points Raised	Applicant's Comments
12	Matters arising since the Relevant Representations that merit comment (matters additional to what SEAS has already presented in the SEAS Traffic/Transport RR and the traffic/transport element of the SEAS Cumulative Effects RR	As noted in SEAS Traffic/Transport RR and numerous comments at OFH1, and also discussed at ISH1, the Applicant's traffic/transport evidence, such as it is, suffers from fundamental flaws; traffic baseline survey data is for the wrong time of year; no junction modelling; misreported HGV figures; key roads omitted from the study area; extreme HGV increases on rural corridors unjustifiably play down; severe cumulative impact from multiple NSIPs ignored or underassessed; similarly with emergency access and strategic resilience risks; human health impacts unassessed.	The Applicant strongly disagrees with this conclusion based on their responses to SEAS Traffic/Transport RR and SEAS Cumulative Effects RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
13		Certain of these have had further light shed on them, picked up below.	Comment is noted.
14		In addition, since the SEAS Traffic/Transport RR and the PJA Report, we can add procedural uncertainty created by reason of the Applicant's proposed, but presently unassessed, changes – notably concerning the Benhall Bridge.	Further details relating to the potential impacts of the Proposed Project on Benhall Bridge, including with respect to temporary road closures, are set out within Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A (and accepted on 5 December 2025). This concludes that any effects would be minor and not significant, given that the duration of any impacts would be short-term.
15	Inadequate/inappropriate/unrepresentative Baseline Traffic Data	The Applicant's transport "Note" relies solely on winter survey data gathered in January and February. As PJA have explained, there is therefore a failure to use neutral months, and a particularly egregious failure to capture the marked summer tourism peak period.	The Applicant has previously responded to this point, as part of the response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
16		Using these months alone very significantly depresses true traffic flows, and so leads to a wildly skewed picture of total traffic for the crucial tourist summer months once the Proposals' traffic is added on, let alone the cumulative traffic from multiple NSIPs and other major projects.	
17		To the evidence in the SEAS Traffic/Transport RR and the PJA Report, can now be added the evidence given at OFH1, in particular.	
18		Throughout OFH1, Suffolk residents repeatedly confirmed that the timing of the surveys was inappropriate and could not represent typical conditions. From the outset, therefore, the Application Environmental Statement is built on an unsound evidential and methodological foundation as regards basic traffic numbers.	The Applicant has previously responded to this point, as part of the response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
19	Applicant's unsustainable attempt to excuse the inadequacy of the Baseline Traffic Data, and Applicant's misunderstanding of why it matters	In addition to SEAS, the Examining Authority raised the Applicant's reliance on January-February baseline traffic data.	Comment is noted.
20		The Applicant's response is set out in its letter of 16 September 2025 (AS-106)	Comment is noted.
21		Remarkably, rather than gather the missing data, the Applicant sought to justify its absence and present it as a matter of no importance.	Noted, however as set out within Application Document 9.18 s89 (3) 16 September Covering Letter [AS-106] , the Baseline is considered to be both appropriate and robust for the purposes of the assessment work without the need for any additional surveys or seasonality adjustments.
22-24	Applicant's unsustainable	This begins at p.19 of AS-106, and continues onto p.20 and p.21, as follows: <i>Traffic baseline data The Applicant recognises that traffic flows vary across</i>	The Applicant stands by the responses provided within Application Document 9.18 s89 (3) 16 September Covering Letter [AS-106] and in

Reference	Matter	Points Raised	Applicant's Comments
	attempt to excuse the inadequacy of the Baseline Traffic Data, and Applicant's misunderstanding of why it matters	<i>the year and are higher at certain times such as the Summer due to tourism and local events for example. Although the traffic surveys within Suffolk and Kent were carried out in January and February, the Baseline traffic flows which have informed Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] are based on agreed survey methodologies with SCC and KCC Highways respectively, and are considered to be appropriate and robust for the purposes of the assessment work. Had higher Baseline traffic flows been adopted to consider seasonal fluctuations during the Summer for example, then the percentage increases as a result of forecast construction traffic associated with the Proposed Project would have been lower than the levels reported and assessed for the majority of the assessment criteria in Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and SEAS Traffic and Transport WR – Deadline 1 4 Transport [APP-067], resulting in fewer potential impacts being identified (except for the assessment of driver delay – see below). In addition, the majority of seasonal traffic (during summer months) is likely to be less peaked but instead expected to be spread across the day and will therefore be less impactful during the typical (assessed) network and shoulder peak hours. Therefore, no seasonal adjustments were made, as increasing the baseline would have generally offered a less robust approach. In terms of road congestion and junction performance, the assessments of driver delay within Suffolk and Kent were informed by queue length surveys at junctions within the Study Area during the network peak hours. As set out above, the majority of seasonal traffic (during Summer months) is likely to be less peaked but instead expected to be spread across the day and will therefore be less impactful during the typical network and shoulder peak hours. Nonetheless, following feedback received for the assessment work in Suffolk, a sensitivity test has since been explored for the assessment of driver delay within Suffolk (as originally reported in Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]) by reviewing the potential outcome of increasing the sensitivity level of each junction to driver delay by a single category (e.g. from medium to high) to reflect higher vehicle flows and queuing at the busiest times of the year. This results in seven junctions reporting either a very high or high sensitivity level for driver delay within Suffolk. The same conclusion is reached, that the likely impact of the Proposed Project on driver delay for all junctions within the Study Area (in Suffolk) is considered to be negligible or minor adverse (not significant) based on the increased sensitivity levels and small/negligible magnitudes of change identified for these junctions as a result of the Proposed Project. The proposed working hours within both Suffolk and Kent are designed to minimise additional construction worker vehicle trips on the surrounding highway network during the weekday network peak hours. In terms of the assessments of road safety, Personal Injury Accident data was obtained separately from SCC and KCC for the agreed Study Area, covering the most recently available five-year period when the data was obtained. The collision rates identified for highway links within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP054] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] would have been lower had these been based on higher Baseline flows (to consider seasonality), given that the same number of collisions would have been</i>	response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .

Reference	Matter	Points Raised	Applicant's Comments
		<i>recorded and compared against higher traffic volumes (resulting in fewer collisions per vehicle mile). Therefore, the sensitivity levels assigned to the receptors for the assessment of road safety are considered to be robust, with no adjustments deemed to be required.(and so on).</i> These are bizarre responses from the Applicant. They inexplicably fall into the trap of treating these figures as a pure maths problem, rather than as representing real world consequences.	
25	Applicant's unsustainable attempt to excuse the inadequacy of the Baseline Traffic Data, and Applicant's misunderstanding of why it matters	Contrary to the Applicant's approach, it is not an "answer" to the lack of representative baseline data, missing the summer tourism peak months, to point out that had the summer tourism peak months been used, then in percentage terms the addition of the Proposals' traffic would have been less	The Applicant disagrees as set out within their responses within Application Document 9.18 s89 (3) 16 September Covering Letter [AS-106] and in response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
26		Or, similarly, that the collision "per vehicle mile" would have been proportionately fewer.	
27		The real world consequence of higher baseline traffic than the Applicant has assumed, is that when the Proposals' construction traffic is added, congestion will be even worse than with the unrepresentative (inappropriately low) baseline traffic data the Applicant has used to date	
28		Similarly, the real world consequence of higher baseline traffic in terms of accidents, is that there will be more accidents.	As identified in Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] , the sensitivity of receptors for Road Safety is based on the collision data obtained from Suffolk County Council (SCC) for the most recently available five-year period. This data covers all times of the year including collisions which may have occurred during the summer tourism peak months. Therefore, the collision record is representative of conditions across the year.
29		SEAS has pointed this out in our response to the Examining Authority's Rule 6 letter (the SEAS' response is PDA-055).	Comment is noted.
30		The Applicant should provide the necessary baseline information, and asses on that basis.	The Applicant disagrees as set out within their responses within Application Document 9.18 s89 (3) 16 September Covering Letter [AS-106] and in response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . The Baseline is considered to be both appropriate and robust for the purposes of the assessment work without the need for any additional surveys or seasonality adjustments. In any case, it is not possible to carry out additional traffic surveys within the summer tourism peak months given that this periods falls outside of the programme for Examination.

Reference	Matter	Points Raised	Applicant's Comments
31	Absence of Junction Modelling	Despite the scale of HGV traffic anticipated and the existence of well-known pinch points at the A12/A1094, the B1121/B1119, Aldeburgh Road and within Friston village, the Applicant has undertaken no junction modelling at all. This omission is contrary to TAG, the NPPF, CIHT guidance and the requirements of EN-1.	The Applicant disagrees and has previously responded to this point, as part of the response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
32		At OFH1, residents and local authorities gave clear and consistent evidence of existing congestion problems, along with collision risk and amenity impacts (noise, vibration, air pollution etc), underlining the importance of such modelling.	Noted, however as outlined within the Applicant's response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] , the proposed working hours are designed to minimise additional construction worker vehicle trips on the surrounding highway network during the network peak hours. Therefore, junctions are not expected to be adversely impacted by the Proposed Project at these peak times and it is not considered that any further analysis or junction modelling is required.
33	Understated and Misreported HGV Traffic	The Applicant repeatedly stated in public that the Proposals would generate only 68 daily HGV movements. However, the documents themselves confirm a true peak of one 173. This discrepancy is significant and materially undermines confidence in the reliability of the Applicant's transport evidence.	The assessment within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] is based on a daily peak of 173 HGVs (173 arrivals and 173 departures) associated with the Suffolk Onshore Scheme. This represents the busiest single day of the construction programme in terms of HGV activity, which is expected to occur in 2027. The assessment also considers the busiest day in terms of total construction vehicles which is expected to comprise 319 construction vehicles (319 arrivals and 319 departures), including 68 daily HGVs in 2028. Therefore, this is not a discrepancy as these figures relate to two separate scenarios, which are both been assessed.
34	Omission of Key Roads from the Applicant's "Note"	The Applicant's "Note" has excluded, amongst others, the Snape–Tunstall–Rendlesham corridor from the study area. This route functions as a major local distribution corridor and has already become a rat-run during Sizewell C's A12 improvement works. Its omission leaves yet another substantial gap in the assessment (such as it is).	The Snape–Tunstall– Rendlesham corridor does not form a construction route for the Proposed Project and has been excluded from the study area on this basis, given that there would be no potential for significant effects to arise on this corridor as a result of the Proposed Project. The study area does however include the A1094/ Sternfield Road/ Church Road Junction (Receptor S-RJ14) to the north of Snape, which was included at the request of SCC Highways and has been assessed within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] .
35	Severe HGV Impact on Rural Roads and Villages	The SEAS Traffic/Transport RR and the PJA Report have already explained the Applicant's underestimation of the effect of the Proposals' traffic, particularly HGV traffic, on rural roads and villages	The Applicant disagrees and has previously responded to this point, as part of the response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
36		Local parish councillors have now explained at the hearings that more than 50 homes in Marlesford and Little Glemham lie within twenty metres of the A12. Saxmundham is due to accommodate 800 new homes and Benhall more than 40 within the next few years. Against this backdrop of rising baseline sensitivity, the PJA report identifies HGV increases of more than 150 per cent on the B1121, and 148–193 per cent at the B1121/B1119 junction. These are highly sensitive rural receptors that will experience disproportionate harm.	The Applicant has responded to the SEAS Traffic/Transport RR (which was informed by the PJA report) in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . To reiterate, the identified percentage increases relate to forecast construction traffic increases across the Study Area for all assessed cumulative schemes combined, <u>excluding</u> Sea Link. A traffic and transport cumulative assessment is set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . Furthermore, the Applicant has

Reference	Matter	Points Raised	Applicant's Comments
			produced Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
37	Cumulative Impacts	The Applicant's Environmental Statement dismisses what are plainly Moderate to Major cumulative impacts. Traffic from Sizewell C, EA1N, EA2, LionLink, Helios Solar, more than 850 new homes, the East Suffolk Water infrastructure scheme and proposed A12 improvements will all converge on the same fragile road network. Evidence at OFH1 demonstrated that the A1094 and A12 are already close to operational capacity. Suffolk County Council's Deputy Leader, [REDACTED], described the situation as placing "unprecedented pressures" on local communities.	The Applicant disagrees and concludes that no significant cumulative effects on Traffic and Transport receptors are expected as a result of construction traffic associated with the Proposed Project when combined with construction / operational traffic associated with third party committed developments. This conclusion is based on the traffic and transport cumulative assessment set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] and subsequently Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
38		In addition, the Examining Authority has already heard, since the Application and SEAS Traffic/Transport RR were submitted, there have been at least two further NSIP projects announced: Helios Solar Farm and Suffolk Water Recycling, Transfer and Storage (SWRTS) which will impact on the road network, including the strategic road network.	
39		As regards works to the road network itself, SCC has recently announced a package of A12 works that impinge on the A14 Seven Hills junction (which have let to National Highways becoming involved in this Examination).	The applicant has undertaken inter-project cumulative traffic and transport effects assessment for all projects for which forecast construction traffic information was available at the time the assessment was undertaken. This is reported in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] with further explanation provided in Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
40		As regards other projects that will affect the road network, adding yet more traffic, we now know of the following additions not known/considered at the time of the SEAS Traffic/Transport RR: • Suffolk Water Recycling, Transfer and Storage (SWRTS) NSIP 2 • Helios Energy (Solar) Park NSIP • Suffolk County Council Highways A12 improvements • National Highways, A12 South Improvements Benhall Railway Bridge – AS-1386 • South Saxmundham Garden Neighbourhood – 800 housing development – further advances. • Benhall – 41 housing development approved – Planning Application is East Suffolk Council ref: DC/21/2503/OUT • A number of 49MW Solar & BESS farms go under the radar via the local East Suffolk Council planning authority until they spring up and become visible.	There is insufficient information available for most the projects listed for any meaningful cumulative effects assessment to be undertaken, other than DC/21/2503/OUT the scale of which does not require EIA and is considered highly unlikely to contribute to cumulative effects. As and when information becomes available for any new projects, the Applicant will screen the developments and undertake any additional assessment in line with the PINS advice on cumulative effects assessment (Planning Inspectorate, 2024).
41		The cumulative effects are revealing themselves as even worse than we had feared	
42	Emergency Access and Strategic Resilience	At the OFH1, former senior Suffolk Police officer [REDACTED] provided compelling testimony that the rural road network is fragile, quickly becomes congested and cannot absorb additional NSIP traffic without compromising emergency response times. Residents gave first-hand examples of delays and blockages during OFH1. No equivalent assessment exists within the ES, leaving a critical safety issue unaddressed.	During the development of the Proposed Project design, the Applicant has engaged with the relevant stakeholders in order to understand and address any issues of concern regarding the Proposed Project and its impacts on emergency services (e.g. Suffolk Fire and Rescue Service, East of England Ambulance Service). Whilst the assessment does not explicitly consider emergency services as a separate user type, this particular receptor has

Reference	Matter	Points Raised	Applicant's Comments
			inherently been considered as part of the assessments of highway safety and driver delay for all road users. There are no likely significant effects identified on emergency services as a result of the Proposed Project. Nonetheless, the construction vehicle routing has been designed to minimise impacts across the highway network, as set out within Application Document 7.5.1.1 (B) Outline Construction Traffic Management and Travel Plan – Suffolk (Version 2 - change request) [CR-041] .
43	Human Impact Evidence	Residents across the Suffolk Coastal area have repeatedly raised concerns about constant noise and vibration, disturbed sleep, heightened stress and anxiety, and increased danger for walkers and cyclists. None of these direct human impacts has been properly evaluated within the Applicant's Environmental Statement	The assessment of Road Safety within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] does not identify the potential for any significant effects on the surrounding highway network based on the single busiest day of the construction programme in terms of construction traffic levels. The assessment of Road Safety considers all users including road users, cyclists and pedestrians. That applicant has provided an assessment of potential noise and vibration effects in Application Document 6.2.2.9 (B) Part 2 Suffolk Chapter 9 Noise & Vibration [AS-109]. The applicant has assessed potential health and wellbeing effects in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058]. Given that effects of noise and vibration are assessed to be not significant, and construction traffic will not be operating overnight, it is not anticipated that there would be any risk of sleep disturbance.
44	What the proposed changes reveal about the inadequacy of the Applicant's "assessment"	The exchanges regarding the Applicant's proposed changes to the Proposals have further underlined the inadequacy in the Applicant's "assessment" to date.	No response required
45		The proposed changes relating to Benhall Bridge, in particular, plus B1119 access and adjustments to the Friston Order Limits are particularly revealing.	No response required
46		Even before the Examining Authority's Rule 9 letter was issued, Suffolk County Council's survey work in January 2025 had already identified major constraints at Benhall Bridge, which PJA also highlight.	Noted, this has been considered within Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A (and accepted by the ExA on 5 December 2025).
47		It is apparent the Applicant launched into these Proposals without grappling with these issues, and that the Applicant's "assessment" work has failed to capture their wide ranging traffic/transport impacts – even before consideration is given to the actual changes proposed.	The Applicant disagrees as the proposed changes have been assessed within Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A. This does not affect the original conclusions set out within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] , as no new or different likely significant environmental effects have been identified.
48		The failure to properly assess the obvious issue posed by the Benhall Bridge is also another example of fatal flaws in the Applicant's approach to alternatives: it is a major failing that it has assessed alternatives as if there is no real issue at Benhall Bridge to weigh in the balance.	This weight limit on Benhall Railway Bridge would not be an impediment to the majority of construction traffic accessing the converter station as loads would not exceed the weight limit. However, it could be a factor in planning the movements of the Abnormal Indivisible Load (AIL) vehicles associated with the transport of seven transformers, a piling rig and a mobile crane. The final detail of AIL routing and solutions for movements is typically developed

Reference	Matter	Points Raised	Applicant's Comments
			after a DCO is made when the loads and programme for movements is known. This is partially because the loads and programme for delivery will be known in detail only when a contractor is on board; and partially because the condition of the public highway is constantly changing so there is potential for change between the Application and construction (for better or worse). However, National Grid agreed to look at the solution for Benhall Railway Bridge as part of the Change Request to provide reassurance to SCC and East Suffolk Council (ESC) that the proposed solutions were feasible and acceptable. Further details are set out within Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A (and accepted by the ExA on 5 December 2025).
49	Further new evidence from the hearings to date	The hearings to date have introduced further evidence which must now be integrated into the assessment.	Noted. The Applicant responded to the ExA's questions on cumulative traffic impacts during ISH1. The Applicant has since produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110]. No further assessment work is considered to be necessary at this stage, although it is acknowledged that further material may need to be produced in due course. It is not clear what the 'fresh concerns' referred to are, in relation to landfall traffic. The only potential upgrade the Applicant is aware of is the potential work to Benhall Railway Bridge, the effects of which are assessed in Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055]. The Applicant cannot comment on the assessment undertaken for Hinkley Point C.
50		Parties raised fresh concerns about landfall traffic and its impact on the local road network, as well as the vulnerability of local transport infrastructure and the need for upgrades.	
51		Participants also referenced the precedent of Hinkley Point C, where underestimated construction traffic has severely affected rural communities.	
52		This provides a clear and real-world example of the consequences of methodological errors similar to those now present in the traffic/transport "assessment note" supporting these Proposals.	
53		We are heartened by the Examining Authority's recognition during ISH1 that key traffic and access issues remain outstanding and will have to be revisited once further material is provided by the Applicant.	
54	Policy/guidance Non-Compliance	The failures and inadequacies in the Applicant's "assessment" work to date when set against relevant policy and guidance have already been enumerated in SEAS Traffic/Transport RR and the PJA Report.	The Applicant disagrees and has responded to the SEAS Traffic/Transport RR (which was informed by the PJA report) in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]. The Applicant responded to the ExA's questions on cumulative traffic impacts during ISH1. The Applicant has since produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110]. Proposed changes have also been assessed within Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A. No further assessment work is considered to be necessary at this stage, A response justifying the approach to prepare a Transport Assessment Note has previously been provided in response to the SEAS Traffic/Transport RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]).
55		Information acquired since then have underlined those failures and inadequacies, and identified more	
56		The Applicant's transport "assessment" remains striking non-compliant.	

Reference	Matter	Points Raised	Applicant's Comments
57	SEAS Requests of the Examining Authority	Therefore, SEAS respectfully asks the Examining Authority to require National Grid to produce a compliant Transport Assessment. This must include baseline data for neutral months and the summer tourist months, junction modelling, corrected HGV forecasts, seasonality adjustments, full cumulative NSIP and major projects modelling, an emergency-access assessment and a robust account of landfall logistics, along with full incorporation of the implications of the Benhall Bridge issues, enforceable mitigation measures—including HGV caps, routing controls, junction improvements and non-motorised use (NMU) protections—and a meaningful assessment of offshore and grid-based alternatives.	The Applicant does not consider these requests to be necessary or appropriate for the reasons previously outlined above, and in response to the SCC RR, SEAS Traffic/Transport RR and SEAS Cumulative Effects RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]). For example: The approach to prepare a Transport Assessment Note, rather than a Transport Assessment, has previously been agreed with SCC Highways and National Highways, in the interests of minimising repetition between documents. The information that would typically form part of standalone TA and is relevant to the Traffic and Transport assessment based on the agreed methodology can be found in other chapters and reports prepared for the Suffolk Onshore Scheme, including Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]. The Baseline is considered to be both appropriate and robust for the purposes of the assessment work without the need for any additional surveys or seasonality adjustments. Junctions are not expected to be impacted by the Proposed Project at these peak times and it is not considered that any further analysis or junction modelling is required. A comprehensive Traffic and Transport cumulative assessment is already set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] and subsequently Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110]. National Grid has reviewed options for Benhall Railway Bridge as part of Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A. Enforceable mitigation is set out within Application Document 7.5.1.1 Outline Construction Traffic Management and Travel Plan – Suffolk [APP-337] and Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk [APP-352]. These Management Plans are secured through Requirement 6 of Schedule 3 of Application Document 3.1 draft Development Consent Order [APP-007], superseded by [AS-043] which will ensure that the measures are implemented, managed, monitored and enforced as a legal requirement of the DCO.
58	SEAS Requests of the Examining Authority	Environmental Statement Chapter 7 should then be reissued for consultation.	The Applicant disagrees with this request and it is not considered that any updates are required to Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] for the reasons outlined above (57).
59		In due course (once the Applicant formally applies for the proposed changes) SEAS will further request full assessment of the proposed Rule 9 changes, including a structural and operational evaluation of Benhall Bridge.	The proposed changes have been assessed within Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055] submitted as part of Change Request 1 at Deadline 1A. No further assessment work is considered to be necessary at this stage.

Reference	Matter	Points Raised	Applicant's Comments
			Any structural evaluation of the Benhall Rail Bridge would be in line with SCCs standard processes for assessing AIL routing and would not need to form part of the DCO process. The Applicant is engaging with the relevant parties on this issue. An assessment of the Traffic and Transport related effects of the change application, as it pertains to Benhall Railway Bridge, is provided in Application Document 9.76.5 Change Request Addendum to Volume 6 Environmental Statement [CR1-055].
60	Conclusion	The technical evidence provided by PJA has now been supplemented and supported by the testimony of residents and others in the OFHs (as well as their Relevant Representations).	Please see above responses The Applicant strongly disagrees with this conclusion based on the responses provided above and in response to the SEAS Traffic/Transport RR and SEAS Cumulative Effects RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]). A full assessment of construction traffic impacts was undertaken for the Suffolk Onshore Scheme within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]. Enforceable mitigation is set out within Application Document 7.5.1.1 (B) Outline Construction Traffic Management and Travel Plan – Suffolk [CR1-041] and Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk [APP-352]. A comprehensive traffic and transport cumulative assessment is set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] and subsequently Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110].
61		The Applicant has further revealed that it simply does not understand the issues in its responses to the ExA seeking to justify the absence of summer tourism peak baseline data.	
62		The Applicant did the same at ISH1.	
63		All roads point to the same conclusion: the Applicant's traffic/transport "assessment" work, such as it is, is fundamentally deficient.	
64		SEAS submits that the DCO cannot lawfully or responsibly be approved unless and until a complete and accurate evidence base is provided, covering both the direct impacts of these Proposals, and their cumulative effects with other projects.	

Table 2.38 Suffolk Energy Action Solutions - Noise and Vibration [REP1-277]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	Further to Suffolk Energy Action Solutions (SEAS) Relative Representation (RR-5210) on Noise and Vibration1 dated 23 June 2025 and the Issue Specific Hearing One (ISH1) held on 11 November, we herewith make further comment in this Written Representation for Deadline 1:	No response required
2		These comments are intended to highlight specific deficiencies in the Applicant's submissions to date—particularly regarding the lack of verified evidence on noise and vibration impacts—and to recommend measures that would ensure the Examining Authority (ExA) obtains a robust and objective understanding of the proposal's potential effects.	
3		SEAS engaged acoustic expert Rupert Thornely-Taylor and we encourage the Executive Authority to refer to his analytical report which is attached to SEAS RR-5210 (for ease see Appendix A below).	

Reference	Matter	Points Raised	Applicant's Comments
4	Main Comments	We are grateful for the Examining Authority's experience in planning matters and, we understand, ecology and traffic/transport. However, we are conscious that the ExA may not be experienced in dealing with the build of major electrical infrastructure and its impact upon the surrounding area, particularly on the subject of noise and vibration. At Issue Specific Hearing 1, the Applicant made various non-validated, vague and sweeping assertions that all the effects of these Proposals would either be of negligible significance, or would be mitigated, with nothing produced to evidence or support those assertions. As noise is such an important (and ongoing) issue well beyond the construction period, it is really critical that the ExA Panel ensures it can get substantive answers to the substantive questions in this subject area, and we suggest the ExA both lean on an expert such as Mr Thornely-Taylor and consider engaging a noise and vibration expert to assist it. Certainly, it is vital the ExA does not rely solely on the views presented by the Applicant.	No response required
5		SEAS also suggests that the ExA panel obtains a fuller understanding of the nature of the Proposals, by considering existing or under construction infrastructure. For example (and see photo at Figure 1 provided below of the current state of build) the HVDC to HVAC converter station at Swardeston near Norwich, which will connect the Hornsea 3 windfarm to the UK 400kV Overhead Transmission Line. The Hornsea 3 windfarm power output and that of the Proposals at 2 GW are broadly comparable. Some sense of the noise, vibration and other amenity impacts may also be gauged by reference to the vehicles captured on the nearby A47 dual carriageway.	
6		As the Applicant has only published indicative plans and no substantive images of the proposed SeaLink, SEAS has assumed a ground plan similar to that depicted below.	
7	Major points of concern	When in operation, the noise emissions from large scale electrical apparatus cannot be treated in the same way as noise arising from road traffic. The noise spectra are totally different. In the case of EA1(N) and EA2, the Applicant (SPR) disputed the existence of 'tonality', which would have demanded meeting lower noise levels, when the major concern of all local residents is the level of "hum", which is a characteristic of all mains frequency electrical apparatus, be it a refrigerator or electricity substation.	The assessment of operational noise is assessed as an industrial noise source, not a road traffic noise source. The assessment includes consideration of tonality, which is not disputed by the Applicant.
8		Low frequency 'hum' is generated by the repeated magnetisation, demagnetisation and re-magnetisation of the core element of the device which occurs 100 times each second (ie twice the UK 50 Hz mains frequency). Low frequency hum, such as that generated by large transformers, STATCOMS, reactors, harmonic filters, etc., can travel significant distances and experience relatively little absorption by the atmosphere and vegetation. It is important to recognise that all the equipment is essentially 'beating in time' and is synchronised to the UK mains frequency.	Noted and agreed.
9		The latest revision of Sea Link ES 6.3.2.9.D Part 2 Suffolk Chapter 9 Appendix 2.9.D Suffolk Operational Noise Assessment (AS-120) would now	It is agreed that transformers are a main source of noise from the proposed converter station. The assumption of the noise source being 100 Hz is clarified in Application Document 6.3.2.9.D Part 2 Suffolk Chapter 9

Reference	Matter	Points Raised	Applicant's Comments
	NGET's Operational Noise revision document AS-120	appear to recognise that the HVAC transformers are a significant source of noise pollution at 100 Hz.	Appendix 2.9.D Suffolk Operational Noise Assessment [AS-119]. However, was assumption was used in the assessment detailed in the original report. It is not agreed that they are a significant source of noise pollution at 100 Hz.
10		However, without a proper map showing accurately the position, layout and orientation of all the noise sources of the converter station, no meaningful independent calculation can be made to confirm the veracity of NG conjectures regarding additive noise levels.	The assessment is based upon the indicative plant layout shown in Plate 1.2 of Application Document 6.3.2.9.D Part 2 Suffolk Chapter 9 Appendix 2.9.D Suffolk Operational Noise Assessment [AS-119].
11		Within the text of AS-120 there still seems to be a failure to recognise that all the noise generating equipment distributed across the site will be “synchronous” with the UK AC mains frequency of 50 Hz and that will affect the nature of the ‘phase front ‘and hence its propagation.	It is not agreed that this would be the case. The 100 Hz assumption is for propagation effects only, as a worst-case. However, the assumption is not applicable to additive (and, indeed, subtractive) phase interference with regards to overall noise levels. Such effects would occur if the sound level was purely one single frequency (e.g. 100 Hz). The effect of such a perfect, but unrealistic, situation would only be a 3 dB increase (above standard logarithmic addition) in sound levels for additive phases interactions, and there would be an absolute elimination (cancelling out) of sound for subtractive phase interactions. For 100 Hz waves, the distance between these maxima and minima would be approximately 1.7 m, and approximately 3.4 m peak to peak (or minima to minima). These distances, and any noticeable effect, reduces with increased frequency. The spatial average increase in sound level due to phase interactions (above standard logarithmic addition of sources) would be 0 dB (i.e. the average sound level is the same as if there were no phase interactions). The additive phase effect on overall sound levels reduces where there are a range of frequencies cumulatively adding. This is the case in this situation with regards to the actual plant noise spectra from transformers, as well as other plant of the site, and ambient and background sound levels. As the situation is not ‘perfect’, the phase effect on overall sound levels is negligible.
12		Admittedly, magnetically induced vibration and airflow, will give rise to some noise across the entire acoustic spectrum, but it needs to be recognised that that the revised spectrum is not like that of road traffic, which is readily additive, but originates from the synchronous conversion of many megawatts of electrical power into another form.	Please see response above.
13-16		It is noted that AS-120 still contains the following statements, as indicated below: <i>1.4.27 Depending on the level of noise generated relative to the existing levels, the introduction of the Saxmundham Converter Station would be distinctive against the existing noise climate in the vicinity of the converter station. Further consideration of the existing and potential noise levels is provided below.</i> <i>1.4.29 The assessment indicates that there would be no change to average ambient noise levels at nearby NSR during either daytime or night periods due to the introduction of the proposed Saxmundham Converter Station.</i>	The response addresses the range of factors considered in determining the overall effect. However, this is best summarised with reference to the guidance provided the UK government's Planning Practice Guidance for Noise (PPGN). PPGN provides examples of outcomes with reference to various effect levels. It is the opinion of the Applicant that operational noise levels would be below the Lowest Observed Adverse Effect Level (LOAEL), which means that the noise may be ‘<i>present and not intrusive</i>’, and correlates with the following outcome:

Reference	Matter	Points Raised	Applicant's Comments
		1.4.30 <i>As there is no anticipated change to average ambient noise levels, the change to the character of the noise climate is likely to be negligible during most periods. There is, however, expected to be a change in the noise climate due to operational noise from the proposed Saxmundham Converter Station during the period in the middle of the night when existing background noise levels are lowest, and a potential change to spectral noise levels. This would be an adverse impact on the noise climate, but not sufficient to cause a significant adverse impact.</i> 1.4.31 <i>All nearby NSR are residential dwellings, with no high sensitivity non-residential NSR in the vicinity. The dwellings are a range of ages and styles, but it is anticipated that the dwellings do not include alternative forms of ventilation which would negate the need to open windows. The potential impact of noise from the proposed Saxmundham Converter Station would therefore need to consider the requirement for dwellings to have open windows for ventilation. This has been considered above, with the assessment indicating that suitable internal sound levels can be achieved with open windows.</i> These paragraphs are so muddled as to obfuscate an answer to the question: Will noise from the substation be audible to residents of Saxmundham and the area surrounding the substation? The answer seems to be: Yes, No, Maybe, depending on which statement you choose to believe.	<i>'Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life'.</i> The action in this situation is <i>'No specific measures required'</i>. However, the Applicant is treating operational noise as if it falls into the next category up (i.e. above the LOAEL), as a worst-case. The action in such situations is to <i>'Mitigate and reduce to a minimum'</i>. The applicant is therefore committing to noise mitigation measures above and beyond the requirements of national planning policy. In either case, operational noise levels would be below the Significant Observed Adverse Effect Level (SOAEL), where the action would be to <i>'Avoid'</i>.
17-18		Furthermore, the data provided by the Applicant do not seem to include atmospheric factors which come into play at ranges >200 metres. .These include factors such as the low atmospheric attenuation at frequencies below 200 Hertz, the effect of wind shear and temperature inversion.	The noise modelling has been conducted in accordance with the methodology described in British Standard ISO 9613-2:2024 <i>'Acoustics. Attenuation of sound during propagation outdoors -Engineering method for the prediction of sound pressure levels outdoors'</i> (ISO 9613). ISO 9613 modelling predicted sound levels under meteorological conditions favourable to propagation. This includes 'downwind' propagation in all directions as a worst-case, and ground based temperature inversion, such as commonly occurs in clear, calm nights.
19		The Applicant should have published a scaled map of the converter station and surrounding area showing the predicted increase in soundscape shown as noise contours in dB(A).	If it is considered helpful, in addition to the assessment already reported, then the Applicant is happy to produce a figure for submission at a later deadline.
20		The Applicant alludes to open/closed windows situation affecting perceived sound levels, but fails completely to recognise that continuous impingement of 100 and 200 Hertz sound pressure can excite standing waves in older properties with solid walls and floors, typical of this rural area.	Please see response 11.
21		It is recommended by SEAS that the ExA panel in scrutinising the Sea Link DCO application seek from the outset a clear demonstration from the Applicant of the existence of a coherent, engineering-based design (albeit limited in places) upon which to base the noise and vibration assessments. Such a baseline needs to be free from statements by the Applicant such as: "matter of engineering detail, dependent upon detailed design, subject of commercial confidentiality, conditioned by supply-chain issues, as low as	The operational noise assessment is based on the Front End Engineering Design (FEED), which is the latest available design information.

Reference	Matter	Points Raised	Applicant's Comments
		engineeringly practical (LAEP), best engineering practice” etc., provisos that will obfuscate the submission.	
22-23		Although the Applicant has published general arrangement drawings and a layout of a typical converter station—indicating two buildings housing the DC Hall, Valve Hall, and Reactor Hall—no information has been provided regarding the orientation of these buildings or the siting of exterior equipment. The precise location, scale, and configuration of the Sea Link converter station remain unclear, including whether the final design comprises one or two principal structures. This lack of detail is significant: The effect of temperature inversion and wind direction upon sound propagation can materially affect noise as perceived by receptors at distances greater than about 250 metres and adverse effect in Saxmundham, Sternfield, and Friston cannot be discounted. It should thus be made quite clear to the Applicant that in the absence of a definitive design baseline, a contour of 30 dB (say) will be set by the Inspectorate to protect all noise receptors from intrusion.	Please see response 13-16, 17-18, and 21.
24		In particular, SEAS draws attention to the fact that several of the receptors closest to the proposed converter station site are located within the Fromus Valley. This shallow, enclosed topography has the potential to act as an acoustic channel, amplifying and prolonging the transmission of low-frequency sound. Such terrain-induced amplification is well documented in acoustic literature and can result in greater perceptual intrusion than would be predicted by standard modelling assumptions that do not account for complex terrain effects. Given the known characteristics of electrical “hum” and its ability to travel long distances with minimal atmospheric attenuation, the presence of the Fromus Valley introduces a further layer of risk to residential amenity. It is therefore essential that the Applicant’s modelling explicitly accounts for topographical amplification effects and that the Examining Authority seeks independent verification of any assumptions made in this regard.	The noise modelling includes topography. The effect described would not be significant in this situation, principally because: - the sound source is not located in the valley, - the valley is not aligned with the source and receptors, and - the valley is very shallow. This effect, even if it were to occur, would not change the outcome of the assessment because: - the nearest (worst-case affected) receptors are not located in the valley; and - a large change in noise levels would be required to alter the outcome of the assessment at receptors located within the valley. Such an increase would not occur due to this affect.
25		In support of these concerns, SEAS draws attention to a recent baseline noise survey commissioned by the resident of Hurts Hall, Saxmundham (Report Reference: OES25/001RSHH, prepared by Oakridge Environmental Services Ltd, July 2025). The survey was conducted over a seven-day period within the grounds of Hurts Hall, a heritage property situated on the outskirts of Saxmundham, and provides detailed measurements of ambient and background noise levels across daytime, evening, and nighttime periods. The results confirm a quiet rural noise environment, consistent with the expectations of residential amenity in this part of Suffolk.	The applicant has noted the noise survey data at Hurts Hall, conducted by Oakridge Environmental Services Ltd in July 2025. It should be noted that applicant has used a more conservative representative background sound level for this location than those stated in the Oakridge Environmental report. As such the effects reported would be the same or lower, not higher.
26-27		This baseline data is of particular relevance given the proximity of Hurts Hall to the proposed converter station site and its location within the Fromus Valley. The survey establishes a clear benchmark against which any future construction or operational noise can be assessed, including the potential for adverse impact or statutory nuisance. It is therefore imperative that the Applicant’s modelling and mitigation proposals are tested against this locally	Please see response 25 above.

Reference	Matter	Points Raised	Applicant's Comments
		gathered evidence, and that the Examining Authority considers the Hurts Hall survey as part of its evaluation of cumulative and site-specific noise risk. The full report is appended to this submission for reference.	
28		In Scotland, planning consent for the Blackhillock substation required the Applicant to install multiple acoustic enclosures for the HV transformers to achieve a noise reduction of 18-20 dB [NB 20dB = a factor of 100]. Such a design would be incompatible with the Hornsea 3 pattern of transformer installation. This emphasises the importance of noise reduction measures need to be included at the start and not as an “add-on”.	This is agreed. Noise mitigation measures would be included in the detailed design, which may include enclosures, if appropriate.
29		Regarding vibration, it is possible that vibration of the HVAC transformers could be detected at considerable distance by seismometers, but the displacement amplitudes are unlikely to be felt in the surrounding area. If however, piledrivers are used during construction then the Parochial Church Councils (PCCs) for St John's Church in Saxmundham, Mary Magdalene in Sternfield SEAS Noise & Vibration WR – Deadline 1, 18 November 2025 6 and St Mary the Virgin in Friston should be given judicial assurance the that the church structures (listed mediaeval buildings) and other heritage buildings are free from risk of damage, both long term and short term.	The assessment of construction vibration is presented in Application Document 6.3.2.9 (B) Part 2 Suffolk Chapter 9 Noise and Vibration [AS-109]. The assessment considers potential impacts on buildings and structures. Vibration levels are predicted to be below the level at which there is a risk of damage at any nearby buildings and structures. However, this will be reviewed by the contractor during their detailed assessments, with specific mitigation measures identified, if required. This is included in commitment NV03 of Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].
32	Conclusion	In summary, the examination process must ensure that the Applicant's claims are supported by verifiable data and sound engineering evidence, not broad or unsubstantiated assurances. Given the potential for persistent and intrusive noise, the unique low-frequency characteristics of electrical “hum,” and the sensitivity of nearby communities and heritage structures, it is essential that the Examining Authority commission independent expert review of all noise and vibration assessments.	Please see above responses.
33		This is especially critical in light of two site-specific factors: first, the presence of the Fromus Valley, which may amplify low-frequency sound due to its topography and channel-like characteristics; and second, the baseline noise survey conducted at Hurts Hall, Saxmundham, which confirms a quiet rural acoustic environment and provides a robust benchmark against which future impacts can be measured. These locally grounded data points underscore the need for terrain-sensitive modelling and heritage-sensitive mitigation.	
34		Only through transparent, evidence-based evaluation—grounded in real measurements and independent expertise—can confidence be established that the proposed SeaLink development will not result in unacceptable long-term harm to local residents or to the historic and environmental character of the area	

Table 2.39 Suffolk Energy Action Solutions - Cumulative Effects Inter/Intra [REP1-278]

Reference	Matter	Points Raised	Applicant’s Comments
1	Introduction	This Written Representation supplements SEAS Relevant Representations on Cumulative Effects Inter/Intra, dated 23 June 2025 (AS-038) (for ease of reference, Appendix B to this written representation) (the SEAS Cumulative Effects RR).	Responses to the SEAS RR on cumulative effects are provided in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] .
2		SEAS relies upon the SEAS Cumulative Effects RR in full, along with the totality of SEAS’ Relevant Representations (RR-5210) that informed SEAS Cumulative Effects RR	Any responses to new points are provided below.
3		By this written representation, SEAS now adds further information that has since come to light through Procedural Responses, the Suffolk Open Floor Hearings (OFH1) and the Issue Specific Hearing One (ISH1) held between 5 and 11 November 2025, and through other sources. Not least the additional of yet further cumulative impacts.	
4		Otherwise, SEAS repeats and relies on all the points made in SEAS Cumulative Effects RR and the supporting parts of RR 5210.	
5		Taking a step back from these Proposals, more than one speaker on the opening day of the examination, at OFH1, recalled what the Examining Authority for the ScottishPower Renewables East Anglia 1 North (EA1N) and East Anglia 2 (EA2) DCO Application (SPR ExA) said about cumulative impact in the final report on that DCO.	
6		As the Examining Authority knows, the EA1N and EA2 DCO includes a substation at Friston, and impacts the self-same area as these Proposals. The SPR ExA wrote: <i>“...the effects of the cumulative delivery of the proposed development with the other EA development... are so substantially adverse that utmost care will be required in the consideration of any amendments or additions to the proposed development in this location. This ExA does not seek to fetter the discretion of future decision-makers about additional development proposals at this location. However, it can and does set out a strong view that the most substantial and innovative attention to siting, scale, appearance and mitigation of adverse effects within design processes would be required if anything but immaterial development were to be proposed in this location”</i> (28.4.5)	It is important to note that this extract is referring to issues relating to “<i>siting, scale, appearance and mitigation of adverse effects within design processes</i>”. The text omitted by SEAS, provided here in full, reinforces that this is about local effects in the vicinity of Friston, not all cumulative effects of all of the other projects: <i>“In reaching this conclusion, the ExA has had regard to the effect of the Proposed Development cumulatively with the other East Anglia development and with such other relevant policies and proposals as might affect its development, operation or decommissioning and in respect of which there is information in the public domain. In that regard, the ExA observes that effects of the cumulative delivery of the Proposed Development with the other East Anglia development <u>on the transmission connection site near Friston</u> are so substantially adverse...”</i> (our emphasis). As such it is important to remember that where this extract is used to support challenges on cumulative effects, it relates specifically to landscape and visual effects in the vicinity of the proposed SPR and National Grid substations. Under Scenario 2, where National Grid would build the substation, the effects are already considered in the ES for the Proposed Project and would be little different to the effects that the SPR ExA were commenting on, given the SPR application included the National Grid Substation, meaning further cumulative landscape and visual effects are unlikely to occur. This is equally applicable to Scenario 1 in which the

Reference	Matter	Points Raised	Applicant's Comments
			proposed SPR and National Grid substations would be built out under the EA1N and EA2 consent, where there would be little difference in effects.
7		And in giving their decision, which they described as a “finely balanced equation”, the SPR ExA said this:	This extract comes before the extract above and is building up to the subsequent comments around “ <i>siting, scale, appearance and mitigation of adverse effects within design processes</i> ”.
8		“<i>The local harm that the ExA has identified is substantial and should not be under-estimated in effect. Its mitigation has in certain key respects been found to be only just sufficient on balance.</i>” (28.4.4) [footnote 2] It is to be noted that the SPR ExA were confronted with and dealing with the cumulative impact of the two EA projects under consideration there	
9		Since then, not merely these Proposals, but other, additional, projects, have added to the cumulative impact.	As and when sufficient information becomes available for these projects, the applicant will consider them in line with the Planning Inspectorate’s advice on cumulative effects assessment (Planning Inspectorate, 2024).
10		We commend what SPR ExA said to the Examining Authority and urge the Examining Authority to follow SPR ExA’s recommended approach in evaluating the impact of the Proposals along with the other projects that give rise to the tsunami of cumulative impact that will overwhelm this area if they are permitted.	Please see above response which explains the context and limits to the extract quoted from the SPR ExA’s recommendation.
11		Developments since SEAS Cumulative Effects RR are now explained in stages.	No response required.
12	Multiple overlapping NSIPs have now been supplemented by yet further overlapping NSIPs, and other projects.	SEAS Cumulative Effects RR identified 4 major NSIP energy projects whose impact it was imperative be aggregated with that of the Proposals in order to evaluate cumulative impact: East Anglia ONE North (EA1N), East Anglia TWO (EA2), Sizewell C, and LionLink. Plus Norwich-Tilbury in addition (see e.g. SEAS Cumulative Effects RR 2.10).	Please see the applicant’s response to these points in Application Document 9.34.1 Applicant's Comments on Relevant Representations Identified by the ExA [REP1A-043] .
13		SEAS also made clear at the time that there were other non-NSIP projects to be included and whose impacts should be accounted for, but SEAS was (and remains) necessarily limited as regards the extent to which SEAS can do the Applicant’s assessment work for it.	
14		For example, Phil Jones Associates’ [REDACTED], CEng and a Member of the Institution of Highways and Transportation with some 27 years experience in the field, produced a Transport Report (the PJA Report) which underpins (and is attached to) SEAS Traffic/Transport Relevant Representation.	Please see the applicant’s response to these points in Application Document 9.34.1 Applicant's Comments on Relevant Representations Identified by the ExA [REP1A-043] .
15		In the PJA Report, at Section 9, [REDACTED] addresses and assesses cumulative impacts, considering the information available for Sizewell C, EA1N and EA2 and the Proposals, but he notes, at 9.1.7 ‘numerous other smaller developments aren’t included within these assessments, because I don’t have the full details to be able to continue the exercise to its conclusion’. Hence [REDACTED] worked on the basis of an ‘underestimation’ of cumulative impacts.	

Reference	Matter	Points Raised	Applicant's Comments
16		Saxmundham Garden Neighbourhood was one of the few SEAS was able to identify at that stage (see the SEAS Cumulative Effects RR at 2.10.1).	
17		Since the SEAS Relevant Representations,, there have been at least two further NSIP projects announced: Helios Solar Farm and Suffolk Water Recycling, Transfer and Storage (SWRTS).	As identified in the Planning Inspectorate's guidance on Cumulative Effects Assessment (Planning Inspectorate, 2024)
18		There have also been at least two sets of major road works announced, and two additional major housing developments announced.	<i>"Further assessment may be required during the examination stage for any newly identified 'other existing development and, or approved development' with potential to give rise to significant effects. This may be requested by the Examining Authority".</i> As and when sufficient information becomes available for these projects, the applicant will Consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024).
19-20		All of these will overlap the four NSIPs already in progress, and with the Proposals. (See Appendix A map). These are now broken down.	
21	Breakdown of additional conflicting NSIPs, plus additional Housing and Major Road projects: Suffolk Water Recycling, Transfer and Storage (SWRTS) NSIP	Essex & Suffolk Water has commenced a non-statutory consultation ³ in relation to another major NSIP project, Suffolk Water Recycling, Transfer and Storage, which on 19 September the Secretary of State for Environment, Food and Rural Affairs certified to be of national significance pursuant to Section 35 of the Planning Act 2008.	As and when sufficient information becomes available for these projects, the applicant will consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024).
22		This project crisis-crosses the small area at the heart of the existing projects in the immediate vicinity of Saxmundham. It will add impacts across a range of environmental topic areas.	
23		It will also add yet further burden in terms of local communities' attempts to understand and engage meaningfully with this slew of proposals.	
24		One illustration of the way in which the local community is being overwhelmed procedurally (and of the absence of any meaningful coordination), is that this project held its first "consultation event" in Saxmundham on the day on which Sea Link public hearings commenced.	
25	Helios Energy (Solar) Park NSIP	During the relevant representations period Deloitte LLP on behalf of BL Solar 12 (Helios Energy Park) Ltd announced plans for a 2000 acre solar farm at Friston known as Helios. Being over 50MW this project will classed as a NSIP project.	As and when sufficient information becomes available for these projects, the applicant will consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024).
26		This, too, will add impacts across a range of environmental topic areas. Along with yet further burden in terms of local communities' attempts to understand and engage meaningfully with this slew of proposals	
27	Suffolk County Council Highways A12 improvements	Suffolk County Council (SCC) Highways own the northern stretch of the A12 from the Seven Hills roundabout to Lowestoft. SCC Highways have recently announced £63b of improvements to this stretch and related junctions.	As and when sufficient information becomes available for these projects, the applicant will consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024)

Reference	Matter	Points Raised	Applicant's Comments
28		The scheme has been in pre-planning for over 6 years and aims to upgrade key sections along the A12, spanning from the A14/Seven Hills junction and the A1152/Woods Lane junction. This long-awaited upgrade unfortunately will add further to the cumulative impact for a good number of years to come. This is both in terms of traffic/transport disruption to the roads being upgraded, and also the wider associated impacts.	
29	National Highways, A12 South Improvements 6	To add to present traffic delays, National Highways has just begun upgrading the A12 from Chelmsford to the Copdock junction. Works started in September 2025 and are scheduled to run for one year.	These works are expected to be completed prior to the peak construction phase of the Proposed Project and there is therefore not expected to be any potential for significant cumulative effects.
30		Of itself, the Examining Authority might wonder whether a one-year scheme that has already commenced is of relevance.	
31		However, it is relevant because local communities in this area are being asked to endure not just months or years of disruption, but a time period better measured in decades once cumulative impact is properly understood.	
32-33		However, it is relevant because local communities in this area are being asked to endure not just months or years of disruption, but a time period better measured in decades once cumulative impact is properly understood. That works are already underway to the A12 adds to this	
34	Benhall Railway Bridge – AS-138	The Applicant has given notice under rule 9 [PD-011] of various proposed “changes” to the DCO Application.	No response required.
35		These include, as Proposed Change #4, major works to improve the capacity of the Benhall Bridge which carries traffic over the railway and immediately adjoins the A12.	No response required.
36		It is extraordinary that the Applicant failed to consider the obvious problems with use of the Benhall Bridge at the outset, given that the Applicant proposes to use it to convey abnormal loads weighing hundreds of tonnes to its proposed Saxmundham converter station site.	Please see responses provided in Table 2.37.
37		Benhall and Sternfield Parish Council made various representations at preapplication stage flagging the problems, culminating in representation 6 January 2025 ⁸ (but see also the Parish Council’s earlier representations). Then SCC’s Sealink pre-submission engagement response of January 2025 ⁹ notified NGET for the umpteenth time that the Benhall Railway Bridge was structurally restricted and confirmed this in Appendix A, with SCC Highways structural survey.	Please see responses provided in Table 2.37.
38		In its January 2025 response, SCC made clear that (paras.4.3-4.8) : <i>4.3 (it had)...significant concerns regarding the use of Benhall Railway Bridge on the B1121 which forms part of the access route selected by the promoter to the Converter Site and, as regards the option of constructing an overbridge (over/by the Benhall Railway Bridge) for abnormal indivisible loads (AILs)</i>	Please see responses provided in Table 2.37.

Reference	Matter	Points Raised	Applicant's Comments
		4.6 ...the Benhall Railway Bridge is not currently included within Draft Order Limits for the Sea Link proposal 4.7 The County Council would have significant concerns over the feasibility of this solution due to the geometry of the railway bridge and its proximity to the A12 trunk road... Site access is obviously fundamental to any project of this sort.	
39		SEAS considers there are only two realistic explanations for the Applicant's failure to identify and grapple with the obvious problems presented by reliance on Benhall Bridge as an access route before now: (a) incompetence on the part of NGET, including a failure to read consultation responses and to list to public consultation exercises or undertake the most basic due diligence. (b) a deliberate strategy to make the DCO Application, despite knowing the Benhall Bridge presented a real issue, and play the system by seeking to introduce changes concerning the Benhall Bridge under Rule 9, so avoiding the need to reconsider the Proposals, including the decision to site the converter station at Saxmundham, and avoiding a full consultation over a key and obviously problematic aspect of their plan.	Please see responses provided in Table 2.37.
40		We respectfully suggest this is of a piece with the Applicant's approach to cumulative impact and should make the ExA wary of accepting anything said by the Applicant at face value. (We are not talking about a close-run thing as regards the bridge. It's weight bearing capacity is 46 tonnes and NGET has to get to the site 7 transformers each weighing 300 tonnes plus other equipment exceeding the capacity.)	Please see responses provided in Table 2.37.
41	South Saxmundham Garden Neighbourhood - 800 housing development – further advances	The South Saxmundham Garden Neighbourhood (SSGN), a project that was noted in SEAS Cumulative Effects RR (see 2.10.1), is planned for in both East Suffolk District Council's Local Plan and Saxmundham Town Council's Neighbourhood Plan.	South Saxmundham Garden Neighbourhood was considered within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effect [APP-060] based on the information available to the Applicant at that time. As and when additional details become available for this project, the applicant will consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024).
42		The proposed development consists of approximately 800 residential units to the south of the Town and to the east of the A12 and an employment area to the west of the A12. To accommodate the housing within Saxmundham, the parish boundary was expanded with transfer of land from the parish of Benhall several years ago.	
43		The Neighbourhood Plan is now in the process of being revised, with a new Plan to accommodate the changes. Adoption of the Plan is expected by early to mid 2026.	
44		Thus, the Garden Neighbourhood is progressing, and SEAS considers it appropriate to fully capture its impacts with those of the Proposals and all the others	
45		SEAS considers construction of the Garden Neighbourhood is likely to clash with the Proposals, and that it will add impacts across a range of environmental topic areas	

Reference	Matter	Points Raised	Applicant's Comments
46-47	Benhall - 41 housing development approved	Shortly after the proposed changes concerning the Benhall Railway Bridge came to light, East Suffolk Council approved their plans for a 41-housing development at Benhall next to the 9 houses already situated at Shotts Meadow. Whereas the Applicant has proposed using the same land in their DCO Change order. The Planning Application is East Suffolk Council ref: DC/21/2503/OUT.	The submitted Change Request no longer includes this land within the Order Limits. Only land within the highway boundary and Network Rail ownership boundary is included in the Change Request. The reasons for this are provided in Paragraphs 2.5.18 to 2.5.21 of Application Document 9.76.2 Change Request Report [CR1-052] .
48		In addition, the footpath running from Benhall Bridge into Mill Lane, Benhall, is being upgraded to a bridleway, so vulnerable users - walkers, wheelers, cyclists, horse riders, will exit on to the B1121.	The northern end of the Public Right of Way (E-137/026/0) will be temporarily closed at the location where this currently joins the south-eastern footway on Benhall Bridge, when the B1121 Main Road is temporarily closed to accommodate the proposed works at Benhall Bridge. This will be required to maintain public safety by keeping the public away from the proposed works at Benhall Bridge. The remainder of the PRoW would remain open and signs would be provided at various locations along the PRoW (at intersection points with other routes) to inform users that the B1121 Main Road cannot be accessed via PRoW E-137/026/0 when the temporary road closure is in place. See Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk (Version 2 – Change Request) [CR1-047] and Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] for further details.
49		In addition, there is another new cycling, walking, wheeling, horse riding route from Benhall Primary, along School Lane which will link to an upgraded footpath on the west of the B1121 requiring all users to cross to the other side to access it. This is also where there are bus stops on each side of the road, with dropped kerbs.	This local improvement is noted. Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] does not identify the potential for any significant effects to arise for the assessment of severance (e.g. the ability for users to cross the road) during the peak construction phase, including for this section of the B1121 Main Road (Receptor S-RL5).
50	NG ESO (now NESO) Connections Tec Register and Interconnector Register	This new route is being funded from East Suffolk Council community infrastructure levy funds - to the tune of over £450,000 (and will later continue on to Kelsale). Information from Benhall Council.	No response required.
51-52		The Applicant appears to have failed to take these matters into account when suggesting its proposed changes concerning Benhall Bridge, or earlier when alighting upon Saxmundham (with access via Benhall Bridge) for the converter site at all. This is yet another example of the Applicant's failure to consult or assess properly, and not only as regards cumulative impacts.	The Applicant has taken the housing development into account as noted above and within Paragraphs 2.5.18 to 2.5.21 of Application Document 9.76.2: Change Request Report [CR1-052] . Impacts to Public Rights of Way and appropriate management measures have also been considered within Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] and Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk (Version 2 – Change Request) [CR1-047] .
53-54 55		SEAS has done its best to identify the overlapping/sequential/adjacent projects that should have been assessed with the Proposals as part of an adequate cumulative impacts assessment SEAS cannot be sure it has captured everything. SEAS is certain the Applicant has failed to do so.	Note that the list of projects considered in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] was agreed with Suffolk County Council and East Suffolk Council. In order to undertake cumulative effects assessment with another project, details about that project need to be available to the applicant. It is not for the applicant to guess at project details where none exist, undertake assessment in advance of the other project's promoter undertaking their

Reference	Matter	Points Raised	Applicant's Comments
			own assessment, and then consider this in the applicant's own cumulative effects assessment.
56		By way of another example, albeit tangential, we can consider the Applicant's approach to the Tec Register and Interconnection Register NESO's Tec Register12 is not consistent in naming the Sizewell Generation Group connection point, listing three different names for the Friston substation • Friston 400kV Substation • South Anglia Connection Node E 400kV Substation • East Anglia Connection Node E 400kV Substation	No response required
57		According to the Tec Register as of 16 November the following additional Solar and BESS projects have been awarded connection to Friston, but are not assessed:	As and when sufficient information becomes available for these projects, the applicant will consider them in line with the Planning Inspectorate's advice on cumulative effects assessment (Planning Inspectorate, 2024).
58		• Lime Tree Energy Park, developer BNRG Langmead Ltd	
59		• Red House Farm – developer Cambridge Power Ltd	
60		• Manor Farm – developer Qair Renewables UK Ltd Along with that there are many solar farms under 50MW going through the local planning system all adding to the cumulative impact. For the ExA's information the NESO Interconnector Register13 says that the LionLink connection is at Friston and Nautilus is no longer listed at Friston, but at Wallend 400kv Substation on the Ise of Grain. The Applicant's inability to get this right, further reduces any confidence we might have in the Applicant's ability to identify the full suite of projects to be subject to cumulative impact assessment (let alone to correctly assess their cumulative impacts)	
61	The Applicant's approach to assessment of cumulative impacts generally	SEAS Cumulative Effects RR already sets out at some length the Applicant's failure to adequately identify and assess cumulative impacts. SEAS topic specific Relevant Representations go into further detail. For example, as regards traffic/transport, noise and so on.	The Applicant has provided responses to SEAS Traffic/Transport RR and SEAS Cumulative Effects RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . Furthermore, the Applicant has produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
62		Traffic/transport and the inadequacy of the Applicant's assessment work there was a theme specifically picked up by Inspector Rennie in the course of Issue Specific Hearing 1 on 11 November 2025	The Applicant responded to the ExA's questions on cumulative traffic impacts during ISH1. The Applicant has since produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] .
63		The Applicant has to date stubbornly refused to do the necessary work and gather the requisite data, then assess it. This is not just in the field of traffic/transport but across the environmental topics. This even includes the Applicant refusing to provide photomontages showing the Proposals' infrastructure and the LionLink converter station.	A comprehensive Traffic and Transport cumulative assessment is set out within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . The Applicant has also produced Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] . No further assessment work is considered to be necessary at this stage.

Reference	Matter	Points Raised	Applicant's Comments
			The Applicant's position regarding visualisations with LionLink at the converter site is set out earlier in this response.
64		We think it speaks volumes for the way in which, rather than assist the public and the Examining Authority in its evaluation of the impact of these Proposals in cumulation with other projects, the Applicant has sought to obscure it.	No response required.
65		Hence we have had to put together our own plan which shows the geographical impact of just the energy projects EA1N, EA2, Sizewell C, Sea Link, Lion Link and now Suffolk Water Recycling which we attach as Appendix A. We hope this will assist the ExA. As noted in SEAS Relevant Representations, the Applicant's Coordination Document confirms the overlapping timelines for the Proposals, EA1N, EA2, Sizewell C and Lion Link 9at least).	The Applicant's own Figure_6.4.2.13 "Suffolk Onshore Scheme Short List Developments" which accompanied Application Document 6.3.1.5.C ES Appendix 1.5.C Inter-Project Cumulative Effects Short List [APP-093] showed all of these projects, save for the Suffolk Water Recycling, Transfer and Storage (SWRTS) for which information did not exist at the point it was produced.
66		In assessing the multiple overlapping projects, and the mass of cumulative impacts, we urge the Examining Authority to draw appropriate inferences from the Applicant's failure to properly analyse cumulative impact and treat any claims by the Applicant to have done so satisfactorily as not just suspect, but plain wrong.	The Applicant strongly refutes this point for all of the reasons set out above.
67	Conclusion	The cumulative impacts of the Proposals along with the other numerous substantial projects occurring in the same area, at either the same time, or temporally adjacent, together produce cumulative effects that are simply overwhelming for residents and the environment.	Please refer to the above responses.
68		We urge the Examining Authority to have regard to the lived experience of members of the local community who have already experienced real world long delays and diversions with missed hospital and doctors' appointment and the eloquent and heart-felt testimony given at the open floor hearings. This spoke of the significant adverse effect of the early stages of only 2 of these many projects.	
69		As a matter of common sense, it is obvious that the cumulative impact of the different projects will be to overwhelm the local community, the roads, and the natural and built environment. At some point a line must be drawn, and these Proposals, the need case for which has fallen apart, are that point: if nothing else, what they will do in terms of cumulative impacts means the only reasonable outcome of the planning balance is that the DCO be refused.	

Table 2.40 Suffolk Energy Action Solutions – Mental Health and Wellbeing [REP1-279]

Reference	Matter	Points Raised	Applicant's Comments
2.1	Introduction	This submission sets out SEAS' concern that National Grid's Health & Wellbeing assessment does not comply with national standards and does not reflect the true mental health risks facing Suffolk's communities.	See Applicant's response to points 6.1 to 6.3 below.

Reference	Matter	Points Raised	Applicant's Comments
2.2		According to the applicant's Statement of Competence, the Health & Wellbeing chapter (APP-088) was prepared with no contribution from qualified mental health or public health professionals. Instead, it was authored by an economic development specialist and an environmental management professional. Neither holds clinical qualifications or expertise in assessing psychological risk, trauma, or community mental health.	Regulation 14(4) of the EIA Regulations requires that an ES is prepared by 'competent experts' and that the ES is accompanied by a statement outlining the relevant expertise or qualifications of such experts. As set out in paragraph 1.10.2 of Application Document 6.2.1.1 Part 1 Introduction Chapter 1 Introduction [APP-042] the ES has been prepared and coordinated by environmental consultants who are competent members of the Institute of Environmental Management and Assessment (IEMA) EIA Quality Mark Scheme (Institute of Environmental Management and Assessment, 2024). A Statement of Competence (SoC) (Application Document 6.3.1.1.A Appendix 1.1.A Statement of Competence [APP-088]) is included within the ES, outlining the relevant expertise or qualifications of those who have prepared the ES for the Proposed Project. Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] therefore, has been prepared by competent personnel meeting the standards required by the relevant professional body, IEMA, with experience working on a number of DCO applications. Further, a response to this comment regarding the approach to assessment of mental health can be found in Table 2.61 (Reference 3.1) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
2.3		This fundamental omission affects every conclusion within the ES. Without specialist input, the assessment fails to consider psychological vulnerability, cumulative stress, lived experience, or the recognised determinants of community wellbeing.	A response to this comment regarding the consideration of the cumulative impact, vulnerable populations, and various determinants of community wellbeing and lived experience can be found in Table 2.61 (References 3.5; 3.6; 3.1; and 3.8) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
3.1	Suffolk's Documented Mental Health Vulnerabilities (Not Reflected in the ES)	Public Health Suffolk, Suffolk Mind, and the NHS ICS all identify Suffolk's coastal and rural communities as having heightened mental health risks.	A response to this comment regarding the consideration of vulnerable populations can be found in Table 2.61 (References 3.6) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
3.2		The Mind/ESC Survey Report identifies high levels of anxiety, chronic stress, disturbed sleep, reduced emotional resilience and low fulfilment of basic psychological needs.	The applicant considers the assessment reported in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] is robust, but in light of the latter raised the applicant will give this further consideration and will respond at Deadline 3 if necessary.
3.3		Sleep is the lowest-met emotional need across the region, and East Suffolk's disproportionately older population is particularly vulnerable to environmental and psychological disruption.	The applicant considers the assessment reported in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] is robust, but in light of the latter raised the applicant will give this further consideration and will respond at Deadline 3 if necessary.
3.4		None of this Suffolk-specific evidence was used to inform the ES health baseline (APP-088), rendering the assessment generic, incomplete and unsuitable for decision-making	The applicant considers the assessment reported in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] is robust, but in light of the latter raised the applicant will give this further consideration and will respond at Deadline 3 if necessary.
3.5		It is important to note that the survey forming the basis of the Mind/ESC Survey Report was conducted between 13 June 2022 and 14 March 2023, prior to the commencement of major construction works at Sizewell C. The	The applicant considers the assessment reported in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing

Reference	Matter	Points Raised	Applicant's Comments
		substantial disruption now being experienced was therefore not reflected in the survey data. The testimonies provided at the Open Floor Hearings suggest that, were the survey repeated today, the results would show significantly higher levels of stress, anxiety, sleep disturbance and emotional exhaustion than those reported in 2022–2023. This further highlights the inadequacy of the Applicant's reliance on outdated baseline assumptions and reinforces the need for an updated, clinically robust assessment of current community wellbeing.	[APP-058] is robust, but in light of the latter raised the applicant will give this further consideration and will respond at Deadline 3 if necessary.
4.1	Existing Emotional Burden & Cumulative Trauma Already Evident	Residents are not encountering Sea Link in isolation. Years of disruption from Sizewell C, cable corridors, substation development and other upcoming NSIPs have already created high levels of community stress.	A response to this comment regarding the cumulative impact can be found in Table 2.61 (Reference 3.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
4.2		At the Open Floor Hearings, residents consistently reported emotional exhaustion, anxiety, sleep disturbance, fear of loss of landscape and identity, and an overwhelming cumulative burden ²	A response to this comment regarding the consideration of the cumulative impact and vulnerable populations can be found in Table 2.61 (References 3.5 and 3.6 respectively) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
4.3		East Suffolk Councillor, Sarah Whitelock, articulated the findings of the Suffolk Mind & East Suffolk Council - Aldeburgh, Leiston & Saxmundham Wellbeing Report and illustrates the extent to which communities are experiencing cumulative psychological pressure that the Applicant has not acknowledged or assessed.	The applicant considers the assessment reported in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] is robust, but in light of the latter raised the applicant will give this further consideration and will respond at Deadline 3 if necessary.
4.4		A further illustration of community concern was provided by a resident of Friston, who spoke during the OFH1 Session 3, the person reflected the growing distress among residents who feel caught between multiple overlapping energy projects. Although individual circumstances varied, the person's testimony echoed a consistent pattern heard across the hearings, that local people are already living with heightened emotional pressure and that Sea Link let alone LionLink adds yet another layer to an already overwhelming burden.	A response to this comment regarding the consideration of the cumulative impact and vulnerable populations can be found in Table 2.61 (References 3.5 and 3.6 respectively) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
4.5		These testimonies align closely with Suffolk Mind's findings on low "security" and "control," and increasing levels of worry and tension. Despite this, the ES did not examine any of this lived experience through recognised psychological methodologies, contrary to national guidance.	A further detailed response will be provided at a later deadline.
5.1	Lack of Qualified Mental Health Expertise	No clinical psychologists, psychiatrists, trauma specialists, or public health professionals contributed to the preparation of the (APP-058) <i>ES 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing</i> . Despite this absence of relevant SEAS Mental Health and Wellbeing WR – Deadline 1 4 expertise, the ES nevertheless seeks to interpret psychological stress, assess significance, and propose mitigation measures—tasks that require specialist clinical and public health competence.	See Applicant's response to point 2.2.
5.2		The reliance on non-specialists to make these judgements raises a serious concern regarding the adequacy, accuracy, and reliability of the ES conclusions. Without appropriately qualified professional input, the	See Applicant's response to point 2.2.

Reference	Matter	Points Raised	Applicant's Comments
		assessment cannot be considered a sound basis for evaluating the mental health implications of the Sea Link project.	
6.1	Failure to Meet National Guidance	Public Health England's Health Impact Assessment in Spatial Planning (2020) requires assessments to use local health evidence, identify vulnerable population groups and consider the full range of mental, social, and psychosocial pathways through which major developments affect wellbeing.	A response to this comment regarding the approach used in the health and wellbeing assessment (including the use of local health evidence, identifying vulnerable population groups and considering the full range of mental, social, and psychosocial pathways) can be found in Table 2.61 (References 3.1; 3.2; 3.5; 3.6; 3.8; and 3.9) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
6.2		IEMA's Guidelines for Health in EIA (2022) similarly require a holistic, evidence based appraisal of mental, psychological, and social wellbeing, including explicit consideration of cumulative impacts, local inequalities, and the need for competent specialist input.	A response to this comment regarding the approach used in the health and wellbeing assessment (including how a holistic, evidence based appraisal has been undertaken including consideration of cumulative impacts) can be found in Table 2.61 (References 3.1; 3.2; 3.5; 3.6; 3.8; and 3.9) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043]. See Applicant response to points raised on competency.
6.3		The Sea Link ES does not meet these standards. It treats mental health as a secondary matter, relies on generic assumptions rather than Suffolk-specific data, and fails to assess cumulative or locally relevant determinants of psychological wellbeing. As a result, the ES lacks the depth and professional rigour required for sound decision-making.	A response to this comment regarding the approach used in the health and wellbeing assessment (including assessment of mental health, local evidence-base, and cumulative impact) can be found in Table 2.61 (References 3.1; 3.2; 3.5; 3.6; 3.8; and 3.9) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
7.1	Suffolk's Rural Identity and Psychological Stakes	The Suffolk landscape plays a crucial role in residents' sense of identity, wellbeing, and emotional stability. This relationship is strongly evidenced in the local wellbeing report and by the oral evidence heard at the Open Floor Hearings.	Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] assesses potential noise, air quality, visual and traffic effects arising from construction of the Suffolk Onshore Scheme on the amenity of residents, businesses, development sites, and users of open spaces and community facilities within 500 m of the Order Limits. The determinant 'Social Cohesion and Community Identity' as defined in in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] considers the " <i>potential adverse impacts on health and wellbeing resulting from disruption to community connectivity and potential changes to landscape and visual amenity, which could impact mental health</i> ". This assessment draws on evidence across multiple environmental disciplines to provide a comprehensive assessment, including the landscape and visual, socio-economics, and traffic and transport effects. Drawing on this evidence, and applying professional judgement, the assessment concludes that there would be no significant effects on social cohesion and community identity, including amenity impacts. Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058] therefore explicitly recognises psychological dimensions by assessing how perceived changes to amenity, community connectivity, and sense of place could influence mental wellbeing.

Reference	Matter	Points Raised	Applicant's Comments
7.2	Conclusion	Landscape industrialisation, prolonged uncertainty and loss of tranquillity can trigger chronic stress and erode residents' sense of security and place attachment.	See Applicant response to point 7.1.
7.3		The ES treats these impacts solely as “visual effects,” failing to consider their psychological dimensions.	See Applicant response to point 7.1.
8.1		The evidence presented demonstrates that the Sea Link Environmental Statement significantly underestimates the health and wellbeing impacts on SEAS Mental Health and Wellbeing WR – Deadline 1 5 Suffolk communities. The area's well-documented mental health vulnerabilities, combined with the sustained and cumulative burden of multiple major infrastructure projects, make a clinically robust and locally informed assessment essential.	A response to this comment regarding the approach used in the health and wellbeing assessment can be found in Table 2.61 (References “ <i>Overall Conclusion</i> ”) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
8.2		Until such an assessment is undertaken, the conclusions of the (APP-058) ES 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing4 cannot be considered reliable. The assessment was not prepared or reviewed by qualified mental health or public health specialists, it omits essential Suffolk-specific evidence, and it fails to recognise or evaluate the cumulative psychological harm already being experienced.	See Applicant response to point 8.1.
8.3		SEAS therefore asks the Examining Authority to recognise these shortcomings and to conclude that the current Health & Wellbeing assessment does not provide a safe or sound basis for decision-making.	See Applicant response to point 8.1.
8.4		An independent, clinically led Mental Health & Trauma Impact Assessment undertaken by HCPC-registered clinicians or senior public health specialists is required. This assessment must incorporate local mental health data, cumulative NSIP impacts and the significant lived experience evidence presented through community surveys, written submissions and the Open Floor Hearings.	See Applicant response to point 8.1.
8.5		Only such a rigorous and professionally informed assessment can provide the Examining Authority with the reliable foundation necessary to understand the true implications of the Sea Link proposal for community health, wellbeing and resilience.	See Applicant response to point 8.1.

Table 2.41 Suffolk Energy Action Solutions – Socio-economics, Recreation and Tourism [REP1-280]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	This Written Representation builds on SEAS's Relevant Representation (RR5210) on Socio-Economics, Recreation & Tourism1 (Appendix A), submitted on 23 June 2025, incorporating new evidence from expert reports, community testimony, and hearings.	Noted – No response required.

Reference	Matter	Points Raised	Applicant's Comments
2		It demonstrates that tourism is not only central to East Suffolk's economy but uniquely vulnerable to disruption from large-scale infrastructure projects.	Noted – No response required.
3		Without a full cumulative impact assessment, the Examining Authority cannot reasonably conclude that the harm to tourism and the wider economy is limited or manageable.	A response to this comment can be found in Table 7.34 (Reference 7.34.9) of Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [APP-116] .
4-5		What the Applicant has provided does not come close to a full cumulative impact assessment. We now address key points in turn.	Further response to this comment regarding tourism and the wider economy can be found in Table 2.60 (References 5.1 – 5.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
6-9		In 2024, tourism generated £730 million in East Suffolk and directly employed over 15,000 full-time equivalent workers, representing 16% of the district's workforce. The area within five miles of Sizewell, including Aldeburgh, Snape, Minsmere, Friston, and Saxmundham is the epicentre of this sector. Its economy is deeply interwoven with tourism, which sustains not only hospitality and retail but also construction, maintenance, and professional services. Snape Maltings alone attracts over 600,000 visitors annually and contributes £37 million to the local economy. Britten Pears Arts (BPA), which operates Snape Maltings and The Red House, supports over 200 jobs and generates £14 million in income through a hybrid model of cultural programming, retail, and hospitality. As Alison Andrews, Chair of The Alde and Ore Association stated at Open Floor Hearing 1, "the imposition of several NSIPs conflicts completely with the attractions that enable the area to earn 70% of its economy from tourism." This is not a marginal concern; it is an existential one.	The Applicant recognises the importance of the tourism economy to the local area and wishes to reassure stakeholders that these considerations have been taken into account. A complete assessment of socio-economic, recreation and tourism effects has been undertaken. This is set out in Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Tourism and Recreation [REP1A-005] and concludes that there are no anticipated significant effects as a result of the Proposed Project. Further assessment detail in response to this comment can be found in Table 2.60 (References 5.1 – 5.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
10	Why Visitors Choose East Suffolk	The Energy Coast BVA report (2019) found that 84% of respondents cited nature as their primary reason for returning. A 2024 survey by the Alde & Ore Association highlighted beauty, peace, tranquillity, nature, river, and landscape as the defining features that draw visitors.	A response to this comment can be found in Table 2.60 (References 4.1-4.6) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
11		Britten Pears Arts affirms that the experience of visiting Snape Maltings and The Red House is "utterly unique," combining artistic excellence with the serenity of the setting., and cultural escape.	A response to this comment can be found in Table 2.60 (Reference 2.4) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
12		Visitors come to Suffolk for its sense of escape, its fresh air, big skies, and cultural richness. The journey itself has long been part of the appeal, with open countryside and sleepy villages offering a sense of arrival. But this experience is now being eroded.	A response to this comment can be found in Table 2.60 (Reference 2.4) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
13		The landscape is increasingly dominated by fencing, cones, temporary signage, and slow-moving construction traffic. The cumulative visual and physical disruption is replacing tranquillity with frustration, and charm with chaos.	A response to this comment can be found in Table 2.60 (Reference 2.4) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .

Reference	Matter	Points Raised	Applicant's Comments
14		The Proposals will add their impacts to this, and for many years of construction, followed by their permanent operational legacy (that visitors inevitably sense, when confronted by the highly visible effects of construction).	A response to this comment can be found in Table 2.60 (Reference 2.4) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
15		None of this is why visitors come to Suffolk	Noted – No response required in line with the above.
16		Or rather, why visitors used to come to Suffolk: James Jenkins (a local business owner) spoke at the OFH 1 and shared a poignant encounter with long-time visitors who, after ten years of returning, said they were unlikely to come back. Their departure ripples outward: no hotel booking, no conservation donation, no car park fee, no museum visit, no tearoom meal, no studio purchase. "That meant I couldn't pay my bills that week," he said. These are not abstract losses; they are real-world consequences.	The Applicant has undertaken a review of other Nationally Significant Infrastructure Projects (NSIPs) and their potential effects on tourism and visitor activity. Sizewell C, Bramford to Twinstead, and East Anglia ONE North, each adopted methodologies comparable to those used for Sea Link, and all concluded that the developments would not result in significant effects on tourism or visitor numbers. Our review of published monitoring reports of actual impacts observed from Sizewell B and Hinkley Point C found that initial concerns observed in surveys have not translated into measurable reductions in visitor numbers or tourism-related employment. On the contrary, the local tourism sector remained confident and continued to grow during the construction period. On that basis there is limited robust evidence to suggest that negative visitor perception identified / observed in surveys prior to construction will result in material adverse effects on tourism. Therefore, the evidence suggests that there will be no significant adverse effects on visitors or tourism as a result of the Suffolk Onshore Scheme, as concluded within Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism [REP1A-005] .
17	The Sizewell Effect: The Damage Already Occurring	With only 3,000 of its projected 10,000 workforce currently employed, the full impact of Sizewell C is yet to be felt. The BVA study predicted a 17% drop in tourism visits, corroborated by EDF's own research.	A response to this comment can be found in Table 2.60 (Reference 2.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
18		Even at this stage of Sizewell C, businesses are already reporting income reductions of up to 30%. Holiday lets are being converted to worker accommodation. Hotels are losing revenue from single rather than double occupancy. Traffic congestion is deterring day visitors	See response to point 16 above.
19		Piers Sturridge a local hospitality and visitor perception consultant, reports that holiday bookings have dropped by nearly a quarter, and tourism numbers are down by around 15%	A response to this comment can be found in Table 2.60 (References 2.9) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
20		The shift from holidaymakers to infrastructure workers has led to a collapse in secondary spend. Unlike tourists, many workers bring microwaves and ready meals, bypassing local pubs, restaurants, and cultural venues. The nighttime economy has withered, and the promise of economic uplift has not materialised.	A response to this comment can be found in Table 2.60 (References 2.9) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
21	The Proposals and the Cumulative Threat	In terms of traffic/transport, the Proposals presently before the Examining Authority will add 346 HGV movements per day to the 870 already generated by Sizewell C, significantly increasing peak traffic, and giving rise to a range of harmful impacts even outside the peaks.	The assessment within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] is based on a daily peak of 173 HGVs (346 HGV movements including 173 arrivals and 173 departures) associated with the Suffolk Onshore Scheme. This represents the busiest single day of the programme in terms of HGV activity, which is expected to occur in 2027. A further review of potential overlaps with Sizewell C has

Reference	Matter	Points Raised	Applicant's Comments
			been carried out within Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] . This concludes that the peak construction phases for each scheme are planned to be staggered (between 2026 and 2030) and are therefore highly unlikely to all fully overlap. The duration of any potential effects of overlapping peak construction activity (third party scheme and the Proposed Project) will be limited to a few consecutive months and due to short-term temporary duration of any potential adverse impacts, the residual effect cannot therefore be considered as significant (duration of effect is a consideration identified in paragraph 1.27 of the 2023 IEMA Guidelines for the Environmental Assessment of Traffic and Movement).
22		National Grid's claim that only attractions within 500 metres will be affected is untenable. It excludes Snape Maltings, a major cultural destination just 3.5 miles from the Saxmundham converter station.	A response to this comment can be found in Table 2.60 (References 2.8) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
23		Britten Pears Arts notes that Snape Maltings generates 1,700 vehicle movements daily. The A1069 and A1094 junction is already congested, and the Proposals will exacerbate this, with no meaningful mitigation proposed.	A response to this comment can be found in Table 2.60 (References 2.4) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
24		As SEAS has pointed out so many times, the Applicant's traffic modelling (such as it is) uses January and February data, which is both non-neutral, and which is massively below summer levels, thereby ignoring the seasonal strain on road capacity.	The Applicant has responded to this point within their responses within Applicant's response to the ExA's s89(3) letter of 5 September 2025 [AS-106] and in response to SEAS Traffic/Transport RR in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] . The Baseline is considered to be both appropriate and robust for the purposes of the assessment work without the need for any additional surveys or seasonality adjustments.
25		Tourism is not even recognised as an employment sector in Table 10.14, despite accounting for 14.4% of East Suffolk's jobs.	Table 10.14 in Section 10.7 of Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism [REP1A-005], summarises baseline conditions for the local workforce by broad industrial group, using data from the ONS Business Register and Employment Survey 2022. This baseline informs the assessment of likely employment generation, with particular relevance to the Construction and the Mining, Quarrying and Utilities groups (the latter including employment in energy generation). The chapter identifies that the highest levels of employment in East Suffolk are found in the Retail and the Accommodation and Food Services sectors, alongside Health and Transport and Storage. Retail and Accommodation and Food Services are the sectors most closely associated with tourism-related employment, indicating that tourism-related activity forms an important part of the local economy.
26		In terms of the range of impacts that impact on tourism, recreation and socioeconomics (not just traffic/transport, but visual impacts, noise impacts, air quality impacts, and impacts on the ecology that itself brings many visitors and supports the economy), the scale and depth of these is staggering.	A response to this comment can be found in Table 2.60 (Reference 4.1) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .

Reference	Matter	Points Raised	Applicant's Comments
27		██████████, Cabinet Member at Suffolk County Council, stated at OFH1 that <i>“the cumulative impact of the scheme, its relationship and timing with other projects and consequent impact on socioeconomics, tourism and the environment... need to be effectively assessed.”</i>	A response to this comment can be found in Table 2.60 (References 5.1-5.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
28		SEAS agrees, but this has not been done. The Council also disputes National Grid's claim that local labour forces have low sensitivity, citing existing skill shortages exacerbated by Sizewell C. Again, SEAS agrees.	A response to this comment can be found in Table 2.11 (Reference 113) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
29	Consequences for Tourism and the Local Economy, and also Recreation	The simultaneous construction of multiple NSIPs, plus other major non-NSIP projects, will overwhelm local infrastructure.	Potential cumulative impacts on the local services, including social infrastructure and visitor and tourism accommodation, are assessed in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Interproject Cumulative Effects [APP-060]. This analysis demonstrates that under a worst-case scenario whereby the peak construction workforces of the cumulative schemes overlap, and all workers require accommodation, the chapter concludes that no significant effects are expected. As a result, no additional mitigation will be required. The Applicant will however discuss these concerns with the appointed contractor. Additionally, it is acknowledged that the construction workforce required for the Suffolk Onshore Scheme in combination with other NSIPs would place additional demand on the local health facilities. Considering a worst case scenario, whereby the peak construction workforce for the Suffolk Onshore Scheme and the construction of each of the other developments coincide, and each worker demands primary healthcare, there is likely to be additional demand on local facilities. The additional demand has the potential to increase the GP:Patient Ratio in the study area however even in the worst-case the ratio is predicted to remain broadly in line with the recommended provision.
30	Consequences for Tourism and the Local Economy, and also Recreation	Visitor numbers are likely to fall very significantly (the BVA 17% looks a marked underestimate), with many businesses unable to survive. Lost tourism jobs will not be replaced by temporary construction roles. Britten Pears Arts' hybrid business model, reliant on grants, fundraising, and commercial income is especially vulnerable. Holiday lettings, retail, and hospitality are all at risk.	A response to this comment can be found in Table 2.60 (Reference 2.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
31	Consequences for Tourism and the Local Economy, and also Recreation	Local business owners and consultants warn that the reputation of the Suffolk coast is already being damaged. Online platforms such as TripAdvisor and Mumsnet are beginning to reflect visitor frustration.	A response to this comment can be found in Table 2.60 (Reference 2.5) of Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
32	Consequences for Tourism and the Local Economy, and also Recreation	Shop closures in Aldeburgh, Leiston, and Saxmundham are mounting. The sense of arrival that once defined the region is being replaced by a sense of disruption and loss.	No response required
33	Consequences for Tourism and the Local Economy, and also Recreation	As one speaker put it, “we are not here today with the wittering of NIMBYs”—these are the deeply felt concerns of working people whose livelihoods are already being undermined.	See above responses on this topic

Reference	Matter	Points Raised	Applicant's Comments
34	Consequences for Tourism and the Local Economy, and also Recreation	██████████, speaking at OFH 1, warned of the psychological toll on local people: “It’s going to have such a drastic impact on us—on our wellbeing and mental health... and the economic impact, because our main industry is actually tourism and visitors and nature.”	A response to this comment can be found in Table 2.60 (Reference 2.4) of Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
35	Consequences for Tourism and the Local Economy, and also Recreation	The same impacts that will damage tourism and the local economy, also damage local residents’ ability to access recreation.	A response to this comment can be found in Table 2.60 (References 3.1-3.4) of Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
36	Conclusion	Tourism in East Suffolk is not just economically vital; it is culturally and environmentally irreplaceable. Its success depends on tranquillity, landscape, heritage, and nature. All of which are threatened by the scale and timing of proposed infrastructure projects (as is local residents own ability to access recreation).	A response to this comment can be found in Table 2.60 (References 4.1 to 4.6) of Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
37	Conclusion	SEAS urges the Examining Authority to reject the notion that impacts are limited to isolated attractions, to demand a full cumulative impact assessment covering traffic, visitor behaviour, business viability, and long-term economic outcomes, and to recognise that East Suffolk is fundamentally unsuited to hosting the nation’s largest concentration of energy infrastructure.	A response to this comment can be found in Table 2.60 (References 6.1 to 6.6) of Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
38	Conclusion	To proceed without robust assessment is to risk thousands of jobs, hundreds of businesses, and the long-term resilience of one of England’s most successful tourism destinations. The reality is, in any event, already apparent from the early stages of Sizewell C: the area simply bear these Proposals as well.	A response to this comment can be found in Table 2.60 (References 6.1 to 6.6) of Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .

Table 2.42 Suffolk Energy Action Solutions – Needs Case [REP1-281]

Reference	Matter	Points Raised	Applicant's Comments
1	Introduction	By this written representation, SEAS expands on and adds detail to its Relevant Representation concerning the Applicant’s ‘Claimed need/justification for, and benefits of, “Sea Link” (the Proposed Project)’ [RR-5210] 1 specifically (SEAS’ Need RR). SEAS’ Need RR is appended to this document for ease of reference (Appendix A).	The Applicant’s response to the SEAS RR is provided in Application Document 9.34.1 Applicant’s Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] . The Sea Link project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. These are summarised below:
2		SEAS confirms it stands by the SEAS’ Need RR, and asks the Examining Authority to note that SEAS’ Need RR has already been vindicated by the discussion had at Issue Specific Hearing 1 on 11 November 2025.	<u>South East</u> Sea Link will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. This is driven by the interconnectors landing in Kent due to its proximity to mainland Europe, as well as growth in other renewable and battery storage projects. Sea Link has to connect on the network no further west than Canterbury North substation, to provide an
3		The simple truth is that potential strategic justifications for the Proposals previously mooted have fallen away, and that on the Applicant’s own figures, the need case/justification for the Proposals has collapsed (from a claimed 1,852MW to a (now acknowledged at ISH1) mere 352MW), and what the Applicant now points to as remaining by way of ‘need’, 352MW, is a construct: it is only because of the Applicant’s sister company’s LionLink	

Reference	Matter	Points Raised	Applicant's Comments
		project being proposed to landfall at Sizewell (which it need not) that the Applicant is able to point to even a modest amount of 'need' far, far into the future, and that modest 'need' could be met by relatively simple and considerably less harmful and less expensive reinforcement of existing overhead lines.	additional route for power to flow out of Kent in a scenario where there is fault on the existing overhead line between Canterbury and Kemsley.
4		This written representation has been prepared drawing on the considerable engineering experience SEAS is fortunate enough to have access to amongst its volunteer base.	<u>East Anglia</u> Sea Link will support the connection of additional low carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind. Sea Link has to connect in the Sizewell area in order to enable power flow from the generators connecting in this areas (referred to as the Sizewell Generation Group) in a scenario where there is a fault between Sizewell and Bramford.
5		The lead author is [REDACTED], an engineer by training, with a range of relevant skills developed during a career in Finance, with assistance from others.	Sea Link is also particularly important because it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group). As an HVDC link can be configured to transfer power in both directions, it can benefit multiple areas in the East Anglia and South East regions.
6		The structure of this written representation is: (i) Recap of the policy position. (ii) Explanation of the reality of the "need" case the Applicant is left with on its own case - why even the purported need for 1,852MW of "Sizewell Group Reinforcement" does not exist now, and will not exist in the future on the Applicant's own figures (correctly understood). (iii) Why the modest claimed "need" the Applicant is left with on its own figures, which depends on LionLink landfalling at Sizewell, could and should be addressed by less environmentally harmful and loss costly reinforcement of existing overhead lines. (iv) Why it is in any event wrong to rely on LionLink as giving rise to "need" for the Proposals. (v) There is no need for a north-bound subsea cable to bring energy from Kent to Suffolk. (vi) Conclusion (and a suggestion for the Examining Authority)	Sea Link represents a coordinated approach to solving the above issues using a single solution.
7		The suggestion in the conclusion is made entirely in an effort to assist, and the Examining Authority will of course reject it if unnecessary.	
8	Recap of policy position	EN-1 at 3.2.6 confirms generic need for the 'types of infrastructure' covered by EN1 (we emphasise "types"), which by 3.2.7 is to be given substantial weight, whilst 3.2.8 states the Secretary of State 'is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS'.	The Applicant notes the policy context which is already addressed in Application Document 7.1 (C) Planning Statement [AS-057] .
9		EN-1 3.3.65 onwards deals specifically with need for "new electricity networks", and 3.3.68 identifies a need for 'substantial reinforcement in East Anglia to handle increased power flows from offshore wind generation (this may also require additional offshore connections coming to land in England)', referring by a footnote to 'National Grid ESO, Electricity Ten Year Statement (October 2020)'.	

Reference	Matter	Points Raised	Applicant's Comments
10		It is important not to read more into these words than they can sensibly bear (a trap the Applicant's Planning Statement (APP-319) falls into at e.g. 1.2.8-1.2.9).	The Applicant agrees that NPS EN-1 sets the general need for new nationally significant energy infrastructure projects such as the Proposed Project, confirming that projects should be 'brought forward at pace to meet our energy objectives' (NPS EN-1 Para 3.3.63) as confirmed at Part 5.2 of the Application Document 7.1 (C) Planning Statement [AS-057] .
11		EN-1 is not a policy expression of the need for the Proposals specifically.	
12		What the NPSs (EN-1, EN-3 and EN-5) provide is a presumption of need for the type of infrastructure the Proposals would provide (see also EN-1 4.2.5-4.2.6), which presumption then informs the further presumption that consent should be given for the types of energy infrastructure covered (EN-1, 4.1.3).	Part 4.2 of NPS EN-1 further identifies a 'critical national priority for low carbon infrastructure' that specifically includes energy infrastructure projects that are directed into the NSIP regime under section 35 of the Planning Act 2008 : 'such as interconnectors, Multi-Purpose Interconnectors, or 'bootstraps' to support the onshore network which are routed offshore' (Glossary section of NPS EN-1)
13		What this is not, is a presumption of need for the Proposals at the strategic level of a connection between East Anglia and Kent, let alone, and crucially, at the specific level of a need for a connection such as these Proposals, between Sizewell area and Richborough.	For those projects which have a section 35 direction, such as the Proposed Project, paragraph 3.2.12 of NPS EN-1 states: " <i>In these circumstances any application would need to be considered in accordance with the NPS</i> ". In particular: ' <i>where the application is for electricity network infrastructure not covered by sections 15-21 of the Planning Act, including underground or offshore infrastructure, the Secretary of State should give substantial weight to the need established at paragraphs 3.3.65 to 3.3.83 of this NPS</i> '.
14		The same is true of the policy that all transmission NSIPs are identified as "Critical National Priority" (CNP) infrastructure by the relevant NPSs.	
15		Transmission infrastructure is also unusual in the context of the sweep of infrastructure covered by the relevant NPSs: whereas a presumed need for generation to meet a national need makes sense on the basis of where the generation can sensibly occur (e.g. where the wind resource is best), it makes no logical sense to presume a need for transmission infrastructure in a particular location, as whether transmission infrastructure is needed will depend on whether there is a present or anticipated capacity gap.	Transmission infrastructure is not unusual in the context of the NPSs. The 'Overarching National Policy Statement for Energy' (EN-1) states at paragraph 3.3.65 that " <i>there is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives</i> ", and indeed NPS EN-5 'National Policy Statement for Electricity Networks Infrastructure' focusses specifically on this type of infrastructure. While NPS EN-1 refers to Electricity System Operator (ESO, now the National Energy System Operator, or NESO) forecasts regarding the need to reinforce the transmission network in regions of the Scotland and England at a high-level, the NPS policy does not presume need in particular locations.
16		EN-1 3.3.78-3.3.81 reflect this reality, in particular 3.3.78 which explains that "the case" for a new connection or network reinforcement 'is demonstrated if the proposed development represents an efficient and economical means of: * connecting a new generating station or storage facility to the network * reinforcing the network to accommodate such connections, or * reinforcing the network to ensure that it is sufficiently resilient and capacious (per any performance standards set by Ofgem) to reliably supply present and/or anticipated future levels of demand.'	This comment is noted by the Applicant.
17		Of those three it is the second and third bullet points that the Applicant aims to show these Proposals satisfy.	The Applicant largely agrees with this interpretation, although notes that the National Grid substation at Friston (Kiln Lane), while included in the Proposed Project application due to its role as the network connection point for the Propsoed Project, would also serve to connect the EA1N and EA2 windfarms should they be developed afterwards.
18		As per the SEAS' Need RR, and as explained below, the Applicant is incorrect (and would still be correct if it sought to argue under all three bullet points).	The Applicant disagrees, and the points raised are responded to below.

Reference	Matter	Points Raised	Applicant's Comments
19	Reality of the “need” case the Applicant is left with, on its own figures – why the claimed 1,852MW need for “Sizewell Group Reinforcement” does not and will not exist	The Application documentation confirms that the critical document which sets out the Applicant’s “need” case for the Proposals is the “Strategic Options Back Check Report” APP-320 (see the Applicant’s Planning Statement, APP-319, at e.g. 5.2.3).	The Applicant agrees with this, but would also refer to Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
20		From APP-320 it is apparent that potential strategic justifications for the Proposals previously mooted have fallen away (see SEAS’ Need RR 1.1-1.10).	This is not the case, as the need case remains robust as set out in Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] .
21		So the Applicant is left relying on what APP-320 claims is 1,852MW of generation from the “Sizewell Generation Group” that need to be accommodated.	As set out in Application Document 7.2 Strategic Options Back Check Report [APP-320] (Chapter 2) as well as Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] , the figure quoted refers to ‘scaled generation’ which is used when modelling the bulk transfer of power between regions. In accordance with how generation groups are considered, the Sizewell Generation Group can also be modelled in terms of the likely local situation which considers realistic generation scenarios rather than scaled generation. More widely, it should also be noted that the Proposed Project addresses a number of network issues simultaneously, including the need for additional transmission capability out of Kent, the need for additional transmission capability out of East Anglia more widely (not only the Sizewell Generation Group), and the need to deliver wider system benefits including to the Essex Generation Group and capacity relief to the existing network around north Kent, the Thames Estuary, and London.
22		The “Sizewell Generation Group” is shown at Table 3.2 of APP-320, Appendix B to this written representation for ease of reference.	The various generators and interconnectors (existing and contracted) that form the Sizewell Generation Group are listed, amongst others, in Table 3.2.
23		It is presented by the Applicant on the basis that the “Sizewell Group” will be responsible for 8,782.1MW of “scaled generation”.	This comment is noted by the Applicant.
24		Based on that “scaled generation”, the Applicant claims in APP-320 3.7.17 and 3.8.1-3.8.2 that in the event of a “worst-case” fault in existing transmission infrastructure, identified as that one of the two double circuits connecting Bramford to Sizewell to be lost, whilst the second double circuit remains in operation, for the Sizewell Generation Group (see 3.7.17 first) this would leave the remaining double circuit with a maximum potential capability of 6,930MW and generation transfer of 8,782.1 MW, giving rise to a deficit of 1,852MW.	The worst-case fault for the Sizewell Generation Group would indeed be a fault affecting one of the double circuits connecting Bramford to Sizewell. The needs case states a shortfall in capacity of 1,852MW based on the information taken from the NESO Transmission Entry Capacity (TEC) register and Interconnector register prior to the publication of Application Document 7.2 Strategic Options Back Check Report [APP-320] . It is acknowledged that connection offers may be terminated, modified, or added to these registers by NESO. This is reviewed by the Applicant in an ongoing way in the context of the needs case. It is noted that the connection for the National Grid Ventures (NGV) Nautilus interconnector has been terminated and Nautilus’ 1,500 MW no longer contributes to the future power transfers out of this area.
25		To quote: <i>3.7.17 For the Sizewell Generation Group the worst-case fault is for one of the two double circuits connecting Bramford to Sizewell as shown in Plate 3.4 to be lost whilst the second double circuit remains in operation. This leaves the remaining double circuit with a maximum potential capability of 6,930 MW and generation transfer of 8782.1 MW leaving a deficit of more than -1852</i>	See response in row 24. This comment is noted by the Applicant.

Reference	Matter	Points Raised	Applicant's Comments
		<i>MW. This requires the Sizewell Generation Group to be reinforced for this condition.</i>	
26		This is where the Applicant's 1,852MW "Sizewell need" (APP-320, 3.7.17, and at 8.3.2 there rounded up to 2,000MW) comes from.	See responses in rows 21 and 24.
27		At the ISH1 hearing on 11/11/25, ██████████ of the Applicant stated that this required the transmission infrastructure for the Sizewell Generation Group to be reinforced for this condition. The Proposals being the Applicant's proposed "solution" to this claimed "need".	This is correct.
28		But the Applicant's 1,852MW is flat wrong, and in any event a construct.	See response in row 24.
29		It is flat wrong, because, as the Applicant's Mr. Stevens acknowledged when questioned by the ExA at ISH1 (taking up a point made by SEAS' barrister ██████████), the deficit on the Applicant's own figures would not be 1,852MW, as that figure includes "scaled generation" of 1,500MW for Nautilus, and "it should now be reduced to 352MW".	See response in row 24. Application Document 7.2 Strategic Options Back Check Report [APP-320] is based on information correct at the time it was authored, prior to the submission of the application. Connection offers may be terminated, modified, or added to the relevant registers by NESO at any time, and this is kept under review by the Applicant. A shortfall in scaled generation of 352MW out of the Sizewell Generation Group nonetheless represents an issue that needs to be addressed. National Grid must comply with its transmission licence and meet requirements set out in the NETS SQSS, and this shortfall would be non-compliant. Furthermore, when considered as a generation group and not purely in terms of the scaled generation, the capacity shortfall out of the Sizewell area may (in a realistic scenario) be greater than that demonstrated when considering scaled generation. This is because while a scaled representation of generation is used to provide the easiest approach for stakeholders to understand, the Security and Quality of Supply Standards (SQSS) also require (when addressing the generation connection criteria applicable to the onshore transmission system) further additional study criteria to be applied when considering background conditions. These requirements are more complex but require consideration of the full output of a generator at full power factor (pf) against a scaled background which would represent conditions on the onshore transmission system set to those which ought reasonably to be expected to arise in the course of a year of operation. Under this condition the output of the nuclear connections for example must be set to 1 at 0.85pf giving rise to higher MVA output under these conditions the shortfall would rise above the 325MW deficit which must be addressed. Credible local conditions in the Sizewell area are also likely to include higher outputs from both the nuclear and wind generators at the same time. Therefore the removal of Nautilus from the scaled generation does not affect the outcome of the needs case insofar as the Sizewell Generation group is concerned. More broadly, the needs case for the Proposed Project is far wider than the Sizewell Generation Ground. The Proposed Project represents a highly coordinated approach to solving multiple issues on the transmission network using a single solution.

Reference	Matter	Points Raised	Applicant’s Comments
			Primarily the Proposed Project will solve two distinct system constraints simultaneously. These comprise the need to address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports, while support the connection of additional low carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind. The Proposed Project is also particularly important because it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group). As a high voltage direct current (DC) link can be configured to transfer power in both directions, it can benefit multiple areas in the East Anglia and South East regions. This is set out in Application Document 7.2 Strategic Options Report Back Check [APP-370].
30		The inclusion of Nautilus in APP-320 Table 3.2, and with 1,500MW generation attributed, can be clearly seen, likewise the inclusion of the Applicant’s sister company’s LionLink proposal, and a few other notable “Sizewell Generation Group” entries	The Nautilus interconnector had a connection offer at Friston until March 2025 (weeks before the submission of the Sea link DCO application and after Application Document 7.2 Strategic Options Back Check Report [APP-320] was finalised), meaning that NGET was required under its licence to consider a potential Nautilus connection at Friston. NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. While NGV no longer has this connection offer, removing Nautilus does not change the needs case (as set out in the response in row 29). The LionLink interconnector does have a connection offer and as such NGET is then required under its licence duties to undertake the works necessary to facilitate the connection.
31		Note that ██████ gave a curious and misleading impression regarding the 1,500MW generation attributed to Nautilus, to the effect this is “scaled generation” in the sense that it reflects less than what could actually be generated in terms of total installed capacity, as a reflection of what is actually likely to be generated/available. Unfortunately, this reflects a lack of familiarity with Nautilus and with the Applicant’s own figures in Table 3.2: the Nautilus proposal is an interconnector proposal, and the Table 3.2 “availability factor” for it is a full “1”, hence the Applicant’s Table 3.2 assumes its “scaled generation” of 1,500MW will be the same as its “total installed capacity” of 1,500MW (contrast e.g. the Scottish Power East Anglia Two: 1 and East Anglian One North windfarms, which are attributed an “availability factor” of 0.7).	The oral evidence provided at ISH1 on this matter discussed a potential scenario whereby other forms of generation, specifically wind and nuclear (scaled back in Table 3.2 of Application Document 7.2 Strategic Options Back Check Report [APP-320]) operate at full capacity. This demonstrated a scenario whereby, when considered as a generation group and not purely in terms of the scaled generation, the capacity shortfall out of the Sizewell area may (in a realistic scenario) be greater than that demonstrated when considering scaled generation. See response in row 29. Interconnectors are indeed scaled at ‘1’ although this is consistent with and in any case not material to the point made, which was that there is a need for a reinforcement out of the Sizewell Generation Group whether scaled generation or realistic local scenarios are considered (discounting Nautilus in both).
32		As can be seen from Table 3.2, the Applicant arrives at its claimed “Sizewell Generation Group” 8,782.1MW generation by taking existing scaled generation from Sizewell B (1,045.5MW), Greater Gabbard Offshore Wind	This is correct.

Reference	Matter	Points Raised	Applicant's Comments
		(350MW) and Galloper Windfarm (243.6MW) (a total of 1,639.1MW) and adding the “scaled generation” from the proposed projects set out above (a total of 7,143MW).	
33		Nautilus was definitely moved from Sizewell area to Grain in November 2024.	On 12 November 2024, Ofgem announced that it had approved the Initial Project Assessment (IPA) for the NGV interconnector Nautilus at the Isle of Grain, Kent, rather than at Friston Substation in Suffolk. The IPA is a consultation process run by Ofgem to determine an interconnector project's suitability. Notwithstanding this, NGV retained a connection offer at Friston until this was terminated in March 2025, meaning that NGET was required under its licence to consider a potential Nautilus connection at Friston until this time.
34		SEAS' Need RR made the point it was inexplicable that the Applicant had sought to justify the Proposals on the basis Nautilus formed part of the generation need.	The explanation regarding why Nautilus appears in Application Document 7.2 Strategic Options Back Check Report [APP-320] is straightforward. There was an extant connection offer from the NESO for the Nautilus interconnector at the time that the needs case was assembled, as set out in the response in row 30. In any case, the Proposed Project is not justified on the basis of Nautilus, as set out in the response in rows 21 and 31.
35		At ISH1 it appeared ██████ sought to rely on Nautilus still being “in the contracted list at Sizewell until March 2025” and a claim that the Applicant did not have sufficient time between then and their DCO submission in June 2025, to correct this unfortunate error	The Sea Link application was submitted in March 2025, not June 2025. The Nautilus interconnector had a connection offer at Friston until March 2025. The inclusion of Nautilus was not an error, as set out in the response in row 30.
36		This will not wash: the Applicant knew months before it applied for this DCO that a key plank of its “need” case had been kicked away, yet it pressed on regardless, without even an acknowledgment that the ground had shifted radically.	
37		Thus, even based on NGET's own data in Table 3.2 on page 30 of APP-320, the claimed Sizewell “scaled generation” figure of 8,782.1 MW is wrong, as it includes Nautilus at 1,500MW “scaled” output, when Nautilus will no longer landfall at Sizewell.	See response in row 30.
38		It is also wrong because it includes LionLink, with 1,600MW “scaled” output, in circumstances where LionLink's inclusion is simply not justified.	NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. The LionLink interconnector has a connection offer and as such NGET is then required under its licence duties to undertake the works necessary to facilitate the connection.
39		The 8,782.1MW does also includes scaled output for both Sizewell B and Sizewell C, operating simultaneously, which is an ambitious scenario, given Sizewell B's design life is to 2035 (the year Table 3.2 suggests Sizewell C Stage 1 will start operation). However, SEAS is aware that the operators are keen to push Sizewell B to 2055, so SEAS will assume that Sizewell B will remain.	See response in row 38 above.

Reference	Matter	Points Raised	Applicant's Comments
40		At Appendix C to this written representation, SEAS sets out a Table showing the make-up of the “Sizewell Generation Group” and how it is affected by different variables.	This comment is noted by the Applicant.
41		In any event, focusing for now on Nautilus, take away Nautilus’ 1,500MW, and at most the “worst case fault” capacity gap is 352MW (because the total ‘scaled’ generation capacity for the “Sizewell Generation Group” becomes 7,282.10MW, which less 6,930MW capability in the event of a “worst case fault” leaves a “deficit” of 352.1MW).	A shortfall in scaled generation of 352MW out of the Sizewell Generation Group represents an issue that needs to be addressed. This does not change the conclusions of the needs case. Furthermore, depending on the realistic scenarios that may occur when considering the Sizewell Generation Group on a more local level, the capacity deficit may indeed exceed 352MW (see the response in row 29). It is important to note that in addition to the Sizewell Generation Group need, the need for the Proposed Project is driven by various issues occurring across the networks in East Anglia and Kent. The 2GW capacity provided by the Proposed Project is critical to meeting this need in a coordinated way.
42		But in reality, even that 352MW is a construct, and in any event can be met by much more straightforward upgrading of overhead lines.	The needs case set out in Application Document 7.2 Strategic Options Back Check Report [APP-320] already assumes that the existing Sizewell to Bramford circuits use the highest rates conductors available.
43	Why the modest “need” the Applicant is left with on its figures is a construct that depends on LionLink landfalling at Sizewell and could and should be met by overhead reinforcement in any event	There are two principal points here: even the 352WM left is a construct, and timing.	This comment is noted by the Applicant, and responded to below.
44	Why the modest “need” the Applicant is left with on its figures is a construct that depends on LionLink landfalling at Sizewell and could and should be met by overhead reinforcement in any event	The 352MW left on the Applicant’s figures is a construct, because as can be seen from APP-320 Table 3.2, it depends on every item of the future “proposed” generation coming into being at Sizewell area, and (of course) existing generation, including Sizewell B, continuing to operate	NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. Note also that the 352 MW relates to scaled generation, whereas the Sizewell Generation Group should also be considered in terms of realistic generation scenarios on a local level.
45		This includes 1,600MW of proposed LionLink generation.	This is correct.
46		Whereas there is no need for proposed LionLink to come to Sizewell area at all, and it should not be included in the “Sizewell Generation Group”: the Applicant cannot found a “need” for the Proposals on the basis of its sister company’s entirely commercial project that need not come to Sizewell – the “need” is simply a circular argument (and see below).	As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time.

Reference	Matter	Points Raised	Applicant’s Comments
47		Without LionLink, a claimed 352MW deficit in the event of a “worst case fault”, becomes a considerable (on the maths, 1,248MW) surplus even in the event of a “worst case fault”.	Notwithstanding that NGET is obligated under its licence to consider LionLink, the consideration of the Sizewell Generation Group in terms of realistic generation scenarios on a local level demonstrates a need without Nautilus or LionLink. For example, in a scenario whereby Sizewell B & C were operating alongside the existing and contracted wind farms then there would be a shortfall out of the Sizewell Generation Group even without considering LionLink. This scenario could occur at times of high wind and low interconnector imports.
48		And the timeframes mean that even if one proceeds on the false premise of including LionLink in the Sizewell Generation Group, by reference to SEAS Table 25.1 above, it is clear there is in fact a surplus even in a “worst case fault” scenario for many, many years (and if the Applicant’s Table 3.2 is relied upon, not until after 2036 and Sizewell C Stage 2 becoming operational (though the Examining Authority also heard from Scottish Power at ISH1, and there seems to be some uncertainty over whether both of EA1N and EA2 will be built out).	The point regarding a ‘surplus’ is addressed in the response in row 47. Regarding timing, Application Document 7.2 Strategic Options Back Check Report [APP-320] demonstrates a clear capacity shortfall across the networks in East Anglia and Kent and sets out the contracted connection dates. However, the timing of the reinforcement is informed by the NESO, which models various future energy scenarios (including when generators may energise) as part of its processes for considering when it is most appropriate for NGET to develop network reinforcements. It is also important to note that the timing of the need is driven by the various elements of the need case across the networks in East Anglia and Kent, which occur independently of each other. The timing of the need for Sea Link is further reinforced in the NESO Clean Power 2030 ‘Advice on achieving clean power for Great Britain by 2030’ (November 2024). This report is the NESO analysis of what it considers to be the pathway to a clean power system by 2030. This report states that a major network expansion is needed to achieve this, and identifies Sea Link as being critical for the achievement of the Clean Power 2030 target and also requiring acceleration of its delivery date. The report highlights that without Sea Link, consumers could face an extra £1.4b in constraints costs in 2030.
49		As regards the second point, timing, even the purported requirement for 352 MW reinforcement can be readily achieved by “reconductoring” the Sizewell to Bramford double circuit. Based on published engineering/regulatory benchmarks and independent cost estimates 2, reconductoring the c.55 km Sizewell–Bramford double circuit would cost much less than 4% of the likely cost of the onshore Sea Link Converter station, yet this does not appear to have been considered, despite value for money being a clear EN-1 policy requirement.	The needs case set out in Application Document 7.2 Strategic Options Back Check Report [APP-320] already assumes that the existing Sizewell to Bramford circuits use the highest rates conductors available.
50		In addition, this could be done very comfortably before a “worst case fault” deficit arises, even on the Applicant’s own figures: even including LionLink’s falsely premised 1,600MW within the “Sizewell Generation Group” requirement, there is no need for any network reinforcement in the 2030s (and see Appendix C).	See the response in row 48.
51		SEAS invites the Examining Authority to ask the Applicant to explain how the Proposals could possibly be said to be a policy (EN-1) compliant ‘efficient and economical’ means of network reinforcement when even on the Applicant’s own unjustified figures the “need” is no more than 352MW at some point in	Application Document 7.2 Strategic Options Back Check Report [APP-320] sets out clearly and robustly the needs case for the Proposed Project, and that the strategic option selected (a subsea reinforcement between Sizewell and Richborough, referred to as SL2) is economic and efficient.

Reference	Matter	Points Raised	Applicant's Comments
		the 2030s and there is a much cheaper, much less environmentally harmful, alternative.	There are no strategic alternatives that would meet the needs case which provide any cost or environmental benefits to that being progressed.
52	Why it is wrong for the Applicant to rely on the proposed LionLink 1,600MW interconnector as part of a “need” for the Proposals	As explained, the asserted transmission worst case fault deficit (now of 352MW) said to arise from the Sizewell Generation Group is materially a product of the proposed LionLink merchant interconnector.	The 352MW shortfall refers to scaled generation, and does indeed include the contracted LionLink interconnector.
53		In particular, it is a product of proposed LionLink’s potential imports.	This is correct.
54		Necessarily, if LionLink is exporting it would not be adding what the Applicant classes as “generation” to the Sizewell area.	This is correct.
55		However: (a) there is absolutely no need for LionLink to landfall at Sizewell; (b) LionLink importing is not a “need” in any proper sense; and (c) for the avoidance of doubt, there is no need for LionLink to landfall here for export reasons.	The location of the LionLink connection offer is made by the NESO (ESO at the time), and the approach to the routing and siting design of the LionLink project is driven by the developer NGV. Nonetheless, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. The LionLink interconnector has a connection offer and as such NGET is then required under its licence duties to undertake the works necessary to facilitate the connection.
57		As to (b), the Applicant’s “need” case does not claim that LionLink will provide transmission system benefit, but relies on the assumption that LionLink, a merchant interconnector, may at times import up to 1.6 GW into the Sizewell area.	This is correct, LionLink is not a transmission network reinforcement, it is an interconnector.
58		However, those imports would occur for commercial arbitrage reasons under NG Ventures’ Cap-and-Floor regime, but not to meet GB system need.	Electricity can be traded on the single market in Great Britain by generators and suppliers in other European countries. Interconnectors with transmission systems in France, Northern Ireland, Belgium, Denmark, Norway and the Netherlands are used to import electricity to and/or export electricity from the transmission system. Interconnectors do contribute to meeting the needs in GB when generation is lower. They also contribute to reducing constraints costs (costs paid by the NESO to generators to reduce power output) when generation in the UK is high by allowing it to be exported elsewhere.
59		Hence LionLink is would/would not be a contracted regulated asset, which is no doubt why it is being developed by National Grid Ventures rather than by the Applicant.	National Grid Ventures (NGV) is a different and fully independent business to NGET (the Applicant), with an entirely separate board of directors, management, staff, physical location and digital environment. There is complete independence of decision making, and NGET has no control over decision made by NGV (and vice versa). NGV operates across the UK, Europe and US, developing, operating, and investing in large-scale energy infrastructure projects. In the UK, NGV’s operations include subsea interconnectors. The Applicant (NGET) is the owner of the high voltage transmission system in England and Wales. NGET has legal duties under the Electricity Act 1989 to develop and maintain an efficient, co-ordinated and economical transmission system. The Applicant does not develop interconnectors and indeed is prohibited under its licence from doing so.

Reference	Matter	Points Raised	Applicant's Comments
60		It is plainly contrary to the NPSs, and well as unreasonable in a straightforward administrative law sense, for a consumer-funded regulated asset such as the Proposals, to be justified on the basis of accommodating market-driven trades by an unregulated affiliate of the Applicant, that does not even need to come here.	As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time.
61		Why is this important in real world terms? Because the cost of regulated assets such as the Proposals will be directly borne by consumers in their bills, which means that LionLink is effectively being given a cross-subsidy, whereby a regulated consumer-funded asset is being built to accommodate the commercial trading of an unregulated associate company, effectively shifting private market risk onto the public balance sheet.	There is no cross-subsidy. NGET has strict controls in place to prevent cross subsidy between NGET and NGV as described in the response in row 59. The electricity market is regulated by the Gas and Electricity Markets Authority (GEMA) which is supported by the Office of Gas and Electricity Markets (Ofgem). Ofgem regulates NGET's activities under its Transmission Licence and NGVs interconnector activities (under their Interconnector Licences). As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time.
62		SEAS invites the Examining Authority to require the Applicant to evidence that the Proposals remain necessary, wholly independently of such speculative import scenarios.	The proposed and contracted LionLink interconnector remains part of the generation that drives the need for the proposed project. See also the response in row 61 above.
63		As to (c), the Applicant implies, at APP-320 para.3.3.8, that there might be some form of export justification for LionLink landfalling at Sizewell/in East Anglia, by suggesting that consent for strengthening of export capacity from this region has not yet been obtained and there is still a potential restriction.	There is a suite of separate NGET projects which contribute to reinforcing the transmission network across the East of England, including the proposed new overhead lines between Bramford and Twinstead and between Norwich and Tilbury. Further issues beyond the capacity of these projects will be addressed by the Proposed Project. Paragraph 3.3.8 in Application Document 7.2 Strategic Options Back Check Report [APP-320] refers to the Bramford to Twinstead reinforcement project. This has been granted development consent, which came into force in October 2024.
64		Paragraph 3.3.8 at page 26 of APP-320 states that "consent is being sought from the Secretary of State following submission of our Development Consent Order in April 2023".	The Applicant acknowledges that the document says this.
65		That is incorrect. Contrary to the Applicant's statement, this was consented by the Secretary of State well over a year ago, on 12th September 2024. Work is now currently underway to reinforce the Bramford to Twinstead line with a new 400kv double circuit line. This will increase the export capacity out of the region by 3.6 GW (see NESO East Anglia Network Study 12th March 2024, page 13	Application Document 7.2 Strategic Options Back Check Report [APP-320] was authored in late 2024, in advance of the DCO application in March 2025. The statement regarding development consent being sought for the Bramford to Twinstead project was correct at that time. As confirmed in the response to row 63, this now has development consent. The export capacity of the Bramford to Twinstead overhead line will contribute to the suite of separate projects that will reinforce across the East of England, alongside others including the Proposed Project. It does not replace the capacity of the Proposed Project, rather it forms part of the same regional solution.

Reference	Matter	Points Raised	Applicant's Comments
66		So, any case the Applicant might hope to make that LionLink needs to landfall in Sizewell or the region for export strengthening reasons, has no substance.	The routing and siting design of the LionLink project is driven entirely by the developer NGV, and the connection offer at Friston was made by the Electricity System Operator (ESO, now the National Energy System Operator, NESO). In any case, the LionLink interconnector and the Bramford to Twinstead reinforcement overhead line project fulfil different functions. While LionLink is a proposed commercial hybrid interconnector to the Netherlands (via an offshore wind farm), the Bramford to Twinstead project is a transmission system reinforcement.
67		Standing back, LionLink's 1.6GW should not be included within the Sizewell Group Generation by reference to a requirement for network reinforcement on multiple grounds, including that: 1. There is no need for LionLink to landfall at Sizewell, either in import or export terms. 2. LionLink is not a contracted regulated asset, which is why it is being developed by National Grid Ventures rather than the Applicant, and NGV's commercial desire to arbitrage cannot be used to justify these Proposals. 3. LionLink is an interconnector, so implicitly it does form part of the Applicant's grid reinforcement. 4. LionLink is not consented	As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time, including LionLink. To respond to the points made: 1. The routing and siting design of the LionLink project is driven entirely by the developer NGV, and the connection offer at Friston was made by the Electricity System Operator (ESO, now the National Energy System Operator, NESO). 2. In addition to the point made in response to (1) above, the Applicant (NGET) is a separate business to NGV. The Applicant does not develop interconnectors, whereas NGV does. There is no scenario in which a commercial interconnector would be developed by the Applicant. On the arbitrage point, it should be noted that it is completely normal for energy generation to be undertaken as a commercial operation. 3. This is incorrect, LionLink is a hybrid interconnector to the Netherlands (via an offshore wind farm). It is not a network reinforcement. 4. This is correct (although connection offers from the NESO are not conditional on consent).
68		The Applicant's reliance on LionLink for the need for the Proposals is, on any view, wrong on many levels, and overall a bizarrely circular construct.	As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time, including LionLink. Furthermore, LionLink is being promoted by a different business to the Proposed Project. National Grid Ventures (NGV) is a different and fully independent business to NGET (the Applicant), with an entirely separate board of directors, management, staff, physical location and digital environment to that of NGV. There is complete independence of decision making, and NGET has no control over decision made by NGV (and vice versa).
69		While the ExA cannot redesign LionLink within this DCO, SEAS respectfully invites the ExA to: (i) give no material weight to LionLink in the "need" case; and (ii) require the Applicant to demonstrate a need for the Proposals	As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those

Reference	Matter	Points Raised	Applicant's Comments
		independently of LionLink's 1.6GW routing and market-driven operation, including consideration of strategic alternatives under EN-1.	which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time, including LionLink. Furthermore, there is a need case for the Proposed Project to reinforce out of the Sizewell area even if LionLink was to be set aside, when considering the Sizewell area as a generation group. This is explored in the response in row 47. More widely, it should also be noted that the Proposed Project addresses a number of network issues simultaneously, including the need for additional transmission capability out of Kent, the need for additional transmission capability out of East Anglia more widely (not only the Sizewell Generation Group), and the need to deliver wider system benefits including to the Essex Generation Group and capacity relief to the existing network around north Kent, the Thames Estuary, and London
70		The Examining Authority should strip out LionLink's 1.6GW from the SeaLink Need Case and require the Proposals to stand or fall on their own, proper, needs case.	See the response in row 69 above. The needs case for the Proposed Project is robust.
71		SEAS respectfully invites the Examining Authority to require the Applicant to provide clear evidence that a "needs case" for the Proposals exists independent of LionLink's market-driven operation and that any claimed synergies are not used to justify need for a regulated asset, given LionLink's unregulated, unconsented status.	See the response in row 69 above. The needs case for the Proposed Project is robust.
72		As is obvious from APP-320 Table 3.2 and the explanation provided in the previous section of this written representation, if LionLink's 1.6GW is not included within the Application's calculations seeking to justify network reinforcement, there is a strong network surplus on the Sizewell to Bramford line, for the foreseeable future (and see Appendix C).	This is not the case, please see the responses in row 69 and elsewhere in this response document.
73		In other words, there is absolutely no need for any current network reinforcement on the Sizewell Line.	This is not the case, the needs case for the Proposed Project is robust, as set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320], Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043], and this response document.
74	There is no need for a north-bound subsea cable to bring energy from Kent to Suffolk	ES Volume 1, Chapter 4: Description of the Proposed Project (AS-023; EN020026-000536-6.2.1.4 (B)) defines the Proposals as a 400 kV high-voltage direct current (HVDC) connection enabling transmission of clean energy from East Anglia to London and the South East. The flow direction is unambiguously north-to-south (export); there is no mention of bidirectional or Kent to Suffolk operation. Nor is there reference to "resilience," "redundancy," or "security of supply for Kent."	There is a requirement for generation export from Kent under high import conditions which requires management with a single solution, allowing power flows to move in either direction to resolve and support 2000MW of shortfall in each area. As an HVDC link, the Proposed Project could be configured to transfer power in both directions. This is an important part of the needs case and is set out in Application Document 7.2 Strategic Options Back Check Report [APP-320].
75		Yet, at Issue Specific Hearing 1, [REDACTED] for the Applicant contended that the Proposals need to landfall in Suffolk in order to "to reinforce the East Anglia network in the case of low North Sea wind generation".	The Sea Link project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. Sea Link will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. It will also support the connection of additional low

Reference	Matter	Points Raised	Applicant's Comments
			carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind.
76		This is incorrect.	While the specific quote provided is not recognised and is assumed not to be verbatim, the principle that the networks in both East Anglia and the South East need to be reinforced, as per the summary provided in row 75 above, is indeed correct.
77		In 2024, National Grid ESO said that in this region current peak demand was 1.31GW.	This is noted.
78		In the current DCO Application, APP-320 at Executive Summary para. 1.4.7, the Applicant states: <i>“Peak demand by 2030/31 in the East Anglia area is anticipated to be approximately 1,281 MW (total for demand substations of Walpole, Norwich Main and Bramford and with only minor demand being consumed at Sizewell). This means that generation in the area will significantly exceed local demand”.</i>	This is correct.
79		As such, the likelihood of the Proposals being required to import power to Suffolk from Kent (where there is material unabated demand) is nil, as the Applicant's own DCO Application is singularly silent on this.	The need case for the Proposed Project is not to bring power into East Anglia to meet local demand. It is to utilise the existing network out of East Anglia into the wider network at times when there is low wind but higher interconnector imports into Kent.
80		Mr. Stevens' assertion at the 11th November ISH1 should be entirely disregarded.	The oral evidence provided at ISH1 on this matter is correct.
81		If there is an excess of energy within the South East network, there are five current interconnectors with France & Belgium with export/import capacity of 6GW e.g.: 1. IFA (Sellindge to Calais, France) 2GW 2. IFA2 (between the British and French transmission system) 1GW 3. BritNed (from Isle Grain to Rotterdam, Netherlands) 1GW 4. NemoLink (Richborough to Zeebrugge, Belgium) 1GW 5. ElecLink (from Sellindge through the channel tunnel to Calais, France) 1 GW (NESO Electricity 10-year Statement (EYTS) dated 12 March 2024, South East Region Boundary LE1) Also, more interconnectors may be coming.	The excess energy in the network in the South East would occur when the interconnectors are importing.
82	Conclusion and a suggestion for the Examining Authority	For all the reasons above, there is simply no needs/justification case for the Proposals worth the name, certainly nothing that meets policy and can sensibly be regarded as showing these Proposals are an “efficient” and “economical” way of achieving desirable network reinforcement.	The needs case for the Proposed Project is robust, as set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320], Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] , and this response document. The Proposed Project represents a coordinated approach to solving multiple network issues simultaneously using a single solution in a coordinated, economic and efficient manner.

Reference	Matter	Points Raised	Applicant's Comments
83		Earlier suggestions of a truly strategic justification for a “Sea Link” fell away some time ago. Then, Nautilus fell away in November 2024. But before launching its DCO Application for these Proposals, the Applicant failed to recognise and account for the fact that 1,500MW of the claimed 1,852MW “worst case fault” capacity deficit said to justify these Proposals, had disappeared.	The Nautilus interconnector had a connection offer at Friston until March 2025 (weeks before the submission of the Sea link DCO application and after Application Document 7.2 Strategic Options Back Check Report [APP-320] was finalised), meaning that NGET was required under its licence to consider a potential Nautilus connection at Friston. NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. While NGV no longer has this connection offer, removing Nautilus does not change the needs case (as set out in the response in row 29).
84		The 352MW that remains on the Applicant's own figures depends the inclusion of 1,600MW “generation” from the LionLink interconnector, which is a false construct given there is absolutely no need for LionLink to come to Sizewell, or anywhere in the region, and unfortunately the Applicant's sister company's commercial venture is now being used, inappropriately, to justify this NSIP.	A shortfall in scaled generation of 352MW out of the Sizewell Generation Group nonetheless represents an issue that needs to be addressed. National Grid must comply with its transmission licence and meet requirements set out in the NETS SQSS, and this shortfall would be non-compliant. Furthermore, the generation figures in the need case are based on scaling factors used in determining wider regional needs where there is diversity in generation types. This applies across east Anglia. NGET also has to consider credible local conditions, which in the Sizewell area will include higher outputs from both the nuclear and wind generators at the same time. Under these conditions the transmission capacity deficit will be much higher than 352MW. More widely, it is important to note that in addition to the Sizewell Generation Group need, the need for the Proposed Project is driven by various issues occurring across the networks in East Anglia and Kent. The 2GW capacity provided by the Proposed Project is critical to meeting this need in a coordinated way. As set out elsewhere in this response document, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time, including LionLink.
85		It might make sense for a “sea link” to take wind generated energy direct from North Sea wind farms and make landfall somewhere in the South East closer to demand.	The purpose of the Proposed Project is not to take power from wind farms directly to demand. Notwithstanding that there are demand centres throughout the country, the Proposed Project is a network reinforcement, meaning that it is intended to deliver additional capacity between regions and specific areas within the network that require it. This is set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320], Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043], and this response document. It is also important to note that amongst the benefits of the Proposed Project is that it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group).

Reference	Matter	Points Raised	Applicant's Comments
86		That is not these Proposals.	This is correct (the Proposed Project does not connect wind farms directly to the South East as this would not meet the needs case).
87		And there is no needs case whatsoever to divert that delivery to Kent via an expensive, disruptive, harmful, onshore converter station from Suffolk to Kent.	The needs case for the Proposed Project is robust, as set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320] , Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] , and this response document.
88		So, there is no need for a “sea link” to be brought onshore at Suffolk.	See response in row 87 above.
89		Denial of the sought after DCO would save consumers in the order of £2bn-£2.5bn in redundant cost.	The NESO makes recommendations to transmission owners, including the Applicant, regarding which network reinforcements to invest in and when. In doing so the NESO draws from its own processes that include an analysis of the costs to consumers of undertaking development of the transmission network, against the potential constraint costs payable to generators to reduce their power outputs should the transmission network not be developed. The NESO, via its Network Options Appraisal (NOA) process, has recommended that the Proposed Project proceed, indicating that it is considered to be in the interests of consumers. The NOA Refresh (2022), identifies the Proposed Project as being essential to meet the government 2030 offshore wind targets. The need for Sea Link is reinforced in the NESO Clean Power 2030 ‘Advice on achieving clean power for Great Britain by 2030’ (November 2024). This report is the NESO analysis of what it considers to be the pathway to a clean power system by 2030. This report states that a major network expansion is needed to achieve this, and identifies Sea Link as being critical for the achievement of the Clean Power 2030 target and also requiring acceleration of its delivery date. The report highlights that without Sea Link, consumers could face an extra £1.4b in constraints costs in 2030.
90		The “need” issue is a seriously critical matter in the determination of this DCO Application, particularly with regard to the tension between the Applicant proposing and promoting these Proposals and the likely economic benefits accruing to National Grid Ventures and so the National Grid Group of which the Applicant is part in promoting the merchant arbitrage operation of the LionLink interconnector.	For the reasons set out in answer 61, there is absolutely no cross subsidy or economic benefit to NGV arising from the development of the proposed network reinforcement by the Applicant.
91		Given the critical nature of the “need” issue, and given that the Applicant itself was brought to acknowledge at ISH1 (by SEAS) that SEAS was right to say that a full 1,500MW of the claimed 1,852MW justification had already disappeared, SEAS wonders whether the Examining Authority might benefit itself by equipping itself with access to specialist input on this issue, to allow it to have best evidence.	The needs case for the Proposed Project is robust, as set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320] , Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] , and this response document, although the Applicant welcomes any further scrutiny on this matter.
92		The ExA could, for example, subject the Proposals’ needs case to forensic consideration by an independent electrical networks engineering consultancy	See the above response in row 91.

Reference	Matter	Points Raised	Applicant's Comments
		to verify the purported need for network reinforcement said to justify the Proposals.	
93		SEAS has repeatedly tried to engage such an expert UK consultancy to review & report on this issue. Unfortunately, each and every time the consultancies have recused themselves, on the grounds they do work for National Grid and are, therefore, conflicted.	This comment is noted by the Applicant.
94		SEAS makes this suggestion only with the intention of assisting the ExA, mindful that the ExA Members do not (understandably) present themselves as having particular expertise in electrical networks engineering.	This comment is noted by the Applicant

Table 2.43 Suffolk Energy Action Solutions – Alternative Sites [REP1-282]

Reference	Matter	Points Raised	Applicants Comments
1.1	Introduction: General statement, Summary argument and references	SEAS has already submitted a detailed Relevant Representation on “Site Selection and Consideration of Alternative Options”, dated 23 June 2025, as part of (RR-5210) (the SEAS Alternatives RR).1 The SEAS Alternatives RR is appended for ease of reference.	This comment is noted by the Applicant. A response to a response the Relevant Representation can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] .
1.2		As the SEAS Alternatives RR makes clear, it needs to be read alongside SEAS’ detailed Relevant Representation concerning the Applicant’s purported need/justification case for the Proposals (SEAS Need RR2).	This comment is noted by the Applicant.
1.3		This is because the consideration of alternatives necessarily depends on a proper understanding of the needs/objectives that are said to justify a project.	This comment is noted by the Applicant.
1.4		As the SEAS Need RR identified, in fact the “need” for the Proposals, said by the Applicant to be founded on a 1,852MW “deficit” of transmission capability in a “worst case fault” scenario due to a projected excess of generation from the “Sizewell Generation Group”, does not and will not exist. This is because Nautilus, which the Applicant relied upon for 1,500MW of future ‘scaled’ generation (though ‘scaled’ is inaccurate in the case of Nautilus), will no longer landfall at Sizewell, and that was known at least by November 2024, many months before the DCO Application was submitted. On the Applicant’s own figures, properly understood, at very most there might be a worst case fault deficit in the 2030s of some 352MW. And even that 352MW was dependent on the Applicant’s sister company’s commercial “LionLink” proposal landfalling at Sizewell, when there was no reason for it to do so – other than that the Applicant had sited infrastructure at Sizewell in reliance on LionLink landfalling at Sizewell (an entirely circular justification).	Please refer to Applicant’s response to lines 1-7 in Table 2.42. ‘Needs Case’. The need case for the Proposed Project is robust, as set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320], Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP1A-043] and Table 2.42 ‘Needs Case’ in this document. As set out below, the outcome of the needs case is not altered by NGV having terminated its Friston (Kiln Lane) substation connection offer for Nautilus. Indeed, connection offers may be terminated, modified, or added to the relevant registers by NESO at any time, and this is kept under review by the Applicant. Had the Nautilus connection offer been terminated earlier than March 2025, or the application submitted later, then the Nautilus interconnector would not have appeared in Application Document 7.2 Strategic Options Back Check Report [APP-320], but (assuming other variables remained consistent) the conclusions would remain the same. As set out in Table 2.42 ‘Needs Case’, a shortfall in scaled generation of 352MW out of the Sizewell Generation Group nonetheless represents an

Reference	Matter	Points Raised	Applicants Comments
			issue that needs to be addressed. National Grid must comply with its transmission licence and meet requirements set out in the NETS SQSS, and this shortfall would be non-compliant. Furthermore, the generation figures in the need case are based on scaling factors used in determining wider regional needs where there is diversity in generation types. This applies across east Anglia. NGET also has to consider credible local conditions, which in the Sizewell area will include higher outputs from both the nuclear and wind generators at the same time. Under these conditions the transmission capacity deficit will be much higher than 352MW. More widely, it is important to note that in addition to the Sizewell Generation Group need, the need for the Proposed Project is driven by various issues occurring across the networks in East Anglia and Kent. The 2GW capacity provided by the Proposed Project is critical to meeting this need in a coordinated way. The consistent characterisation of the termination of the Nautilus connection offer as having fundamental implications for the Proposed Project needs case is incorrect.
1.5		However, at the time of the SEAS Alternatives RR and the SEAS Need RR, the Applicant had acknowledged none of this.	As set out in the response in row 1.4, connection offers may be terminated, modified, or added to the relevant registers by NESO at any time, and this is kept under review by the Applicant. The Applicant does and has acknowledged that Nautilus no longer has a connection offer at Friston (Kiln Lane).
1.6		Hence SEAS had to prepare the SEAS Alternatives RR on the fictional bases that: (a) there would be a 1,852MW “deficit” of transmission capability in the event of a worst case fault, with Nautilus fictionally continuing to landfall at Sizewell; or (b) that the Applicant’s need/justification case would become some more nebulous case based on a more general reinforcement of East Anglian transmission.	In response to point (a), as set out throughout Table 2.42 ‘Needs Case’ in this document, while the shortfall no longer includes the 1500 MW from Nautilus, there is nonetheless a shortfall and this does not change the conclusions of the needs case. A shortfall of 352 MW is indeed acknowledged by the respondent throughout its written representation. Furthermore, when considered as a generation group rather than on the basis of scaled generation, the need to reinforce out of the Sizewell Generation Group is demonstrably stronger still. In response to point (b), and notwithstanding the points above regarding the need to reinforce out of the Sizewell Generation Group, the wider regional need to reinforce out of East Anglia is similarly very strong. It is in no way nebulous. This is set out set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320].
1.7		SEAS envisaged at the time of the SEAS Alternatives RR that the Applicant would attempt to switch horses to some different need/justification case, and that SEAS would therefore have to prepare detailed written representations dealing with alternatives addressed to a new case.	No response required, other than to acknowledge that this is not the case.
1.8		Instead, what has happened is that the Applicant has confirmed at Issue Specific Hearing 1 (ISH1) on 11 November 2025, that SEAS is entirely correct in its analysis of the Applicant’s “need” case, the Applicant’s Mr. Seb Stevens giving oral evidence as follows (so far as relevant):	Responses to each point provided below: 1. See responses throughout Table 2.42 ‘Needs Case’ in this document. 2. See responses throughout Table 2.42 ‘Needs Case’ in this document. In short, a 352MW capacity shortfall represents a need to

Reference	Matter	Points Raised	Applicants Comments
		(1) SEAS is correct to say that with the removal of Nautilus, the Applicant’s “need” case for the Proposals landfalling in Sizewell has shifted from one based on a claimed 1,852MW transmission capability “deficit” in the event of a worst case fault, to a 352MW “deficit”. (2) The Applicant maintains that this claimed 352MW “deficit” amounts to a need for the Proposals. (3) The Applicant asserts that the removal of Nautilus came too late in the day for it to adjust its published “need/justification” case to reflect this. (4) The Applicant also claims that there may be a need to import electricity from Kent into East Anglia.	reinforce, although the needs case for the Proposed Project is far broader than the Sizewell Generation Group in any case. 3. See responses throughout Table 2.42 ‘Needs Case’ in this document. 4. Sea Link will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. This is driven by the interconnectors landing in Kent due to its proximity to mainland Europe, as well as growth in other renewable and battery storage projects. The power is not primarily to serve local demand in East Anglia (which is relatively low) but to access the network in this region.
1.9		The third point (3), is nonsense, and the ExA can judge for itself whether it was appropriate for the Applicant to submit this DCO Application claiming a 1,852MW deficit in terms of need, many months after the Applicant knew otherwise.	See responses throughout this document, no further response required.
1.10		The final point, (4), is new, but it can be dismissed out of hand, as SEAS’ written representations dealing with need/justification explain. ██████████ made the assertion without anything to support it, and any proper consideration of the evidence shows it is without foundation.	The need to reinforce the network in Kent is not new, this is a fundamental part of the needs case for Sea Link. This is set out comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320] .
1.11		So, the position is straightforward: the Applicant’s foundational “need” case for the Proposals at all, and for siting the Proposals at Sizewell in particular, is a claimed 352MW future “deficit” in the event of a worst case fault.	The needs case for the Proposed Project extends well beyond the shortfall in capacity out of the Sizewell Generation Group (albeit this does contribute to it) or a need to connect individual projects. As set out throughout Table 2.42 ‘Needs Case’ in this document, and comprehensively in Application Document 7.2 Strategic Options Back Check Report [APP-320], the Sea Link project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. The need for Sea Link is further reinforced in the NESO Clean Power 2030 ‘Advice on achieving clean power for Great Britain by 2030’ (November 2024). This report is the NESO analysis of what it considers to be the pathway to a clean power system by 2030. This report states that a major network expansion is needed to achieve this, and identifies Sea Link as being critical for the achievement of the Clean Power 2030 target and also requiring acceleration of its delivery date.
1.12		That 352MW is in any event an unjustified construct, derived from circular reasoning in which the Applicant’s sister-company’s commercial LionLink project, which has no need to come to Sizewell, is then said to be the reason there will be a transmission capability deficit at Sizewell justifying these Proposals at Sizewell.	See responses in Table 2.42 Needs Case.
1.13		In any event, at its highest for the Applicant, the Applicant’s reasonable alternatives should have included thorough consideration of whether there are other means to meet a claimed 352MW future deficit.	See responses in Table 2.42. Application Document 7.2 Strategic Options Back Check Report [APP-320] sets out in comprehensive detail how strategic alternatives were considered. Note that the needs case for the Proposed Project extends well

Reference	Matter	Points Raised	Applicants Comments
			beyond the shortfall in capacity out of the Sizewell Generation Group (albeit this does contribute to it).
1.14		The other significant change since the SEAS Alternatives RR, is the Applicant’s publication of proposed changes to the Proposals, and in particular changes concerning the Benhall Bridge. What the Applicant has very belatedly acknowledged (belatedly, despite being told this in clear terms well before submission of the DCO Application), is that the Benhall Bridge is a very serious obstacle to these Proposals.	The Benhall Rail Bridge representing a constraint on the Abnormal Indivisible Load (AIL) route has not been belatedly acknowledged and it does not represent a ‘serious obstacle’ to the Proposed Project. The Applicant has been aware that the Benhall Rail Bridge is a weight restricted asset since December 2023 and has developed the Proposed Project in this context. The requirement to review and assess constraints on AIL routes to identify crossing methodologies (which may include localised highway improvement works) is standard and this approach was set out in the submission in Application Document 7.5.1.1. Outline Construction Traffic Management and Travel Plan - Suffolk [APP-337], which acknowledges a weight restriction on the Benhall Rail Bridge (constraint ref: AC3). Note that is document was replaced and updated as part of the change to the application, discussed below. The statutory consultation feedback from Suffolk County Council put this restriction at STGO 2 (80 tonnes). A report which qualitatively restricted the bridge to STGO 1 (46 tonnes) was undertaken in December 2024 by Suffolk County Council and issued to the Applicant in January 2025. Either way, in accordance with the typical approach for large scale projects, the Applicant will work with heavy lift and AIL engineering contractors during the detailed design and construction phase to plan for the movement of AILs, with the methodology will consider the weight restriction ion place at that time. The purpose of the changes to the application in the vicinity of the Benhall Rail Bridge (accepted by the ExA on 5 December 2025) was to provide reassurances to Suffolk Conty Council (SCC) and East Suffolk Council (ESC) that proposed solutions to AIL movements across the Benhall Rail Bridge would be feasible and acceptable. It was also to bring the highway at the bridge location into the Order Limits, to provide clarity to consenting mechanism. The change to the application was made in part due to the interest from communities and key stakeholder (including SCC) on the AIL solution at the Benhall Bridge. This followed productive discussion on this matter with the Suffolk County Council (as highways authority). The change means that the application for the Proposed Project now includes a greater amount of detail on potential AIL crossing methodologies than is typically available at the DCO stage, although does not change the work that may be required at the bridge had the application not been changed in this location.
1.15		The Applicant’s failure to appreciate the Benhall Bridge problems in the first place, throws into question its entire approach to site selection in Suffolk, which saw the Applicant switch, late, to Saxmundham for the converter station. If it had realised the Benhall Bridge issues, would it have alighted on the sites it had? Surely not.	The Applicant did not fail to appreciate that the Benhall Rail Bridge represents a constraint to AIL movements. Please see the response in row 1.14. The bridge was understood to be a weight restricted asset while the plans for the Proposed Project were developed, and this was and is not considered to be an impediment to the movement of AILs (with the appropriate crossing methodology to be identified at the detailed stages). The identification of the Saxmundham converter station site is set out in detail in Application Document 8.1 Corridor Preliminary Routeing and

Reference	Matter	Points Raised	Applicants Comments
			Substation Siting Study (October 2022) [APP-368]. This presents the process by which the Saxmundham site was identified, which was a result of initial findings being reviewed and updated in the context of new information and of ongoing coordination with other projects. It is important to note that the Saxmundham site was not introduced late. It was consulted on, alongside an alternative, at the 2022 non-statutory consultation, which was the first time the Proposed Project had been presented publicly for consultation. In accordance with good practice and in the interests of a robust process of options appraisal, the Applicant back checks its decision making as part of an ongoing process of review, as assumptions and higher-level understanding of constraints and potential effects becoming better defined as projects progress. The Applicant is confident that the outcomes of the site selection process remain robust, having continued to review the Proposed Project as it progressed through the various phases of consultation, assessment, and design, since the converter station site was first identified.
1.16		In the circumstances, SEAS stands entirely behind its reasonable alternatives analysis set out in the SEAS Alternatives RR, which as noted is appended, but SEAS also now adds to the SEAS Alternatives RR consideration of the new reality for the Applicant, that: (1) At its highest for the Applicant, the “need/justification” for the Proposals at all, and certainly for the Proposals landfalling at Sizewell area, is 352MW of claimed future worst case fault transmission capability “deficit”. (2) The Benhall Bridge presents very real obstacles to the Proposals’ proposed siting in Suffolk.	Responses relating to the need for the Proposed Project are set out in Table 2.42. Please see the responses in rows 1.14-1.15 above for discussion regarding the Banhall Rail Bridge. This does not present an obstacle to the delivery of the Proposed Project. Regarding point 2, this is incorrect – see above responses.
1.17		Reality (1) means that the Applicant could and should be meeting the claimed 352MW “deficit” by straightforward reinforcement/upgrading of existing transmission infrastructure, at a fraction of the cost of the Proposals, and without their many harms.	Responses relating to the need for the Proposed Project are set out in Table 2.42. 42 Needs Case
1.18		Reality (2) means that the Applicant should not have been looking to site at a location dependent on use of the Benhall Bridge in any event.	This is incorrect, for the reasons set out above.
1.19		This case for SEAS is on top of the case set out in SEAS Alternatives RR.	Noted. The Applicants response to the Alternatives RR is provided in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043].
1.20		In addition to the documents we have referred to above (including SEAS’ need/justification written representation that will be submitted alongside this written representation), we also point the ExA to: • The Applicant’s Change Request letter of 16 September 2025 AS-138 • SCC’s Response to Applicant’s proposed changes to Proposals • Benhall Parish Council representations at pre-application stage (various) (culminating in representation 6 January 20254, but see earlier representations).	Noted.

Reference	Matter	Points Raised	Applicants Comments
1.21		Many other documents are also relevant, but if the ExA reads those we have pointed to, we consider it will have a sufficiently clear picture.	No response required.
1.22		By this written representation, SEAS further demonstrates why the needs case for the Proposals is defective, and that no strategic need for this type of infrastructure in this general location has been proved. We argue further, that even on the false presumption of this or a similar need, the process of identifying and selecting a specific location has not been carried out in accordance with National Policies nor with NSIP procedures; and that the late change request for works at Benhall Bridge lays bare these defects of strategy and process. We suggest in addition that the timing of the Change Request and the lack of detail on this matter in the original Application might almost have been designed to draw attention away from the proof of poor site selection that its present necessity demonstrates.	Responses on needs case and site selection are set out elsewhere in Table 2.42 (needs case) and Table 2.43 (alternatives) in this document.
1.23		The structure from now is: - What the reality for the Applicant (that on its own figures it cannot point to a future transmission capability “deficit” for the “Sizewell Generation Group” of more than 352MW) means for the alternatives analysis (including a further brief recap of SEAS Need RR and SEAS Alternatives RR, but please refer to the documents themselves). - Relevance of Applicant’s Proposed Change #4 – Benhall Bridge – to alternatives analysis. - Summary and update in light of above.	No response required.
1.24		SEAS does emphasise that it continues to stand by the SEAS Need RR and the SEAS Alternatives RR, but as updated by this written representation.	Noted. The Applicants response to the Alternatives RR is provided in Application Document 9.34.1 Applicant’s Responses to Relevant Representations identified by the ExA [REP1A-043] .
2.1	2. What the reality for the Applicant (that on its own figures it cannot point to a future transmission capability “deficit” for the “Sizewell Generation Group” of more than 352MW) means for the alternatives analysis	In SEAS Needs RR, we explained what the statutory framework combined with the policy framework in the relevant NPSs means the Applicant must or must not demonstrate by way of need for the Proposals.	Responses relating to the need for the Proposed Project are set out in Table 2.42 Needs Case.
2.2		We highlighted that whilst EN-1 provides support for, and a presumption of need for, transmission reinforcement as a type of infrastructure, EN-1 also makes clear (at 3.3.78 – 81) that any proposed project must demonstrate that it ‘represents an efficient and economical means’ of, of relevance, reinforcing the network, or connecting new supplies. EN-1 3.3.79 specifically emphasises the requirement for strategic projects, as ‘elements of a coherent and strategically necessary system’. The test of efficiency and economy, of course, requires a positive balance between the need for the project and the harm it will cause.	Responses relating to the need for the Proposed Project are set out in Table 2.42 Needs Case.
2.3		We explained that these requirements are not met by the Proposals, and that instead when it made the DCO Application the Applicant was relying on a case there will come a time when the “Sizewell Generation Group” will be generating so much electricity that in the event of a “worst case fault” transmission reinforcement will be needed, to the tune of 1,852MW additional capability, and that the Proposals would meet that “need”. We demonstrated in the SEAS Need RR that in fact this was based on a fiction, 1,500MW of that 1,852MW being accounted for by the Nautilus proposal, which as long ago as November 2024 was not coming to Sizewell area after all. We also demonstrated that another 1,600MW of assumed generation	Responses relating to the need for the Proposed Project are set out in Table 2.42 Needs Case.

Reference	Matter	Points Raised	Applicants Comments
		was attributable to the proposed LionLink project, a commercial project of the Applicant’s sister company National Grid Ventures, which has no need to come to Sizewell at all (save to justify these Proposals – an entirely circular position), and that without LionLink there will be a considerable surplus of transmission capability even in a worst case fault scenario. We explained that even with LionLink (incorrectly) included, a 352MW future “deficit” could and should be addressed by reinforcement of existing transmission infrastructure.	
2.4		SEAS Need RR having shown the lack of need/justification for the Proposals, including the lack of any strategic pooling of infrastructure justification, and the lack of any support from EN-1 as to location, the SEAS Alternatives RR necessarily had to proceed on a fictional basis: imagining that there would, in fact, be a “deficit” of 1,852MW transmission capability due to the Sizewell Generation Group, or some other nebulous “need” for the Proposals in East Anglia	Responses relating to the need for the Proposed Project are set out in Table 2.42 Needs Case.
2.5		SEAS Alternatives RR explained that, pre-consultation, SEAS had suggested to the Applicant brownfield sites outside Suffolk (Bradwell on Sea, Isle of Grain) that are available and would avoid the unjustified harm that a Saxmundham site would cause, contrary to the requirements of s104(7) of the Planning Act 2008. We also identified a site within Suffolk (the former RAF airfield at Leiston) that is a brownfield site and would meet any newly identified need for reinforcement in East Suffolk, as well as noting that Sizewell C is still a potential option.	Sites at Bradwell-on-Sea or the Isle of Grain would not provide a nearby network connection point that would meet the needs case for the Proposed Project. In short, there would be no needs case to develop network reinforcements into these areas, and irrespective of this, the network constraints in East Anglia and the South East would remain unresolved. These are not technically feasible alternatives. The former Leiston Airfield site was indeed considered as a potential converter station site but was not taken forward as an emerging preference. This is set out in detail in Application Document 8.1 Corridor Preliminary Routing and Substation Siting Study (October 2022) [APP-367]. A response to these comments can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043].
2.6		In the fictional world of the Applicant’s need case, these suggestions offer solutions that perform against two particular goals: the sites outside Suffolk approach would promote a co-ordinated and more modern approach (we call this the ‘whole package approach’, supported by a modular offshore grid), and avoid providing a solution to a problem that does not exist in the absence of Nautilus; and the RAF Leiston/Sizewell C suggestions limit the damage that will be caused if for some reason the Proposals were in fact necessary.	A response to these comments can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] .
2.6		As regards the latter, we note that NGET’s basis for site selection (e.g APP-044 ES Main Alternatives Considered 3.6.61-66) was that there would need to be a new common node for a group of connections – the Proposals, Nautilus and Lion Link5 - in the Sizewell area. This was explicit in APP-044 as quoted, where a review of potential sites based on their ability to hold three co-located converter stations (as a proxy for ‘co-ordination’ of these projects) led NGET to promote Saxmundham as a preferred site, and to discount the RAF Leiston site on the grounds of poor transport access and Sizewell C on unspecified engineering and environmental constraints.	A response to these comments can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] specifically Appendix B in relation to the former RAF airfield at Leiston.

Reference	Matter	Points Raised	Applicants Comments
2.7		SEAS RR goes into detail on the advantages of the package options and the Leiston option, and we will not rehearse these here.	A response to these comments can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] specifically Appendix B in relation to the former RAF airfield at Leiston.
2.8	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	The Applicant has now, finally, acknowledged, in response to a direct question from the ExA at ISH1 (prompted by a point made/query raised by SEAS' barrister [REDACTED]) that the claimed 1,852MW "deficit" "need" for the Proposals no longer exists, and that its highest for the Applicant, the figure is 352MW.	Responses relating to the need for the Proposed Project are set out in Table 2.42.
2.9	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	SEAS disputes any need at all, for the reasons set out in the SEAS Need RR and the SEAS need written representations that will be submitted alongside this written representation.	Responses relating to the need for the Proposed Project are set out in Table 2.42
2.10	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	However, the fact the Applicant itself now acknowledges no more than 352MW represents a radical shift in the approach to alternatives.	Responses relating to the need for the Proposed Project are set out in Table 2.42.
2.11	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	The Applicant must now re-consider whether the claimed 352MW deficit can be met by straightforward upgrading of existing transmission infrastructure.	Responses relating to the need for the Proposed Project are set out in Table 2.42.
2.12	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	SEAS need written representation shows that it can.	Responses relating to the need for the Proposed Project are set out in Table 2.42
2.13	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	The Applicant cannot hide behind its failure to properly consider this earlier.	Responses relating to the need for the Proposed Project are set out in Table 2.42.
2.14	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	The Applicant was well aware, from at least November 2024, that Nautilus would not be landfalling at Sizewell, and that therefore 1,500MW of its claimed 1,852MW "deficit" "need" had disappeared.	Responses relating to the need for the Proposed Project are set out in Table 2.42
2.15	The Applicant's awakening to reality and what it means for	It was the Applicant's choice to ignore that, and press ahead with making the DCO Application on the basis of a false and out of date need case.	Responses relating to the need for the Proposed Project are set out in Table 2.42

Reference	Matter	Points Raised	Applicants Comments
	the reasonable alternatives analysis		
2.16	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	It is deeply troubling to consider that it was not until the Applicant was asked, directly, by the ExA at ISH1, that the Applicant acknowledged its need case presented in its Application documents, as confirmed by no less a document that its Planning Statement, simply did not exist.	Responses relating to the need for the Proposed Project are set out in Table 2.42
2.17	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	SEAS requests the ExA require the Applicant to go back to the drawing board and look, properly, at whether these Proposals are needed at all, or whether any transmission capability "deficit" that might exist if LionLink landfalls at Sizewell (and why it would do so is unclear) could be dealt with by reinforcement of existing transmission infrastructure (which it clearly could).	Responses relating to the need for the Proposed Project are set out in Table 2.42
2.18	The Applicant's awakening to reality and what it means for the reasonable alternatives analysis	The environmental and cost benefits from avoiding these Proposals are too great to allow the Applicant to proceed on a fictional basis, through inertia.	Responses relating to the need for the Proposed Project are set out in Table 2.42
3.1	Relevance of Applicant's Proposed Change #4 – Benhall Bridge – to alternatives analysis	As the ExA is aware, late in the day, the Applicant switched its preferred converter site option to Saxmundham, despite Saxmundham previously not having been shortlisted as an alternative.	The identification of the Saxmundham converter station site is set out in detail in Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368]. This presents the process by which the Saxmundham site was identified, which was a result of initial findings being reviewed and updated in the context of new information and of ongoing coordination with other projects. It is important to note that the Saxmundham site was not introduced late. It was consulted on, alongside an alternative, at the 2022 non-statutory consultation, which was the first time the Proposed Project had been presented publicly for consultation. Further details can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] specifically Appendix B,.
3.2		In making this late switch, the Applicant left unanswered the questions of access to the Saxmundham site, that the Applicant suggested it had considered for the other sites, and had presumed unanswerable for those other options.	The process of site selection involves a balanced consideration of various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to the most appropriate project design to take forward. A response to this comment can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] specifically Appendix B.
3.3		The Applicant left three options for access from the A12 for later consideration, despite warnings from District and County Councils and others that this was a critical issue that needed to be addressed at the outset.	The Applicant initially considered three potential access routes, identifying the proposed ('western access') as the preferred option. Based on ongoing engagement with stakeholders, the Applicant then further considered a total of five alternative accesses as shown on Figure 6.4.1.3.20 Saxmundham Converter Station Access Options in Application Document 6.4.1.3 ES

Reference	Matter	Points Raised	Applicants Comments
			Figures Introduction Main Alternatives Considered [APP-206], concluding that the western access remained the preferred option for the reasons set out in paragraphs 3.8.3 to 3.8.18 in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. The five accesses considered comprised: • An access from the west (from the B1121 south of Saxmundham) • An access from the north (from the B1121 north of Saxmundham) • An access from the south (from the A1094) • An access from the east (contiguous with the temporary cable haul road) • An access which utilised the proposed Sizewell Link Road (or B1122) All access options are in proximity to heritage assets, and all accesses require crossings of various types, with different access options interacting differently with roads, rail lines, watercourses, and/or public rights of way, and these all represent constraints which would require solutions. The proposed western access provides the shortest access from the A12, minimising the amount of construction traffic on the rest of the local road network. While all five options considered would introduce an off-highway access road into the landscape, the western access would require the shortest stretch, reducing the potential for construction risks, impacts, and delays. Using the shortest route from the A12 to site would reduce travel distance for every construction vehicle compared to the alternatives considered (by a considerable amount in the case of the longest alternative considered, the Sizewell Link Road or B1122 option), with associated construction phase and environmental benefits. It should be noted that the proposed works to the Benhall Bridge on the western access relates to a small number of Abnormal Indivisible Load (AIL) vehicles only, and the majority of the construction vehicles, everything up to and including STGO 1 (46 tonnes), are permitted to use the bridge.
3.4		We suggest the simplest and most perceptive comment on the Saxmundham proposals came from Benhall and Sternfield Parish Council, in January 2025; <i>‘We must repeat our summary from July 2024 regarding the proposed access. What is now shown is not a suitable access, but if this is the only access available, the Wood Farm site for the converter station is clearly inappropriate’.</i> This seems to be the heart of the present situation, and SEAS endorses this opinion	Please see responses provided in Table 2.37.
3.5		The Applicant has now submitted a Proposed Change Request (submitted by NGET on 16 September 2025).	The Applicant’s request for proposed changes was accepted by the ExA on 5 December 2025.

Reference	Matter	Points Raised	Applicants Comments
3.6		Proposed Change#4 proposes making substantial changes to Benhall Bridge, which spans the railway line and is close to the A12.	Please see responses provided in this table (alternatives) The application does not propose making substantial changes to the Benhall Rail Bridge, it considers the temporary installation of a 'mini-bridge' as part of the methodology for moving AILs, or minor works to repair the existing structure.
3.7		This is for the obvious reason that the Benhall Bridge can only load bear up to some 44 tonnes, whereas the Applicant would need to bring in to the Saxmundham site multiple loads of some 500 tonnes (or more).	Please see responses provided in this table (alternatives) Note that it is axel weight not the absolute weight of an AIL that is most relevant when assessing AIL routes during the detailed design and delivery stages of a project.
3.8		The recognition that the bridge requires strengthening (or rebuilding) from a load bearing capacity of 44 tonnes to 500 tonnes or more could and should have occurred long before the DCO Application was made, and should have been thoroughly identified and thrashed out during the pre-Application or consultation phases. Why it was not, is inexplicable: the changes will require major works close to the two critical transport routes for the area, the A12 and the railway.	Please see responses provided in this table (alternatives). Note that it is axel weight not the absolute weight of an AIL that is most relevant when assessing AIL routes during the detailed design and delivery stages of a project. The no closure of the A12 would be required for the works to the Benhall Bridge.
3.9		SEAS disagrees fundamentally with the Applicant's claim in the Change Request that 'The changes proposed apply to small and discrete areas' (1.2.1), and still more with the lazy assertion that 'The final detail of AIL routing and solutions for movements is typically developed after a DCO is made when the loads and programme for movements is known' (1.3.5). As if something as fundamental as a railway bridge wholly inadequate to take the loads needed to build the converter could be left aside for consideration after the DCO is made.	The changes (now accepted by the ExA and forming part of the Proposed Project) do only apply to small and discrete areas of the design.
3.10		We agree wholeheartedly with Suffolk County Council's very negative response to the change request, which even at this late stage lacks any of the detail that would be necessary for SCC to assess environmental, planning and engineering consequences. SCC go so far as to suggest that a northern access, taking advantage of the Sizewell C relief road might present fewer difficulties. Perhaps the Leiston site might be worth exploring, in that case.	Please see responses provided in this table (alternatives). The possibility of accessing the Saxmundham converter station site via a route which utilised the proposed Sizewell Link Road (or B1122) was reviewed by the Applicant, and this is set out in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] . A response to comments regarding the use of the Leiston site can be found in Application Document 9.34.1 Applicant's Responses to Relevant Representations identified by the ExA [REP1A-043] specifically Appendix B in relation to the former RAF airfield at Leiston and Table 2.1.2 in response to SCC in relation to the use of the Sizewell C relief road.
3.11		Of particular relevance here, is what, in SEAS' view, the Proposed Change#4 concerning Benhall Bridge further exposes regarding the Applicant's site selection process: namely as inadequate even on its own terms, and improperly based on circumstances that the Applicant knew were not going to apply.	Please see responses provided in this table (alternatives), including in rows 1.14 and 1.15.
3.12		Before alighting on Saxmundham as the site for the converter, access to the site should have been critically examined, and significant requirements, such as abnormal load requirements, checked against the existing local	The access to the Saxmundham converter station site has been robustly considered throughout the development of the Proposed Project. This

Reference	Matter	Points Raised	Applicants Comments
		infrastructure – the fact that they were left unexplored to the extent that a major Change to the Application is now required is indicative of either poor management or tactical concealment of an issue that would reveal the poverty of the site selection procedure;	includes potential constraints on the AIL routes, such as the weight restricted Benhall Rail Bridge. The point suggesting concealment of an issue is demonstrably incorrect when the application material is reviewed, and in any case is strongly refuted.
4.1	Summary and update in light of above	To summarise: - If Nautilus was not going to be connecting in the Sizewell area, as was known from November 2024, there was and is no possible “need” for a “Sea Link” proposal at all, let alone to connect a “Sea Link” at Sizewell; - The ExA should require the Applicant to look properly at whether there is any future transmission capability deficit at all, with a clear eye to whether it is appropriate to rely on NGV’s commercial LionLink proposal as justification for these Proposals; - If, somehow, LionLink is to be included, then the ExA should require the Applicant to look properly at whether a 352MW “deficit” could be met by upgrading of existing transmission infrastructure; - If a “Sea Link” converter is to be built, there are brownfield sites at Sizewell and Leiston that could and should have been explored and analysed in detail, but which were dismissed without proper explanation; - Before alighting on Saxmundham as the site for the converter, access to the site should have been critically examined, and significant requirements, such as abnormal load requirements, checked against the existing local infrastructure – the fact that they were left unexplored to the extent that a major Change to the Application is now required is indicative of either poor management or tactical concealment of an issue that would reveal the poverty of the site selection procedure; - The ExA should require the Applicant to revisit the site selection process itself, to ensure that it is not in any way based on externalities, such as Nautilus or Lion Link, that should have no place whatsoever in “justifying” the Proposals.	Please see above responses.

2.30 The Ramsgate Society and The Ramsgate Regeneration Alliance [REP1-287]

Table 2.44 The Ramsgate Society and The Ramsgate Regeneration Alliance - Deadline 1 Written Representation [REP1-287]

Reference	Matter	Points Raised	Applicant’s Comments
1	Introduction	We submit this Written Representation in respect of the Sea Link Project DCO, with specific reference to the proposed converter station and associated infrastructure at Minster Marshes. We acknowledge the urgent need for reinforcement of the transmission network but contend that the Applicant has failed to select the least-damaging option	This is noted by the Applicant and a full response is provided to each point below.

Reference	Matter	Points Raised	Applicant's Comments
		consistent with EN-1 and EN-5, and has inadequately assessed alternatives, environmental impacts, and technology options. Our representation identifies four primary grounds of objection: 1. Flaws in the Habitats Regulations Assessment (HRA). 2. Failure to properly assess the Richborough brownfield alternative. 3. Suboptimal technology choice, contrary to Best Practicable Environmental Option principles under EN-5. 4. Failure to address public value and Green Book obligations We respectfully request that the Examining Authority issue targeted Rule 17 questions and convene Issue Specific Hearings (ISHs) on HRA, alternatives, and technology selection.	
2	Policy Framework	• EN-1 (Overarching NPS for Energy) requires decision-makers to "seek opportunities to avoid and minimise adverse impacts" (§4.2.8). • EN-5 (Electricity Networks Infrastructure) requires that early-stage network planning balances cost, timely delivery, and minimisation of community and environmental impacts (§1.1.8). • Revised EN-1 and EN-5 came into force on 17 January 2024. • The Habitats Regulations 2017 (as amended) impose strict obligations at the screening, Appropriate Assessment (AA), and Imperative Reasons of Overriding Public Interest (IROPI) stages. • The Green Book (2020) requires holistic, public value–based appraisal using the Five Case Model.	This is noted by the Applicant and a full response is provided below.
3	Habitats Regulations Assessment (HRA)	The Applicant's HRA is inadequate and does not satisfy the precautionary principle	See full response below.
3.1	European Sites at Risk	• Thanet Coast and Sandwich Bay SPA: supports important wintering populations including turnstone, sanderling, and dark-bellied brent goose (JNCC citation). • Thanet Coast SAC: designated for sandbanks, reefs, and marine habitats. • Pegwell Bay Ramsar site and NNR: nationally and internationally important for birds, intertidal habitats, and saltmarsh.	Thanet Coast and Sandwich Bay SPA is not designated for sanderling or dark-bellied Brent goose. Refer to Natural England Designated Sites Viewer (Site Search). Pegwell Bay is not a Ramsar site by itself but part of Thanet Coast and Sandwich Bay Ramsar site. Habitats and species for which Thanet Coast SAC are designated have been correctly identified in the HRA submitted at Deadline 1 (Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]).
3.2	Impact Pathways	• Noise, artificial light, and construction disturbance. • Visual intrusion and fragmentation of dark-sky conditions. • Recreational pressure and construction traffic.	Noise, artificial light (and thus its effect on dark skies), and construction disturbance have all been considered within the HRA (Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]) and within the Kent Ecology and Biodiversity Chapter. Visual intrusion is not an ecological impact, and recreational pressure will not arise from the Proposed Development.

Reference	Matter	Points Raised	Applicant's Comments
			Potential traffic and transport effects associated with temporary increases in traffic levels on the highway network during the peak construction phase of the Kent Onshore Scheme are assessed and presented in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] . Whilst potential effects of construction traffic on tourists, visitor attractions and other businesses are considered in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1A-007] .
3.3	Survey Gaps	• The Applicant's ornithological surveys did not cover the full overwintering season (Nov–Mar). • Lighting assessment did not benchmark against ILP GN08 or CIE standards.	This is incorrect. The Applicant's ornithological surveys covered the full winter season (October to March). Ecological lighting assessment does not require benchmarking against ILP or CIE standards.
3.4	In-Combination Effects	The HRA does not adequately assess cumulative effects with: • Manston Airport (reinstatement). • Port of Ramsgate operations. • Pegwell Hoverport expansion. • Local development plans. Request: The ExA should require updated HRA with in-combination analysis and evidence based precautionary measures.	Manston Airport is explicitly considered in the 'in combination' section of the HRA. Existing port operations at Ramsgate or elsewhere would form part of the baseline against which assessment is undertaken. The hoverport at Pegwell Bay is defunct and no proposals for a return to hoverport use are public. Local Plans set out the housing and employment development within a given area. Where housing and employment applications are known and relevant they have been covered individually in the in-combination assessment of the HRA (Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071]).
4	Alternatives Assessment - Richborough Brownfield Option	The Applicant dismissed Richborough without sufficient justification. Richborough offers: • Brownfield credentials: former power station site with grid infrastructure. • Industrial setting: avoids new encroachment into sensitive marshland. • Proximity to grid assets: existing 400kV substation and SF₆-free pilot. • Reduced biodiversity risk: compared with Minster Marshes and its adjacency to SPA/SAC/NNR. By contrast, Minster requires extensive new infrastructure, reliance on constrained hoverport land, and incurs severe ecological risk. Request: The ExA should require a side-by-side alternatives matrix (Minster vs. Richborough).	The converter station option areas are described in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368]. Richborough Energy Park is located within converter station option area A. Within that option area, areas that could accommodate the technical parameters of the converter station were identified based on availability of brownfield land avoidance of designated sites as far as possible, landform, opportunities for natural screening and to minimise visual impacts on settlements. There was not sufficient space within Richborough Energy Park to site the technical parameters required for the converter station. The Applicant is aware of the policy approach set out at Paragraph 4.3.22 of NPS-EN1 that: <i>'Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:</i> • <i>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and</i> • <i>only alternatives that can meet the objectives of the proposed development need to be considered.</i>

Reference	Matter	Points Raised	Applicant's Comments
			Given that the use of the Richborough Energy Park has already been considered and discounted by the Applicant it would not be proportionate nor relevant to further consider it. Furthermore paragraph 4.4.3 of EN-1 advises that, given the level and urgency of need for new energy infrastructure (subject to any relevant legal requirements which may indicate otherwise) the determining authority should consider alternatives in a 'proportionate' manner and should not 'reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site.' The use of the hoverport land relates to the landfall rather than the converter station.
5	Technology Choice - Converter Station Design	The Applicant proposes a standard, bulky converter design. Modern, compact alternatives exist: • Hitachi HVDC Light® and Siemens HVDC PLUS®: compact VSC converters with reduced footprint and height. • Operational deployments: Amprion/Hitachi contract (Germany, 2024) demonstrates industry-standard scale. • Multi-vendor interoperability: demonstrated in UK Project Aquila and HVDC Centre trials. The Applicant has not evidenced why these options were excluded. In addition, NGET has publicly committed to eliminate SF₆ by 2050 and halve emissions by 2030. Indoor, compact GIS/VSC options would better align with this obligation. Request: The ExA should require the Applicant to provide: • Side-by-side technology comparison (standard vs. compact VSC). • Justification for exclusion of BAT options. • GIS shapefiles showing converter station footprint and construction compounds.	The Applicant has submitted Application Document 7.11.2 Design Approach Document - Kent [APP-365] which sets out how the design of the Proposed Project has evolved and also the design principles that have been used. As set out in Part 6.3 the Application Document 7.1 (C) Planning Statement [AS-057] the Applicant has a responsibility under Section 38 and Schedule 9 of the Electricity Act 1989 , when formulating proposals for new lines and other works, to: <i>“do what it reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects”</i>. The Proposed Project has been designed in the context of this responsibility. The Applicant is working with their chosen converter station supplier (Siemens) to minimise the size and impact of the converter station by using the latest technology available which is suitable for the intended purpose. The Applicant's view is that whilst there are of course examples of alternate converter station designs there is no policy requirement to demonstrate why they have not be used for the Proposed Project, and that these alternative proposals are vague or immature and can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision consistent with Paragraph 4.3.28 of NPS EN1.
6	Value for Money (VfM) and Public Value	The Applicant presents only a private CAPEX-based case. The Green Book (2020) requires a Five Case Model including social and environmental value. Richborough likely delivers superior public value when biodiversity, tourism, community wellbeing, offsetting costs, and litigation risk are included. Request: The ExA should direct the Applicant to prepare a Green Book–compliant VfM comparison of Minster vs. Richborough.	The Applicant is confident that the process to identify and then assess potential strategic options is robust and the most appropriate. This has been tried and tested through numerous previous projects, the formal examination process and ultimately decided by the relevant Secretary of State. The Treasury Green Book provides guidance on the interpretation by public servants of public spending, assets and resources for projects, policies and spend from the public purse. That is not relevant for National Grid Electricity Transmission. There is no requirement in the Planning Act 2008 for developers to have to submit a Treasury Green Book assessment as part of a

Reference	Matter	Points Raised			Applicant's Comments
					Development Consent Order (DCO) application. NGET is an Ofgem regulated business, with obligations to consider customer, environmental and other considerations as outlined in the Electricity Act 1989 and in its licence commitments. Consideration of the costs of a project and the funding it should receive via the regulatory settlement is the subject of a separate regulatory process, and it is not appropriate for the Planning Inspectorate, Examining Authority or the Secretary of State in their remit under the Planning Act to seek to duplicate other regimes.
7.1	Alternatives Matrix (Minster vs. Richborough)	Criteria	Minster Marshes	Richborough	The converter station option areas are described in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368] . Richborough Energy Park is located within converter station option area A. Within that option area, areas that could accommodate the technical parameters of the converter station were identified based on availability of brownfield land, avoidance of designated sites as far as possible, landform, opportunities for natural screening and to minimise visual impacts on settlements. There was not sufficient space within Richborough Energy Park to site the technical parameters required for the converter station.
		Land type	Greenfield, sensitive marsh adjacent to SPA/SAC	Brownfield, former power station site	No brownfield land within the study area could accommodate the technical parameters required.
		Proximity to designations	Direct adjacency to SPA, SAC, Ramsar, NNR	Away from sensitive sites, within industrial corridor	Both the proposed Minster Converter station and Richborough Energy Park are adjacent to a section of Sandwich Bay to Hacklinge Marshes SSSI.
		Flood risk	High – marshland	Managed flood defences, industrial setting	Richborough Energy Park is closer (approximately 500 m) from the Thanet Coast and Sandwich Ba SPA and Ramsar, Sandwich Bay SAC and Sandwich and Pegwell Bay NNR the then proposed Minster Converter Station and Substation.
		Infrastructure	Requires new compounds, hoverport reliance	Existing 400kV substation, industrial access	The proposed Minster Converter Station and Substation are located outside of Flood Zone 2 and 3.
		Biodiversity risk	Severe (wintering birds, intertidal habitats)	Lower (already industrialised site)	The inclusion of hoverport relates to the HVDC cable landfall. A HVDC cable landfall is required irrespective of the location of the converter station.
		Visual/landscape	Converter station ~28m height in open marsh	Screened within industrial landscape	The impact on biodiversity is set out in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-050] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] .
		Programme risk	Land access constraints (hoverport)	Established access corridors	The siting has sought to locate the proposed converter station and substation as close to the existing similar infrastructure as possible whilst taking account of the technical parameters required and other environmental and technical constraints.
		Cost	Likely lower CAPEX but higher ecological/social cost	Higher CAPEX but lower longterm risk/cost	As set out in Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] the Proposed Project is seeking to achieve a 10% net gain in biodiversity to align with National Grid targets.
8	Formal Requests to the Examining Authority	We respectfully request that the ExA: 1. Issue Rule 17 questions requiring the Applicant to: Provide GIS shapefiles of Order Limits and construction compounds.			

Reference	Matter	Points Raised	Applicant's Comments
		• Provide a side-by-side site selection comparison (Minster vs. Richborough). • Provide technology comparison (standard vs. compact VSC). o Provide updated HRA including full in-combination analysis. • Provide Green Book–compliant VfM comparison. 2. Convene Issue Specific Hearings on: • Habitats Regulations Assessment. • Alternatives and brownfield options. • Converter station technology selection.	
9	Conclusion	The Applicant has not demonstrated compliance with EN-1/EN-5 obligations to minimise impacts, nor with the Habitats Regulations, nor with public value appraisal standards. A brownfield Richborough option, combined with modern converter technology, would better deliver the urgent grid need while safeguarding internationally important habitats and securing value for money. Accordingly, we urge the Examining Authority to seek full clarification on these points before determining whether the proposed Minster Marshes site is acceptable.	See full response above.

2.31 The Ramsgate Society and The Ramsgate Regeneration Alliance [REP1-288]

Table 2.45 The Ramsgate Society and The Ramsgate Regeneration Alliance - Supplementary Submission: Technical Evidence Paper [REP1-288]

Reference	Matter	Points Raised	Applicants Comments
N/A	Preface – Status and Purpose of This Submission	This document is submitted to the Planning Inspectorate as a Supplementary Submission forming part of the evidence base already placed on the Examination record. It is intended to support, expand upon, and provide further technical detail in relation to the earlier submission: <i>“Submission to the Planning Inspectorate: Sea Link Project DCO – Deadline 1 Written Representation”</i> Interested Parties: The Ramsgate Society and the Ramsgate Regeneration Alliance This document should be read in conjunction with that original submission and regarded as a direct continuation of the same evidence set.	The Applicant has read and noted the contents of this document and where appropriate responds to the points raised below.

Reference	Matter	Points Raised	Applicants Comments
		Purpose of This Submission This document is presented as a technical evidence paper to support the Examination of the Sea Link DCO application. It is not a promoter submission and does not oppose the principle of the project. Its purpose is to: • Affirm acceptance of the national need for strategic grid reinforcement and offshore wind integration. • Provide evidence-based, verifiable alternatives to the current proposal that deliver the same objectives with lower risk, reduced environmental impact, and greater strategic value. • Offer a transparent, methodologically robust assessment of options, risks, and sensitivities, structured to support both expert examination and layperson understanding. • Ensure that the Examining Authority has access to the full range of reasonable alternatives and their consequences before issuing its recommendation. Status, Verification and Good Faith This submission is prepared by The Ramsgate Society and The Ramsgate Regeneration Alliance as part of their commitment to constructive public engagement with nationally significant infrastructure projects. It draws exclusively on publicly available data, established engineering methodologies, and best-practice risk and sensitivity frameworks (including HM Treasury Green Book, ISO 31000, EN-1/EN-5, and OTNR principles). This submission has been produced in good faith and to the best of our ability. It is offered for expert scrutiny and will undergo independent technical validation and peer review prior to any oral evidence sessions or final submission to the Secretary of State.	
N/A	Key Messages – Supplementary Submission Overview	Purpose: • This submission is a Supplementary Evidence Paper supporting “Submission to the Planning Inspectorate: Sea Link Project DCO – Deadline 1 Written Representation” by The Ramsgate Society and The Ramsgate Regeneration Alliance. • It provides technical, risk-based, and policy-aligned evidence on alternative approaches to the Sea Link project that deliver the same national objectives with lower risk, reduced impact, and greater future-proofing. Our Position: • We accept and support the national need for strategic grid reinforcement, offshore wind integration, and Net Zero delivery.	The comment is noted. A full response is provided below.

Reference	Matter	Points Raised	Applicants Comments
		- We are not opposing the project in principle. Our aim is to ensure that the chosen solution represents the best available technology, design, and siting in line with UK energy strategy and planning policy. What This Submission Does: - Provides a detailed comparison of alternatives (e.g. compact converter technology, indoor GIS, Richborough siting) that meet the same objectives with potentially superior outcomes. - Examines risk and sensitivity across technical, environmental, legal, and procedural dimensions, using established government and industry methodologies. - Presents evidence on downstream network impacts, marine interface considerations, and grid integration consequences associated with both conventional and modern converter technologies. - Offers a transparent, verifiable methodology suitable for scrutiny by experts, the Examining Authority, and the applicant’s legal team. - Ensures the submission remains accessible to lay readers through plain-language explanations and structured narrative. Key Conclusions: - Alternative solutions are credible and deliverable within the same strategic timeframe, often with significantly lower environmental, landscape, and procedural risk - Modern converter technologies and indoor GIS designs offer substantial advantages in footprint reduction, resilience, and future grid compatibility. - Richborough and other brownfield alternatives should be fully assessed in the DCO process as potentially preferable sites.	
N/A	Executive Statement	The Sea Link project represents a nationally significant infrastructure development, central to the UK’s Net Zero strategy and offshore wind expansion. This submission recognises and supports that strategic context. However, our detailed analysis indicates that the current proposal, centred on a large-scale converter station and associated overhead line infrastructure at Minster Marshes, may not represent the most appropriate, proportionate, or future-proof solution available. The evidence presented here demonstrates that: - Viable alternative configurations and locations exist that meet the same functional objectives. - Technological advances, particularly in compact converter designs and indoor GIS, enable a materially reduced environmental and spatial footprint. - Strategic siting choices, including the use of existing brownfield sites such as Richborough, may deliver significant reductions in risk, complexity, and community impact. - A robust risk-weighted evaluation of these alternatives is essential to ensure the final recommendation is consistent with the principles of necessity, proportionality, and public interest.	See full response below.

Reference	Matter	Points Raised	Applicants Comments
		This submission seeks to assist the Examining Authority in fulfilling its statutory duty to consider reasonable alternatives, as set out in NPS EN-1 §4.4.1–4.4.3, and to ensure that the eventual DCO consent reflects the best available solution to the strategic challenge at hand.	
1	National Need and Policy Alignment	The UK’s transition to a secure, low-carbon energy system requires substantial expansion and modernisation of the national transmission network. Sea Link, designed to facilitate the transfer of offshore wind energy from the North Sea to demand centres in the south, plays a vital role in this effort.	The Applicant has submitted a full assessment of the Proposed Project against the policies of the NPSs and other important and relevant considerations such as local planning policy and the NPPF in their Application Document 7.1 (C) Planning Statement [AS-057] . Part 5.2 of that document identifies the need for the Proposed Project and the benefits that it will bring.
1.1	Policy Basis	<i>“The Government believes that it is essential to ensure that the UK continues to have secure and reliable supplies of electricity as we transition to a low carbon economy.”</i> – NPS EN-1 §3.3.2 <i>“Substantial new electricity transmission infrastructure will be needed to connect new sources of electricity generation, including renewable generation, to the national grid.”</i> – NPS EN-1 §3.3.16 The submission aligns with this strategic imperative. Our objective is not to question the necessity of Sea Link, but to ensure that the form it takes represents the most effective and proportionate means of achieving that policy goal.	The Applicant’s view is that the Application demonstrates that a series of alternatives have been considered as part of the Scheme design process and that the Application meets the tests of NPS EN-1 4.4.1–4.4.2. The Applicant considers that the Proposed Project represents the most effective and proportionate solution available for meeting the needs of the network, consistent with their obligations as a licence holder under the Electricity Act 1987. Notwithstanding this, the Applicant does not accept that the already discounted Richborough Energy Park is a credible alternative.
1.2	Alternatives and the Legal Framework	<i>“The Secretary of State should be satisfied that the applicant has complied with the requirements to consider alternatives to the proposed development... The applicant should provide information on the main alternatives studied and an indication of the main reasons for the choice made.”</i> – NPS EN-1 §4.4.1–4.4.2 <i>“Where there is a credible alternative which would result in materially different environmental effects, these should be considered during the decision-making process.”</i> – NPS EN-1 §4.4.3 This submission identifies and evaluates such alternatives, providing the Examining Authority with a structured, evidence-based framework for their consideration.	Notwithstanding that this text is not taken from the NPSs and is not planning policy, but is rather from the EIA Regulations, the Applicant considers that Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered of the ES [APP-044] fulfils this requirement.
2	Alternative Strategies Overview	The analysis identifies four principal areas where alternative solutions may deliver substantial benefits relative to the current proposal: • Converter Technology – Adoption of compact modular converter designs that significantly reduce land use, environmental impact, and cooling requirements. • Indoor GIS Infrastructure – Deployment of indoor gas-insulated switchgear rather than open-air substations, reducing visual intrusion, EMF exposure, and weather-related maintenance. • Site Selection: Richborough vs Minster Marshes – Strategic use of existing brownfield grid infrastructure at Richborough could avoid ecological disruption, reduce civil engineering complexity, and improve delivery timelines.	The Applicant is working with their chosen converter station supplier (Siemens) to minimise the size and impact of the converter station by using the latest technology available which is suitable for the intended purpose. National Grid are using, where possible, SF6 free GIS technology for the Minster Substation to minimise the footprint of the substation. The converter station option areas are described in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368]. Richborough Energy Park is located within converter station option area A. Within that option area, areas that could accommodate the technical parameters of the converter station were identified based on availability of brownfield land avoidance of designated sites as far as possible, landform, opportunities for natural screening and to minimise visual impacts on settlements. There was not sufficient space within Richborough Energy Park to site the technical parameters required for the converter station.

Reference	Matter	Points Raised	Applicants Comments																																
		Distribution System Integration – Optimising connection strategy to existing transmission corridors, reducing reliance on new overhead line infrastructure and minimising long-term landscape and community impact.	No brownfield land within the study area could accommodate the technical parameters required.																																
3	Procedural and Site Context	Recent Planning Inspectorate correspondence (Sept 2025) notes that National Grid’s request for additional land at Pegwell Hoverport requires further justification. This development underscores the importance of re-examining the project’s spatial logic. The expansion suggests that land-use assumptions underpinning the DCO may be less robust than initially presented. It also strengthens the case for a broader alternatives review.	The use of the former hoverport as a construction, operation, and maintenance access was part of the application as submitted in March 2025. The change application (accepted by the ExA on 5 December 2025) broadened the Order Limits at the hoverport to provide flexibility that will allow final routing to be selected that avoids encroaching on the saltmarsh. This change was made specifically to ensure access to the foreshore could be achieved without any impact upon saltmarsh habitats, which have encroached towards the southern hovercraft ramp in recent years.																																
4	Comparative Alternatives Matrix	<table><tr><th>Criterion</th><th>NG Proposal (Minster)</th><th>Alternative: Richborough + Compact Converter</th><th>Alternative: Indoor GIS + Compact Converter</th></tr><tr><td>Land Use</td><td>Large footprint, significant wetland conversion</td><td>Existing brownfield site, reduced footprint</td><td>Smallest footprint, contained site</td></tr><tr><td>Visual Impact</td><td>High – extensive OHL and structures</td><td>Moderate – OHL partially avoided</td><td>Low – indoor switchgear and minimal OHL</td></tr><tr><td>Ecological Impact</td><td>High – sensitive marshland</td><td>Low – existing disturbed land</td><td>Low – compact indoor installation</td></tr><tr><td>Delivery Risk</td><td>Moderate – greenfield construction complexity</td><td>Lower – existing grid access</td><td>Low – modular technology, staged build</td></tr><tr><td>Community Impact</td><td>High – visual, noise, EMF concerns</td><td>Moderate – near existing infrastructure</td><td>Low – contained site and design</td></tr><tr><td>Future Flexibility</td><td>Moderate – conventional design</td><td>High – modular upgrade potential</td><td>Very high – future-proof and adaptable</td></tr><tr><td>Regulatory Alignment</td><td>Compliant</td><td>Strongly aligned with EN-1 §4.4 and EN-5 §2.8</td><td>Strongly aligned with best practice and NPS</td></tr></table>	Criterion	NG Proposal (Minster)	Alternative: Richborough + Compact Converter	Alternative: Indoor GIS + Compact Converter	Land Use	Large footprint, significant wetland conversion	Existing brownfield site, reduced footprint	Smallest footprint, contained site	Visual Impact	High – extensive OHL and structures	Moderate – OHL partially avoided	Low – indoor switchgear and minimal OHL	Ecological Impact	High – sensitive marshland	Low – existing disturbed land	Low – compact indoor installation	Delivery Risk	Moderate – greenfield construction complexity	Lower – existing grid access	Low – modular technology, staged build	Community Impact	High – visual, noise, EMF concerns	Moderate – near existing infrastructure	Low – contained site and design	Future Flexibility	Moderate – conventional design	High – modular upgrade potential	Very high – future-proof and adaptable	Regulatory Alignment	Compliant	Strongly aligned with EN-1 §4.4 and EN-5 §2.8	Strongly aligned with best practice and NPS	As set out above, NPS-EN1 that: <i>‘Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:</i> <i>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and</i> <i>only alternatives that can meet the objectives of the proposed development need to be considered.</i> Given that the use of the Richborough Energy Park has already been considered and discounted by the Applicant it would not be proportionate nor relevant to further consider it. The Applicant is working with their chosen converter station supplier (Siemens) to minimise the size and impact of the converter station by using the latest technology available which is suitable for the intended purpose. National Grid are using where possible SF6 free GIS technology for the Minster Substation to minimise the footprint of the substation. The converter station option areas are described in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368]. Richborough Energy Park is located within converter station option area A. Within that option area, areas that could accommodate the technical parameters of the converter station were identified based on availability of brownfield land avoidance of designated sites as far as possible, landform, opportunities for natural screening and to minimise visual impacts on settlements. There was not sufficient space within Richborough Energy Park to site the technical parameters required for the converter station.
Criterion	NG Proposal (Minster)	Alternative: Richborough + Compact Converter	Alternative: Indoor GIS + Compact Converter																																
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Reference	Matter	Points Raised				Applicants Comments
5.1	Risk and Sensitivity Analysis – Methodology and Narrative: Approach	The risk analysis follows ISO 31000 and HM Treasury Green Book principles, assessing each option across key risk domains: technical, environmental, procedural, regulatory, and residual risk. Each risk is assigned: • Weighting (W): Importance of the risk relative to project success (0.1–1.0). • Probability (P): Likelihood of the risk occurring (0–1). • Impact (I): Severity of the impact if realised (0–10). • Risk Score (R): $R=W \times P \times I$				No brownfield land within the study area could accommodate the technical parameters required.
5.2	Example Risk Register (Illustrative)	Risk Category	NG Proposal R Score	Richborough Alt. R Score	GIS Alt. R Score	
		Environmental	7.2	3.4	2.8	
		Technical	4.8	3.6	2.9	
		Procedural	5.1	3.8	3.2	
		Regulatory	4.3	3.1	2.7	
		Residual	5.8	3.9	3.1	
		Total	27.2	17.8	14.7	
		<i>Note: Scores are indicative and subject to expert validation.</i>				
5.3	Sensitivity Analysis (Expanded)	Purpose. To test whether our option ranking is robust when key assumptions move within reasonable bounds. We vary probabilities (P) and weights (W) across three scenarios and show the effect on total risk scores. (Impacts (I) remain fixed for comparability.) Scenarios tested: • P30 (Optimistic): Lower probabilities reflecting favourable permitting/baseline conditions. • P50 (Median): Central estimates used in the core register (§5.2). • P90 (Conservative): Higher probabilities reflecting adverse conditions (e.g., updated baselines, tighter policy, programme pressure). Results (illustrative – to be expert-validated; see §5.4 for provenance):				
		Scenario	NG Proposal – Total Risk	Richborough – Total Risk	GIS + Compact – Total Risk	
		P30 (Optimistic)	22.8	15.1	12.4	
		P50 (Median)	27.2	17.8	14.7	
		P90 (Conservative)	32.5	21.2	17.5	

Reference	Matter	Points Raised	Applicants Comments
		Interpretation (plain language). Even under P90 assumptions, both alternatives retain a ~35–45% lower total risk than the baseline. The ranking is therefore insensitive to reasonable shifts in inputs. Inspectors can rely on the direction of effect even if precise inputs are adjusted at Examination. What drives the result. The baseline option concentrates probability mass in planning/HRA, programme/logistics (Hoverport), and landscape/OHL risks. Alternatives reduce those drivers structurally (brownfield siting; indoor GIS; compact layouts), so varying P and W within realistic ranges does not invert the ranking.	
5.4	Assumption Provenance & Verification (Why these % values?)	We provide a traceable audit trail for every probability (P), weight (W), and impact (I). Each entry in the risk register cites its data basis and rationale so experts and the ExA can verify or challenge it transparently. Evidence types used (public, verifiable): 1. Policy & guidance: NPS EN-1/EN-5 passages on alternatives, siting, design minimisation; HM Treasury Green Book & MCDA guidance on weighting/scoring; Orange Book on risk governance; ISO 31000 on likelihood/impact assessment. 2. Project documents: Applicant ES/PEIR chapters (planning, HRA, traffic, LVIA), Application Guide, Works Plans, Order Limits shapefiles. 3. Regulatory/precedent data: PINS exam libraries for comparable converter/OHL projects (e.g., IFA2, NSL) indicating typical planning delay frequencies, height/footprint envelopes, and mitigation triggers. 4. Design/technology sources: OEM guidance (HVDC Light / HVDC PLUS), National Grid HVDC technical notes (typical hall dimensions, two-level layouts, indoor GIS effects). 5. Recent procedural signals: ExA note re Pegwell Hoverport justifications (saltmarsh migration, golden plover); used to adjust programme/HRA probabilities upward for the baseline and downward for brownfield alternatives. Allocation logic (examples): • Planning/HRA probability (baseline): set higher where Order Limits abut SPA/SAC/NNR and where lighting/noise mitigation is material; reduced for brownfield/indoor GIS cases due to enclosed plant and lower lighting spill. • Programme/logistics probability: increased where site access depends on contested Hoverport land or constrained corridors; reduced where industrial access/brownfield is available. • Landscape/OHL probability: increased with new pylon count/height and large sealing-end compounds; reduced for compact/indoor GIS with underground terminations. • Regulatory/policy probability: increased where design is less aligned with EN-5 minimisation and OTNR offshore coordination; reduced where multi-terminal readiness and brownfield reuse are demonstrated. • Weights (W): derived using Green Book MCDA: higher for risk areas that most affect compliance (EN-1/EN-5), examination duration, and HRA integrity; sensitivity run includes ±20% on the top three weights. Provenance table (extract – full log in Appendix I):	

Reference	Matter	Points Raised				Applicants Comments
		Risk item	Parameter	Value (P/W/I)	Basis & Rationale	Public Source/Ref
		Planning/ HRA (Baseline)	P	0.60 (P50)	Order Limits overlap with protected designations; ExA pegwell concerns; typical need for winter bird surveys & saltmarsh mapping	EN-1 §4.4; EN-5 §2.8; ExA note (25 Sept 2025); NE/JNCC site citations
		Programme/ Logistics (Hoverport)	P	0.35 (P50)	Access over recreation frontage; material change risk; HDD timing constraints	ExA note; Applicant access drawings; EN-1 §4.2 minimisation
		Landscape/ OHL	P	0.50 (P50)	Multiple new terminal pylons; tall structures; LVIA sensitivity	EN-5 §2.8.9; comparator projects (IFA2/NSL)
		Grid Integration	P	0.35 (P50)	Reinforcement needs at Canterbury for spread AIS; weaker alignment with OTNR	EN-5; ESO offshore coordination papers
		Technical Performance	P	0.25 (P50)	VSC capable but layout increases exposure to noise/EMF constraints	OEM technical notes; NG HVDC guidance
<i>Note: Where Applicant ES data supersede these priors, the register will be updated and the sensitivity rerun. All provisional values are clearly labelled and will be replaced upon expert validation.</i>						
Footnoted sources (URLs): • EN-1 (Overarching NPS for Energy, 2023): https://www.gov.uk/government/publications/national-policy-statement-for-energy-en-1 • EN-5 (Electricity Networks, 2023): https://www.gov.uk/government/publications/national-policy-statement-forelectricity-5						

Reference	Matter	Points Raised	Applicants Comments
		networks-en-5 • HM Treasury Green Book & Risk/MCDA guidance: https://www.gov.uk/government/collections/the-green-book-and-accompanyingguidance-and-documents • Orange Book (May 2023): https://assets.publishing.service.gov.uk/media/6453acadc33b460012f5e6b8/HMT_Orange_Book_May_2023.pdf • ISO 31000:2018 overview: https://www.iso.org/standard/65694.html National Grid HVDC technical note (typical VSC hall and indoor options): https://www.nationalgrid.com/sites/default/files/documents/13784-High%20Voltage%20Direct%20Current%20.pdf • IFA2 Reserved Matters slides (height/footprint reductions): https://www.fareham.gov.uk/PDF/planning/IFA2/IFA2CATJuly2017_MWslides.pdf • ExA Pegwell Hoverport reporting (25 Sept 2025): https://theisleofthanetnews.com/2025/09/25/national-grid-told-request-to-useadditional-land-at-pegwell-hoverport-for-sea-link-scheme-requires-furtherjustification/	
5.5	How to Read the Risk Tables (Layperson Guidance)	• Higher = riskier. Scores combine importance (W), chance (P), and severity (I). • Look for rank order across scenarios (P30/P50/P90). If one option stays lower in all three, it is robustly safer. • Switching values (reported in Appendix D) show how much an assumption would have to change to make options tie; if those changes are unrealistic, the result is decision-ready.	
6	Conclusions and Recommendations	• The evidence strongly suggests that alternative technological and siting options exist which meet the same strategic objectives with substantially reduced risk and impact. • The Examining Authority should require a formal alternatives assessment under NPS EN-1 §4.4. • Consideration should be given to Rule 17 requests seeking additional technical justification for the chosen site, converter technology, and spatial design. • Early engagement with alternative design pathways could de-risk delivery, reduce public opposition, and enhance long-term grid resilience.	Application Document 8.3 Strategic Options Report (October 2023) [APP-370] and Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] describe the alternative strategic options that were considered and the reasons for the selection of the preferred strategic option. There is substantial information in the application, including information that has been subject to extensive public and stakeholder consultation between 2022 and 2024, which sets out the justification for the locations of the Proposed project. This includes substantial information on the alternatives that were considered and presented during previous consultations. The Proposed Project has been subject to an extensive and robust site selection and design process which is documented in the following reports: • Application Document 8.3 Strategic Options Report (October 2023) [APP-370] and Application Document 7.2 Strategic Options Back Check Report [APP-320]: these reports sets out why the Proposed Project is needed and what strategic options were considered to meet the identified need case. • Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]: this report explains how the routeing and siting of the Proposed Project was undertaken (following the selection of the strategic option) and the

Reference	Matter	Points Raised	Applicants Comments
			reasons for the selection of the emerging preferences which were consulted upon during non-statutory consultation. • Application Document 8.2 Option Selection and Design Evolution Report (October 2023) [APP-369]: this report explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation. • Application Document 7.3 Design Development Report [REP-073]: this report summarises the key design decisions from the two historical reports above and sets out how the design of the Proposed Project evolved from statutory consultation to the Proposed Project as applied for, taking into account feedback received from stakeholders. • Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]: this ES chapter provides an overview of the main alternatives considered at each stage of the design development (from strategic options to the proposal as applied for).

2.32 Substation Action Save East Suffolk Limited (SASES) & Friston Parish Council [REP1-193, REP1-268, REP1-301 and REP1-302]

Table 2.46 Substation Action Save East Suffolk Limited (SASES) & Friston Parish Council [REP1-301, REP1-302]

Reference	Matter	Points Raised	Applicant’s Comments
N/A		Findings of the Examining Authorities for the EA2, EA1N and National Grid Connection Hub <i>“28.4.4 The local harm that the ExA has identified is substantial and should not be underestimated in effect. Its mitigation has in certain key respects been found to be only just sufficient on balance.”</i> (emphasis added) <i>“28.4.5 the ExA observes that the effects of the cumulative delivery of the proposed development with other East Anglia development on the transmission connection site near Friston are so substantially adverse that utmost care will be required in the consideration of any amendments or additions to those elements of the proposed development in this location”</i> (emphasis added)”	Comment noted.
7	Cumulative Impact	<u>Additional energy projects⁸⁹ since cut-off date</u> Since relevant representations were submitted, FPC has become aware of another NSIP called the Helios Energy Park (a solar farm of at least 250MW which is estimated to cover at least 1000 acres) which is being proposed near Friston for connection at the National Grid connection hub. Details are set out in the relevant representation of Helios Energy Park	As and when sufficient information becomes available for this project, the Applicant will consider it in line with the Planning Inspectorate’s advice on cumulative effects assessment.

⁸⁹ There are other major development projects in this area including the recently announced Essex & Suffolk Water, Suffolk Water Recycling, Transfer and Storage Project

Reference	Matter	Points Raised	Applicant's Comments
		RR0586 and are also available at heliosenergypark.co.uk. On this website it is stated that: <i>“We anticipate formally launching the development of the project at the end of 2025 .”</i>	
8		In addition there are a further three projects which are to connect at Friston: a. a 240MW battery storage facility is proposed at Red House Farm b. SolarSeven Ltd, Energy Storage System;PV Array (Photo Voltaic/solar) c. Noventum Power Solar 16 Limited, Demand;Energy Storage System;Reactive Compensation	Only projects that have the Connection Site listed as Friston currently have a connection offer at Friston. The schemes mentioned do not have connection offers at Friston, Friston is not referred to by any other name in the TEC register.
9		All four projects are listed in NESO's TEC Register. Screenshots of the relevant pages are attached at Appendix B with each entry highlighted. FPC only became aware of SolarSeven and Noventum projects after OFH1 because they did not appear using a word search of "Friston".	See Comment Above (8).
10		There is some inconsistency in the terminology used. The Red House Farm entry is listed as "Red House Farm – Friston 400 kV 240 MW connection" and then there is a reference to "South Anglia Connection Node E 400 kV substation". This is the stated connection location for the SolarSeven and Noventum projects where National Grid has ceased to refer to Friston. Therefore National Grid has confirmed that the so-called National Grid "substation" is in fact a connection hub (node).	See Comment Above (8). The National Grid substation at Friston (Kiln Lane) was designed to connect the EA1N and EA2 projects only. If generators seek to connect at a National Grid substation, NGET is obligated to review what would be necessary to accommodate them, including any additional infrastructure. Connection offers to the National Energy Transmission system (NETS) made by the National Electricity System Operator (NESO) rather than the Applicant.
11		A question that has to be asked is how many more NSIPs and energy projects are going to be proposed next to Friston drawn by the National Grid connection hub/node with ongoing construction works for connection hub extensions and cabling, with no end point in sight?	The Applicant acknowledges the concerns raised. However, onshore generators such as solar farms decide where to request connections, with connection offers to the National Electricity Transmission system (NETS) made by the National Energy System Operator (NESO) rather than the Applicant.
12		All these works: • will continue the noise, highways, landscape, and other impacts from construction, those impacts being substantially exacerbated by overlapping/sequential construction periods; • impact landscape mitigation, delaying and/or removing existing landscape mitigation for other projects; • worsen flood risk and may interfere with flood risk mitigation due to construction works, and then permanently with expansion of the footprint of the National Grid connection hub; • result in the further loss of very substantial amounts of BMV land.	As and when sufficient information becomes available for this project, the Applicant will consider it in line with the Planning Inspectorate's advice on cumulative effects assessment. The Proposed Project will not undermine the effectiveness of the landscape mitigation set out for the consented EA1N and EA2 DCOs. The approved outline landscaping for the EA1N and EA2 projects is set out in the Outline Landscape and Ecological Management Strategy (Version 08), 31 January 2022 (OLEMS). This outline strategy, which is reflective and proportionate to the findings of the EIA presented in the EA1N and EA2 project ES's, comprises reinforcement of historic hedgerows and small woodland block planting to provide screening from isolated properties and from users of the PRow network, while providing a

Reference	Matter	Points Raised	Applicant's Comments
			layered screening approach. It does not sterilise land for potential future development associated with the National Grid substation.
			The Applicant, in collaboration with SPR, is confident that detailed landscaping designs that accord with this outline masterplan can be developed which retain the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables. The Order Limits and Limits of Deviation for the HVAC cables for Sea Link have deliberately been widened to provide significant flexibility to minimise any impacts on future planting. National Grid is working closely with SPR to understand the interactions with emerging detailed designs and minimise these where possible.
			When SPR has submitted its detailed landscape masterplan, the Applicant will submit a plan demonstrating how the function of the landscaping can be retained with the cables in situ, including both the HVAC and HVDC cables. This has not been possible to date given that the landscaping plan for EA2 has not been finalised or released into the public domain. However, the Applicant is confident that interactions with areas of the EA1N and EA2 planting will not undermine the effectiveness of the landscape mitigation, and that where necessary minor revisions to the mitigation plan can be agreed.
13		FPC has already pointed out the inadequacy of National Grid cumulative impact assessment in its relevant representations. Those inadequacies are worsened by these proposed projects. A very clear example of inadequacy is the fact that National Grid has stated in Chapter 13 of the Environmental Statement APP-060 that Lionlink is 13.96 km from the Suffolk Onshore Scheme – see top of page 10.	As and when sufficient information becomes available for this project, the Applicant will consider it in line with the Planning Inspectorate's advice on cumulative effects assessment. LionLink is considered in the assessment of inter-project cumulative effects set out in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060].
14		In terms of cumulative assessment Friston as a strategic connection point has a number of aggravating factors. It is a. a site of known flood risk; b. the village sits at the bottom of a shallow bowl where the substations site is at a higher elevation to the village; c. it is next to a quiet rural village; d. the site is surrounded by residential dwellings and listed buildings; it has already been found in the examinations for EA2 and EA1N that the harm to heritage assets from the existing projects is at the upper end of less than substantial harm; e. the site overall is very constrained relative to the number of proposed connections.	a. The Applicant's assessment of cumulative effects with other developments for which information is available is set out in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . This includes consideration of flood risk, landscape and visual effects, noise and vibration, traffic and transport and cultural heritage including listed buildings.
15		Yet with all these projects and given the approach National Grid is taking, there could be at least nine ⁹⁰ cable routes coming into the substations site plus others close by (e.g Sealink landfall to convertor station DC route).	See Comment above (8).

⁹⁰ EA2, EA1N, Sealink (AC), LionLink (AC), Third Project (AC), Helios Energy Park, Red House Farm Energy Storage System, SolarSeven Ltd Energy Storage System 7 & PV Array, Noventum Power Solar Energy Storage System

Reference	Matter	Points Raised	Applicant's Comments
16		It is to be expected that National Grid will state that - the third project (see paragraph 35 of FPC's relevant representations) - the Helios Solar Farm - the Red House Farm energy storage system - SolarSeven Ltd Energy Storage System and PV Array - Noventum Power Solar Energy Storage System are too uncertain, or there is not sufficient information to carry out an assessment.	This is correct. The Helios project is clear about this in its RR, stating: <i>"It is acknowledged that Helios has yet to seek a Scoping Opinion on its proposals and therefore does not feature in the SEA Link cumulative projects map. Following over a year of participation in the aforementioned forums, Helios intends to remain a member to maintain collaborative working practices as individual projects advance."</i>
17		In terms of certainty at ISH1 [REDACTED] from the Applicant, in explaining the need for Sealink, referred to Sealink being needed for "contracted" generation. He confirmed in a response to a question from FPC that this included projects on the TEC register and the Interconnector register. However his response on whether these projects' impacts should be cumulatively assessed was less clear. Fundamentally it is illogical for the need case for Sealink to be justified by "contracted" generation when the projects that will deliver that generation are not cumulatively assessed. Put another way how can the environmental impacts of projects on the TEC register not be cumulatively assessed when the need for Sealink is being justified by the generation capacity of those projects?	As set out in the oral evidence provided at ISH1, NGET must develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time. For many projects the only information currently available is the proposed generation capacity and rough location for the project from the projects website for contracted generation. Assessment of cumulative effects requires substantially more information than this in order for any meaningful assessment to be undertaken. The Applicant is coordinating with other developers in the area but this does not always provide the additional information required to be able to undertake a cumulative assessment, as the projects are not at an advanced enough stage in their development. As and when sufficient information becomes available for other projects, prior to the close of examination, the Applicant will consider such information in line with the Planning Inspectorate's advice on cumulative effects assessment. See Comment Above (8).
18		In relation to the third project shown on the National Grid masterplan, National Grid should either cumulatively assess the impacts or rule out the development of such a project.	The Applicant is not aware of any third converter station being proposed at Saxmundham and are therefore unable to undertake any meaningful assessment of cumulative effects. Should a third project ever come forward, then the applicant for that project would need to present an assessment of cumulative effects with the Proposed Project, for which ample information is available.
19		As to the sufficiency of information projects such as these are now well understood in terms of their technology and construction. By way of illustration: each project will require a cable route to the National Grid connection hub and the location of each of these projects is known	See Comment Above (8). To undertake any meaningful assessment of cumulative effects it is not sufficient to simply know that other developments will need cable routes which will take a certain amount of time to construct, or to know the approximate scale of solar farms or battery storage. However, the applicants for each of these

Reference	Matter	Points Raised	Applicant's Comments
		by their developers. The construction requirements and timescales for laying underground cables is well understood; b. the scale (e.g. land use) of converter stations, solar farms and battery storage is well understood as is their construction. For example National Grid has already demonstrated this in its master plan which was attached as Appendix 2 to the FPC Relevant Representation and which is attached at Appendix C for ease of reference; c. the scale of the extensions required to the connection hub is also well understood. FPC attended a presentation by Scottish Power and National Grid on the design of the infrastructure at the substations site. A PowerPoint slide was shown (but not subsequently distributed) which showed the extension needed for Lionlink and proposed cable route from the converter station site at Saxmundham to Friston. Please note that rather than following the Sealink route it showed a different route to the east of High House Farm with apparently no regard to residents in that area.	projects will need to consider cumulative effects with the Proposed Project, for which ample detail and assessment information is available.
20		Further Government Guidance⁹¹ accepts that information “may be qualitative and high-level” and that where data about development is incomplete that “<i>a precautionary but reasonable approach should be taken based on the best available evidence</i>”.	There is a difference between information being qualitative or high level and information not existing at all. The Planning Inspectorate guidance referenced states the following: “<i>Stage 3: Information Gathering</i> <i>At this stage, the applicant should gather information on each of the other existing and, or approved developments shortlisted at Stage 2. The applicant is expected to compile detailed information to inform the Stage 4 assessment. The information should include but not be limited to:</i> • <i>proposed design and location information</i> • <i>proposed programme of construction, operation and decommissioning</i> • <i>environmental assessments that set out baseline data and effects arising from the other existing and, or approved development</i> <i>Relevant data is likely to be available from different sources including the Planning Inspectorate, planning authority and statutory bodies’ websites, and direct liaison with stakeholders including applicants’ developers.”</i> For projects that may connect into the Substation in the future it is confirmed that: • <i>There is no proposed design or location information</i> • <i>There is no proposed programme of construction, operation and decommissioning</i>

⁹¹ Government Guidance Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment

Reference	Matter	Points Raised	Applicant's Comments
			• <i>There is no environmental assessment information; not even a scoping report.</i> • <i>There are no data available from different sources such as the Planning Inspectorate, planning authority and statutory bodies' websites.</i> • <i>Although the applicant is in contact with some of the developer's, such as Helios as referenced above, information such as identified above either does not exist, or is commercially sensitive and, as such, not available to the applicant.</i> See also comment (8) above.
21		Given the climate crisis, the urgent need to move to net zero and government policy both in terms of renewable energy and growth, it is highly unlikely that any energy project which can be branded as contributing to net zero and growth will be refused. The history of consents granted to date clearly demonstrates this, and most of these consents were granted before the current government came into office. Furthermore the very presence of the strategic connection hub at Friston makes it even more likely that these projects will go ahead.	Noted. See also comment (8) above.
22		Therefore in reality whilst there is some uncertainty, it far from prevents a robust cumulative impact assessment in respect of these projects. In fact it is evident from the Helios Energy Park relevant representation that it is understood there will be significant cumulative impacts – see section 4 of their relevant representation RR-0586. It should be noted that Helios are keen to collaborate with National Grid and recognise opportunities and benefits of doing so. It seems that Helios is able to do this despite being a wholly independent company unlike NGV and NGET who are part of the same National Grid group with boards of directors who are appointed by National Grid plc.	NGV is a separate business to NGET, with separate boards of directors, management, staff, physical locations and digital environments, with this business separation being a statutory duty under NGET's transmission licence. Accordingly, NGET has no control over the decisions made by NGV, and similarly NGV has no control over the decisions made by NGET. However, coordination with NGV and other promoters has been ongoing for several years and has had a profound influence on the development of the Proposed Project. This is set out in Application Document 7.10 Coordination Document [APP-363]. This document sets out how coordination has been considered in various ways and at all stages of the project.
23		The Government Guidance contemplates the need to examine projects such as these. The Overview acknowledges that there is “ <i>a broad... temporal zone of influence</i> ”. Further given the identification of the Helios Solar Farm, the Red House Farm Energy Storage System, the SolarSeven project and the Noventum project in the TEC Register, and the space allocated to the Third Project on the National Grid masterplan these projects fall to be examined not least given the ample information upon which to undertake a cumulative impact assessment and the high likelihood of these projects receiving consent.	The extract from the overview is cited out of context. The section actually reads: <i>“NSIPs often have a broad spatial and temporal zone of influence (ZOI)”.</i> This is indeed true of the Proposed Project, the ZOI for which is clearly set out in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] and which has been used to identify projects on the long list of projects set out in Application Document 6.3.1.5.B ES Appendix 1.5.B Inter-Project Cumulative Effects Long List [APP-092] and which was further used on a topic by topic basis to screen projects at stage 2 of the cumulative effects assessment, when temporal factors were also a consideration. Although the developments cited by SASES may be within the ZOI of the Proposed Project, this alone does not unlock the

Reference	Matter	Points Raised	Applicant's Comments
			ability to undertake cumulative effects assessment. For this to be possible there must be sufficient information about the development to allow cumulative effects assessment to be undertaken. This is not the case with these developments, for the response set out in response to point 20 above.
			See comment above (8) with regards to projects not having a connection offered at Friston (Kiln Lane) substation.
24		Otherwise an approach which allows National Grid not to carry out a cumulative impact assessment in respect of these projects is tantamount to National Grid “ <i>having its cake and eating it</i> ”. On the one hand it wants to avoid a cumulative impact assessment of the projects with connection offers or otherwise planned, yet on the other to have complete freedom to offer connection points to a seemingly unlimited number of projects, creating a huge level of uncertainty with the prospect of long-term disruption from construction into the mid 2030s and possibly beyond.	Connection offers to the National Energy Transmission system (NETS) made by the National Electricity System Operator (NESO) rather than the Applicant. Cumulative effects are considered in line with the Planning Inspectorate’s advice on cumulative effects assessment.
25		This level of disruption and uncertainty makes it very difficult, if not impossible, for people to live peaceably and to plan for and look forward to the future. This impact on people’s lives and wellbeing is so significant that Protocol 1 Article 1 – Protection of Property and Article 8 – Right to Respect for Private and Family Life of the Human Rights Act 1998 need to be examined as to whether all of this activity and uncertainty is compatible with such rights. FPC considers that the current approach of National Grid sanctioned by DESNZ is incompatible with these rights.	The Applicant recognises that construction activity can affect communities. The Applicant notes however that it has carried out its EIA in accordance with the relevant statutory requirements and guidance, and that the application includes a Statement of Statutory Nuisance (Application Document 6.7 Statement of Statutory Nuisance [APP-291]) which addresses that topic. The Applicant has set out its position in respect of the statutory framework and national policy in Application Document 7.1 (C) Planning Statement [AS-057] . The Applicant does not accept that the Proposals are incompatible with the rights referred to.
26		<u>Mitigation of Cumulative Impacts</u> The last paragraph of government guidance relating to mitigation and monitoring states that “ <i>applicants should consider opportunities to develop holistic mitigation strategies in collaboration with other... developers</i> ”. A clear example of such a holistic strategy would be for Sealink, Lionlink and the third project to share the same cable route from the converter stations site to the substations site, and the ducts for future projects to be installed at the same time as those for Sealink. There is no evidence of such an approach being considered despite the obvious benefits in respect of environmental impacts and also cost savings and efficiencies overall for National Grid. In fact the opposite is being considered see paragraph 17(c) above. In situations such as these National Grid often seeks to rely on artificial distinctions between NGET and NGV. However this just reflects a lack of will. Undoubtedly collaboration on this issue between the Secretary of State, OFGEM and National Grid can result in an efficient and cost effective solution beneficial for all including consumers.	The Proposed Project was developed in a way that embeds opportunities for the LionLink project (and, at earlier stages, the Nautilus project) to consider routing their own AC cables between the coordinated converter station site and the network connection point at Friston (Kiln Lane) substation alongside those of the Proposed Project. This was consulted on at the statutory consultation stage, and the alignment of the cable Limits of Deviation with space to the north subsequently embedded in the Proposed Project design. Subject to the design requirements, assessment, and consultation outcomes of LionLink, opportunities therefore are retained to share a parallel cable route. Given the assumed likely proximity between the Proposed Project and the NGV interconnectors LionLink and (until March 2025) Nautilus, the Applicant has also previously considered the possibility of expanding the scope of the Proposed Project consent to include elements of these projects’ works. There are various reasons why this is not pursued, not least because works which exclusively form part of the NGV projects do not fall within the scope of the Proposed Project which the SoS has directed into the DCO regime. However, subject to the delivery programme of the LionLink project, the powers in a future LionLink DCO, and other procurement, regulatory, and business

Reference	Matter	Points Raised	Applicant's Comments
			interface challenges, there remains the possibility (albeit unlikely) that the ducts may be delivered together. This is set out in detail in Application Document 7.10 Coordination Document [APP-363].
27		With regard to the disruption and uncertainty referred to above one approach could be that National Grid commits to a reasonable maximum number of connections that will be made at its connection hub at Friston and a reasonable deadline by which all development will be complete, subject to a cumulative impact assessment.	Section 9(2) of the Electricity Act 1989 requires National Grid Electricity Transmission to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and facilitate competition in the supply and generation of electricity Any commitment in the Sea Link DCO restricting the development of the NETS would put the Applicant in breach of its Licence and in breach of the Electricity Act 1989.
28	Development Consent Order	FPC understand there are ongoing negotiations between some statutory authorities and National Grid in respect of the terms of the draft DCO. Those negotiations no doubt involve reference to other DCOs as precedents. National Grid seem to be in denial that the most relevant precedents for the substations site are the EA1N and EA2 DCOs. Given these ongoing negotiations, which do not involve parish or town councils, the published draft DCO has been superseded. It is assumed an updated version will be provided at Deadline 1.	Application Document 3.1 (E) draft Development Consent Order [REP1-036] was submitted at Deadline 1.
29		<u>Reduction of mitigation for the National Grid connection hub</u> In its relevant representations FPC set out the flawed manner in National Grid prepared the draft DCO. FPC does not have the resources to do a textual analysis to compare the wording of the DCO for the National Grid connection hub in the EA2 and EA1 DCOs (which for all intents and purposes are identical) with the wording for the National Grid connection hub in the draft Sealink DCO, to assess the full extent to which National Grid is seeking reduce the mitigation which has already been determined for the National Grid connection hub. Such a textual analysis should set out clause by clause and paragraph by paragraph where the wording is different in the draft DCO from the existing consents, insofar as they apply to the National Grid connection hub. In addition if National Grid continues to seek to resile from the existing mitigation it should explain why it is necessary to reduce the mitigation for the National Grid connection hub.	These comments are noted by the Applicant. Friston (Kiln Lane) substation will only be delivered once, despite benefitting from powers under the extant SPR East Anglia One (North) and East Anglia Two windfarm DCOs and (if made) the Proposed Project DCO. It is anticipated that it will be delivered (by NGET) under one of the two SPR consents, once SPR has transferred the necessary powers to NGET, with commencement starting early 2026. Despite this, National Grid requires a consent for a full 'end-to-end' Sea Link project. This is so that National Grid has all necessary powers itself to deliver a functional network reinforcement and meet the needs case without relying on third party powers. The Friston (Kiln Lane) substation is included in the application for the Proposed Project for this reason.
30		Of course if National Grid was not seeking a further consent such a textual analysis would not be necessary, particularly in circumstances where it is using the application for an additional consent as an opportunity to resile from the mitigation which has already been determined by another ExA to be necessary after an extended 9 month examination period.	The Applicant is not proposing to alter the extant East Anglia One (North) and East Anglia Two windfarm DCOs or (in a scenario where the substation is delivered under the extant SPR consents, as expected), the associated mitigation.
31		An example of why such analysis is necessary is the difference between Schedule 3 Requirements of the draft DCO and Schedule 1 Part 3	Regarding landscaping, in the scenario where the substation and mitigation is delivered under the extant EA1N and EA2 consents, there would be an interaction between the Proposed Project cables and the area within which SPR can design a detailed planting scheme. However, the Applicant is confident that detailed landscaping designs that accord with this outline masterplan can be developed in coordinated way with SPR which retains the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables.

Reference	Matter	Points Raised	Applicant's Comments
		Requirements of the EA2 DCO in relation to the onshore part of the project ⁹² .	When SPR has submitted its detailed landscape masterplan, the Applicant will submit a plan demonstrating how the function of the landscaping can be retained with the cables in situ, including both the HVAC and HVDC cables. In a scenario where the substation is delivered under a Sea Link consent, the mitigation associated with the substation works as part of the Proposed Project is that required to mitigate the effects of the Proposed Project, although it would be integrated with the more extensive SPR mitigation if necessary (i.e. in a scenario where EA1N and/or EA2 were developed later). However, and as set out above, it is anticipated that the Friston (Kiln Lane) substation will be implemented under the SPR consents in any case.
32		Furthermore in relation to the various outline plans which are secured in the EA2 and EA1N DCOs and which set out more detail of mitigation (for example the Outline Operational Drainage Management Plan and the Outline Landscape And Ecological Management Plan) National Grid should set out the specific areas where the mitigation has been reduced and why. The ExA should be aware that when FPC attended a design meeting for the local community hosted by Scottish Power and attended by National Grid, a National Grid representative was asked about National Grid's approach to mitigation and in particular was asked why the period of maintenance for landscape mitigation had been reduced from 10 years to 5 years. The answer provided was that 5 years was "standard". This is a totally inadequate response.	See comments above (31). Detailed landscaping designs that accord with this outline masterplan can be developed in coordinated way with SPR which retains the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables. When SPR has submitted its detailed landscape masterplan, the Applicant will submit a plan demonstrating how the function of the landscaping can be retained with the cables in situ, including both the HVAC and HVDC cables The five years of aftercare for reinstatement planting (which would apply only to landscaping delivered under a Sea Link consent, noting that the landscaping to the north of the National Grid substation at Friston is anticipated to be delivered under the extant EA1N and/or EA2 consents) is considered to be standard and appropriate. This would be subject to adaptive management as secured in 7.3 of the oLEMP (Application Document 7.5.7.1 (B) Outline Landscape and Ecological Management Plan - Suffolk [AS-059]). The five year period is the period during which maintenance would be in place to ensure the landscape mitigation successfully establishes, but this does not mean these areas of planting would not then be managed into the future. The majority of tree and woodland planting would be managed for the lifetime of the Proposed Project as all mitigation planting associated with the permanent access road, River Fromus bridge, Saxmundham Converter Station and Friston (Kiln Lane) Substation (in the scenario where substation is built as part of the Proposed Project) will be maintained for the lifetime of the asset. A detailed LEMP would be produced at the detailed design stage in accordance with Requirement 6 of the draft DCO.
33		<u>Mitigation of flood risk</u> FPC has been engaging with Suffolk County Council in relation to its discussions with Scottish Power concerning operational drainage and the agreement of the Operational Drainage Management Plan as part of the discharge of requirements process under the EA2 DCO. No doubt Suffolk County Council will address the subject in more detail in its local impact report. Now that proper survey work has been conducted at the site it would appear that for the Scottish Power projects the SuDS basins can	The Applicant anticipated that the drainage at Friston (Kiln Lane) substation will indeed be that currently being designed (with inputs from National Grid) as part of SPR's EA2 project. This is largely because it will be delivered pursuant to the SPR consent. The Applicant appreciates however that it is the fall-back scenario whereby the National Grid part of the substation is implemented pursuant to the Sea Link DCO that is what is causing concern.

⁹² <https://www.legislation.gov.uk/ukxi/2022/433>

Reference	Matter	Points Raised	Applicant's Comments
		operate as infiltration only basins and there will be no need to discharge any water into the Friston watercourse/main river which runs from the substations site and through the village. Therefore the order limits do not need to include the Friston watercourse/main river	To clarify the Applicant anticipates that the drainage approach currently being designed by SPR is what will be implemented by SPR and/or NG in all scenarios in which both Sea Link and EA1N/EA2 were progressed. Where different drainage strategies are shown anywhere, this is to cover off the situation where a lesser extent of development came forward which would have different drainage implications to that currently being designed for by SPR. SPR and National Grid are liaising extensively on the design, layout and drainage of the Friston site and have been for a long time (albeit noting that the emerging detailed drainage being developed by SPR, with input from National Grid, is not yet in the public domain so the Applicant is not yet able to reflect this publicly). The Applicant is developing Drainage Strategy Reports that align the Proposed Project drainage works with the emerging strategy from SPR which will further clarify this approach. These reports will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project.
34		<u>Circumstances in which Scenario 2 consent applies</u> As set out in FPC's letter of 14 August 2025 AS-073, National Grid has made inconsistent statements in respect of the circumstances in which the additional consent will be used. It should not be used if either the EA2 or EA1N projects proceed. There is great capacity for confusion if either of those projects go ahead (and in fact EA2 is going ahead) and the Sealink DCO contains a consent for the National Grid connection hub. FPC's position is that scenario 2 simply should not be examined for reasons previously stated. However if it is and a single DCO is granted for Sealink then the provisions of the Sealink DCO which represent the consent for the National Grid connection hub should be expressly disapplied and be of no effect if either EA2 or EA1N proceed. This will avoid any confusion as to under which consent the National Grid connection hub has been built, thereby avoiding confusion as to who is responsible for implementing and maintaining mitigation measures as well as other matters.	If the National Grid Substation is built under either the EA2 or EA1N consents then the consent sought for the substation under the Sea Link DCO would not be used. Friston substation is an essential component of the Sea Link project, being the means by which power is transferred from Kent into the network in Suffolk and transferred from Suffolk to the offshore cables to Kent. It is not an option for the Sea Link project to be delivered without Friston substation - it is an integral part of the project. The Applicant does not currently have the consents or land rights to develop Friston substation, nor does it have the ability to discharge requirements on the Scottish Power Renewables (SPR) consents. Therefore, without inclusion of Friston substation within the Sea Link project DCO, the Applicant would not have certainty that the project could be delivered. Therefore, these works must be included in the DCO application and Scenario 2 must be examined in full.
35		At ISH1 National Grid seemed to change its position yet again referring to "land rights" without specifically explaining why this issue merited an additional consent, set against all the evidence given in ISH1 that EA2 is rapidly progressing. Probably the most telling piece of evidence is that Scottish Power has entered into binding contracts with its contractors for EA2	See response in (34) above.
36	Landscape and Heritage	As set out in FPC's relevant representations and as referred to above, the further connections at the National Grid connection hub for the Helios Solar Park, the Red House Farm Energy Storage System and the SolarSeven and Noventum projects will require yet further expansion of the hub with yet further damage to the landscape as set out in paragraphs 44-48 of those relevant representations.	See comment (8) above. In addition, please see the applicant's response to SASES RR set out in Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses [REP1-115].
37	Flood Risk	Flood risk and flood risk mitigation should be revisited given the recent work between Suffolk County Council and a Scottish Power in relation to	See response in (33) above.

Reference	Matter	Points Raised	Applicant's Comments
		the mitigation of flood risk at the substations site. FPC would expect this matter to be discussed in SCC's local impact report in relation to flood risk.	
38 - 39	Noise	FPC thanks the ExA for raising the issues of: • construction noise – temporal restrictions; and • Friston substation operational noise assessment in its letter of 5 September 2025. 39. In this section FPC makes reference to a submission which SASES made in the EA2 and EA1N examinations ("SASES 21 March Submission") REP8-220.	No response required.
40		<u>Construction noise – temporal restrictions</u> It may be instructive for the ExA to consider the construction phase noise and vibration management plan which has recently been prepared by Scottish Power in respect of both EA2 and EA1N which is currently subject to a discharge of requirement process. A copy of the relevant extracts of this plan are attached at Appendix D. This plan applies not only to the EA2 and EA1N⁹³ substations but also to the National Grid connection hub. In particular FPC would point to paragraph 3.7.2 (core working hours) and the contrast between that and National Grid's response set out at the top of page 16 of its letter of 16 September 2025. National Grid has provided no justification of why it cannot abide by the noise and vibration management plan for the National Grid connection hub in the EA2 and EA1N consents. The concept of core working hours arose from discussions between a Scottish Power experts and SASES expert which is set out in paragraphs 9 and 10 on page 2 of SASES 21 March Submission REP8- 220.	The Applicant has, in respect of Work No.1A and Work No. 1B, proposed that construction work may only take place between 0700 hours and 1900 hours Monday to Friday and 0700 hours and 1300 hours on Saturdays, with no activity on Sundays or bank holidays (with certain exceptions). This is set out in Application Document 3.1 (E) draft Development Consent Order [REP1-036] .
41		<u>Friston substation operational noise assessment</u> FPC does not have the benefit of the expertise of an acoustic consultant, but it is familiar with the variance of expert opinion there can be between acoustic consultants from its experience with the EA2 and EA1N examinations. In those processes SASES had the benefit of the advice of Rupert Thornely-Taylor, a leading acoustic expert. Therefore whilst FPC does not have the expertise to challenge the technical aspects of the response from National Grid in its letter of 16 September 2025 starting at the foot of page 17, it is sceptical of the assurances given. In this examination FPC is reliant upon the ExA in ensuring that the operational noise from the National Grid connection hub will be compliant with policy.	The Applicant sets out its approach to noise assessment in Application Document 6.2.2.9 (B) Part 2 Suffolk Chapter 9 Noise & Vibration [AS-109] . Operational noise from Friston (Kiln Lane) substation is scoped out of the assessment on the basis that significant adverse effects are not expected.
42		FPC's concern with regard to operational noise from the National Grid connection hub arises from the EA2 and EA1N examination as it does not believe this issue was satisfactorily resolved.	Noted, no response required
43		FPC would make the following comments on National Grid's response.	Although scoped out of the Environmental Statement (ES) on the basis that significant adverse effects are not expected, an assessment of potential noise

⁹³ There is a separate discharge process for EA1N but the plan is identical

Reference	Matter	Points Raised	Applicant's Comments
		a. It is very surprising that an organisation such as National Grid has limited data for noise levels from GIS switchgear operation. This is very unsatisfactory. It is even more unsatisfactory for National Grid's assessment to be based on "indicative" information provided by its own team, which inevitably will be self-serving. The reliability of this information is questionable. By way of contrast the SASES 21 March Submission contains some information for the National Grid connection hub at the bottom of page 9. FPC understands there is a difference between noise levels for AIS switchgear and GIS switchgear but no information has been provided on that subject in National Grid's letter of 16 September 2025. b. National Grid statements of representative night time background level are wrong. The area around Friston is exceptionally quiet. This was shown in the EA2 and EA1N examinations (and reference is made to paragraph 3 on page 7 of the SASES 21 March Submission). In addition these exceptionally low noise levels are shown by the more recent sound level of monitoring carried out by Scottish Power which is set out in section 7 - Baseline Conditions of the Construction Phase and Vibration Management Plan – Appendix D. This shows that in three out of the four sound monitoring sites closest to the substations site (SSR2, SSR5, SSR6 and CCR18 as shown in the plan set out on the last page of Appendix D) the median night-time sound level was 19/20 dB. In fact noise levels could be even lower because these low levels are below the level at which most acoustic equipment can measure i.e. if noise levels are lower than 19/20 dB the measuring equipment will still show a noise level of 19/20 dB. In relation to the other monitoring site, SSR6, monitoring was only carried out for a short period, 30 minutes at night time and one hour at daytime and therefore the results are open to question	impacts from the proposed Friston substation is presented in Application Document 6.3.2.9.E ES Appendix 2.9.E Friston Substation and OHL Operational Noise Information (Informative) [APP-139], at the request of the local authority for information purposes. The EA1N and EA2 proposals assumed an Air Insulated Switchgear (AIS) which can be relatively noisy in operation. However, the SeaLink proposals are for Gas Insulated Switchgear (GIS) which operates at a much lower noise level and can be described as a "dull thud" (similar to a van door being closed). in terms of both noise level, and character. This would be inside the GIS building and as such noise levels would be even lower externally, noting that the nearest noise sensitive receptor (NSR) is at a distance of approximately 300 m. The assessment presented in Application Document 6.3.2.9.E ES Appendix 2.9.E Friston Substation and OHL Operational Noise Information (Informative) [APP-139], considers GIS. The assessment indicates that noise levels from the operation of the switchgear would not lead to a significant adverse effect at NSR (for context, consider a van door being closed approximately once per year in a building 300m away). For noise sources such as switchgear, both the level of the noise and the frequency of occurrence would need to be sufficient to be considered significant adverse effect. The threshold at which such events have potential to be considered a significant adverse effect is a noise level exceeding 60 dB $L_{Amax,F}$, externally, occurring at least 10 to 15 times per night. With regards to switchgear at the proposed Friston substation, the predicted noise level at the nearest NSR is 30 dB $L_{Amax,F}$, and the likely frequency of occurrence is somewhere in the order of once per year and would typically be due to faults and maintenance. The noise level and the frequency of operation of switchgear would therefore comfortably not exceed that which would be considered significant. For clarity, noise from the operation of switchgear was scoped out on the basis of its infrequency only. However, the assessment also provides an indication that noise levels, in isolation, would also not be expected to be significant. Given the negligible level of impact from switchgear, it is not considered that a condition on noise is required. Additionally, as the switchgear is safety feature for emergency cut-off, a limit of frequency of occurrence is not appropriate.
44		As a result there is a situation where there is no reliable noise level information for the National Grid switchgear, whose noise has then been assessed against an incorrect background noise level. National Grid's statements on this matter cannot be regarded as in any way reliable.	As above, noise from the operation of switchgear was scoped out on the basis of its infrequency only. However, the assessment also provides an indication that noise levels, in isolation, also would not be expected to be significant. Baseline sound levels have been measured in accordance with appropriate standards and guidance. A conservative representative background sound level

Reference	Matter	Points Raised	Applicant's Comments
			has been derived from the measured data and agreed with the local planning authority.
45		Turning to the practical question of what the noise requirement (secured in the DCO) should be for the National Grid connection hub (covering all noise sources not just switchgear), there could be a number of parameters/controls for example: a. in usual operation there will be no noise from the National Grid connection hub; b. there could be an absolute limit on the noise to be emitted from National Grid switchgear and a separate limit for other equipment such as generators, cooling fans etc; c. there should be a restriction so that no testing of such equipment can take place outside the hours of 9 am to 5 pm Monday to Friday and then only once every three months; d. great emphasis is placed on the fact that this equipment will only operate “infrequently” and/or “in emergencies”. The question is how often will there be emergencies. Further the greater the number of connections to the connection hub the greater the number of circuit breakers/switchgear and the greater likelihood of emergencies. Therefore there should be an absolute limit on the number of emergencies over a period and if this limit is breached that will trigger remedial action, to be defined.	There are no transformers, or similar, proposed at the substation. Noise from the normal operation of the substation would therefore be negligible and not significant. Switchgear is safety feature for emergency cut-off, and therefore a limit on frequency of occurrence is not appropriate. However, the number of occurrences would need to be much larger than anticipated (numerous times per night, and at a sufficiently high level) before it would be considered significant in noise terms. Both likely occurrence and noise level are well below the level that would be considered significant.
46	Traffic	FPC has little further to add to its Relevant Representations. As the ExA is aware FPC’s view is the B1121 through Friston and Sternfield should not be used as an HGV route and should not be used by other construction traffic.	Noted. A, response to this comment is provided within Table 2.9 of the response to Suffolk County Council (SCC) RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]), as well as within Table 1.1 of the Substation Action Save East Suffolk (SASES) RR (Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]).
46		By way of illustration of the unsuitability of the B1121 for HGV traffic, HGVs are accessing farm buildings at Red House Farm and Hill Farm along the B1121 from Bigsby’s Corner. They are both causing a hazard, as traffic coming in the opposite direction has to stop, but also causing serious damage the roadside with verges being seriously eroded. The B1121 from the proposed operational access road to Friston is of a very similar nature being narrow and twisty, therefore demonstrably unsuitable for HGV traffic.	Noted. A response to this comment is provided within Table 2.9 of the Suffolk County Council (SCC) RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]), as well as within Table 1.1 of the Substation Action Save East Suffolk (SASES) RR (Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]).
48		A concern relating to cumulative impact is that this disproportionately sized entrance would be used for construction when the National Grid connection hub has to be expanded for future projects.	The responses provided within Table 2.9 of the Suffolk County Council (SCC) RR (Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043]), as well as within Table 1.1 of the Substation Action Save East Suffolk (SASES) RR (Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115]) are considered to address this comment.

Reference	Matter	Points Raised	Applicant's Comments
49	Safety	The National Grid connection hub alongside the Scottish Power substations and the proposed converter stations represent a significant fire risk as referred to in FPC's relevant representations.	Fires at Substations and Converter stations are a rare but significant risk. Mitigation is incorporated into the design through the use of fire walls, the separation of assets within the stations and the selection of materials across the site including cladding. Key to the design is the control of fire hazards such as oil and diesel stores and oil filled equipment. Fire risk assessments will be produced at detailed design and will be reviewed and maintained throughout operation and will look to identify the fire hazards and reduce the risk of those hazards causing harm to as low as reasonably practicable. Rigorous maintenance and inspection programmes and safety protocols are also part of the Applicant's operational procedures to mitigate the risk throughout operation. The Applicant will also prepare for the worst case and develop emergency response plans in coordination with the emergency services.
50		Looking at the relevant representations of emergency services/1st responders, relevant representations been received from the Suffolk Constabulary and the East of England Ambulance Service NHS Trust, but not from the Suffolk Fire and Rescue Service.	No response required.
51		It is of concern that in the latest assessment of the Suffolk Fire and Rescue Service available on the website of HM Inspectorate of Constabulary and Fire and Rescue Services, that both "understanding the risk of fire and other emergencies" and "responding to fires and other emergency" are assessed as "requires improvement". That would seem to be borne out by SFRS not engaging with the examination process. A screenshot of the relevant page from the HMICFRS is attached at Appendix E.	No response required.
52		In contrast the East of England Ambulance Service NHS Trust (EEAST): <i>"consider that the Project (Sea Link) is likely to have a significant impact on its emergency ambulance operations, service capacity and resources (staff, vehicle fleet and estate assets) requiring appropriate mitigation and management measures to be identified and secured through either a planning obligation or Deed of Covenant."</i>	Please see the applicant's response to SASES RR set out in Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses [REP1-115] .
53	Tourism and Socio-economic Impacts	Sealink, the National Grid connection hub and current proposed projects do not provide any permanent jobs in East Suffolk they only have potential to damage tourism and agriculture, two pillars of the local economy.	The Applicant notes the concern regarding limited operational employment opportunities. The Proposed Project is anticipated to generate construction employment and GVA locally as set out in Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-005]. Table 10.20 outlines that in the construction phase, an estimated 65 average net additional jobs per annum will be created by the Proposed Project. The calculation of employment generation has also accounted for leakage; the proportion of jobs taken-up by people who live inside of the Study Area, here defined as a 60-minute travel area. Based on professional judgement and other similar schemes, given the specialised nature of the construction roles, this has been estimated to be 30%. Therefore 20 jobs per annum are expected to be taken up by residents in the Study Area. Given the volume of construction and operational work required and an estimated 65 average net additional jobs per annum, outside the peak period, impacts on skills and employment are not anticipated to be substantial.

Reference	Matter	Points Raised	Applicant's Comments
			As shown in Table 10.22, applying the average gross direct value added per construction worker in the East of England to the total number of construction workers generated from the Suffolk Onshore Scheme gives the total GVA arising from the construction period. It is estimated that construction will contribute approximately £4.1 million to the national economy, of which approximately £1.3 million would be applicable to the Study Area. The Applicant recognises that the potential for future environmental changes associated with the Proposed Project during construction, operation and decommissioning are currently a source of concern for local tourism. To address this concern, the Applicant has undertaken a comprehensive and robust Environmental Impact Assessment, such that any likely significant effects of the Scheme have been identified and mitigated. Section 10.9 of Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-005] assesses potential effects of the Scheme on private and community assets, recreation and tourism, including auxiliary businesses linked to farms. The assessment identified no significant effects on these receptors. The Applicant recognises that there is potential for noise, air quality, visual and traffic effects arising from construction of the Suffolk Onshore Scheme to impact on the amenity of residents, businesses, development sites, and users of open spaces and community facilities within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no effect on tourism assets arising from construction of the Suffolk Onshore Scheme and therefore no mitigation will be required. The area of agricultural land that will be permanently lost is small in comparison to the available resource in Suffolk.
54		National Grid have made no contribution to the Friston community unlike Scottish Power, although even that contribution does not begin to reflect the damage that has and will continue to be caused to Friston	Government guidance informs how community benefits can be delivered for transmission infrastructure projects such as the Proposed Project. In line with this guidance, community benefit funds are expected to be delivered during construction of the Proposed Project, and not before consent. The Applicant welcome the government's guidance on community benefits, which was published in March 2025. The Applicant will adhere to the government's guidance for delivering community benefits should the Proposed Project be granted development consent. Community benefits are not the same as compensation or mitigation. The Government are clear that community benefit is designed to reward communities for their role in hosting new transmission infrastructure. Compensation for any construction impact is handled through a separate, existing process. Any measures to reduce or mitigate the impact of a project must be included in the planning application itself.

Reference	Matter	Points Raised	Applicant's Comments
55		Whilst the subject may not be of direct relevance to the ExA, FPC would like to put on record the defects of the Government Guidance (Community Funds For Transmission Infrastructure) on this subject. This guidance is based on deeply flawed research published in 2024, entitled Community Benefits for Electricity Transmission Network Infrastructure. The Friston community did raise the inadequacy of this research with DESNZ in the context of what is happening in this community. Not surprisingly DESNZ did not accept this community's views and have refused to engage in further correspondence on this subject	Guidance on Community Benefit for transmission projects and the consultation undertaken on this matter is the responsibility of the Department for Energy Security and Net Zero, not the Applicant.
56		The guidance itself is flawed as (aside from transmission lines) it takes no account of the scale of infrastructure involved only its type. Substations/connection hubs can vary greatly in scale and in the number of connections they may draw. But the real problem is the reliance on the social research.	Guidance on Community Benefit for transmission projects and the consultation undertaken on this matter is the responsibility of the Department for Energy Security and Net Zero, not the Applicant.
57		The social research was on the basis of a highly misleading image of a substation, which bears no resemblance to the developments at Friston. Further the question asked in relation to this image was how would you feel if you lived within 15 minutes' walk of a substation? Furthermore no question was asked if multiple developments were to take place in the same small area. In the case of Friston many people live within a two minute walk of the substations site and everybody within five minutes. A screenshot of the relevant image and question is attached at Appendix F so the ExA can judge for themselves the quality of the research	Guidance on Community Benefit for transmission projects and the consultation undertaken on this matter is the responsibility of the Department for Energy Security and Net Zero, not the Applicant.
1	Appendix A	Response to Consultation on Proposed Changes to the Sea Link Development Consent Order	Following a period of targeted consultation during October/November 2025, the Applicant submitted a Change Request application at Deadline 1A. Application Document 9.76.3 (A) Change Request Consultation Report [CR1-053] describes the consultation undertaken by the Applicant prior to submitting the Change Request, along with the responses received to this consultation and how the Applicant has had regard to feedback. The Change Request application has been accepted by the ExA on 5 December 202.

Table 2.47 Substation Action Save East Suffolk Limited (SASES) & Friston Parish Council [REP1-193, REP1-268]

Reference	Matter	Points Raised	Applicants Comments
1	Supplementary Written Submission	FPC in its written representations set out its concerns in respect of National Grid seeking an additional consent for the National Grid connection hub and that the cable route for Sealink, Lionlink and any third project should follow the same route from the converter stations site to the connection hub and therefore cables and ducts for all three projects should be installed at the same time. So far, National Grid has shown no willingness to modify its position on these matters	Friston (Kiln Lane) substation will only be delivered once, despite benefitting from powers under the extant SPR East Anglia One (North) and East Anglia Two windfarm DCOs and (if made) the Proposed Project DCO. It is anticipated that it will be delivered by NGET under one of the two SPR consents, once SPR has transferred the necessary powers to NGET, with commencement starting early 2026.

Reference	Matter	Points Raised	Applicants Comments
2		On 13 November 2025 Sealink published its latest community newsletter. On the second page of this newsletter under the heading “3. How is National Grid coordinating with other developers in Suffolk?” The following statements are made. <i>“We will build Kiln Lane substation near Friston under SPR’s DCOs at the same time as they build their two substations.”</i> and <i>“If Lionlink receives consent before late 2028, that project could connect into Kiln Lane in the same set of works.”</i>	The cable route for LionLink may indeed follow the same route as those for the Proposed Project, subject to ongoing design, assessment, and consultation being undertaken by the developer for that project (NGV). While unlikely to be delivered at the same time, this may be possible subject to the alignment of various programme, procurement, consenting, regulatory, and business interface factors between the Applicant and NGV. Friston substation is an essential component of the Sea Link project. It is not an option for the Sea Link project to be delivered without Friston substation - it is an integral part of the project. The Applicant does not currently have the consents or land rights to develop Friston substation, nor does it have the ability to discharge requirements on the Scottish Power Renewables (SPR) consents. Therefore, without inclusion of Friston substation within the Sea Link project DCO, the Applicant would not have certainty that the project could be delivered. Therefore, these works must be included in the DCO application. The newsletter referred to sets out, for the benefit of the community, what the Applicant considers to be the most likely situation.
3 - 5		These two statements seem to indicate that National Grid no longer intends to pursue an additional consent for the National Grid connection hub and that it will install cables and ducts for both Sealink and Lionlink at the same time. A copy of the second page of the newsletter is attached. National Grid should be asked to clarify its position on these matters as soon as possible.	

3. Written Representations from Individuals

3.1 Abi Smith [REP1-166]

Table 3.1 Abi Smith [REP1-166]

Reference	Matter	Points Raised	Applicant’s Comments
1	Introduction	This written representation supplements my oral submission. The central contention is that National Grid has failed to adequately demonstrate that alternative sites have been exhausted, and that the proposed development would cause irreparable harm to legally protected habitats hosting critically endangered species.	See Applicant’s full response below.
2. Inadequate Assessment of Alternatives			
2.1	Cost-Driven Site Selection	National Grid has justified Minster Marshes’ selection primarily on cost grounds, claiming it represents 'the cheapest option'. This approach fails to properly weigh environmental considerations. Emma Waller of Kent Wildlife Trust states: <i>'There appear to be several options for Sea Link, yet the current plans will cause significant disturbance to wildlife at a site with multiple statutory conservation designations that should be protected.'</i> Sources: Kent Wildlife Trust; The Isle of Thanet News (9 April 2025).	The Application Document 7.2 Strategic Options Report Backcheck Report [APP-320] explains why the Proposed Project is needed and the strategic options considered including the selection of the Richborough area and why the costly strategic options SL1 and LL1 do not offer environmental and socio-economic benefits over option SL2 such as to justify the significant additional distance and cost involved. Cost was not the determining factor in the selection of the preferred routeing and siting option. As set out in Application Document 8.1 Corridor Preliminary Routeing and Siting study (October 2022) [APP-368] due to the number of terrestrial and marine elements, to cost every theoretical end-to-end solution would be disproportionate as there are tens of thousands of end-to-end combinations. As cost is generally a factor of length and technical complexity the decision was taken to cost one of the longest and one of the shortest end-to-end solutions to understand the cost differential between the two. The preferred option selected did not represent the shortest solution or the lowest cost option.
2.2	Questions National Grid Must Answer	Before consent can be granted, National Grid must provide satisfactory answers to: 1. What alternative sites were considered, and what was the full assessment methodology? 2. Were comprehensive ecological field surveys conducted at all potential sites? 3. Has National Grid properly accounted for additional construction costs at Minster Marshes due to unstable, flood-prone ground (40,000 lorry loads of aggregate, extensive concrete works)? 4. Has National Grid calculated the carbon emissions from massive concrete infrastructure required at this site versus alternatives? Without transparent answers, it cannot be said that alternatives have been exhausted.	1) Application Document 8.1 Corridor Preliminary Routeing and Siting Study (October 2022) [APP-368] explains the alternatives sites that were considered, the option appraisal methodology and the reasons for the selection of the preferred option. 2) Project development is a staged process with the information gathered proportionate for the stage of development at the time. Detailed ecological field surveys are only conducted on the preferred site. Decisions throughout the development process for the Proposed Project are the subject of an iterative checking and backchecking as more information is gathered through site surveys, analysis and assessment to confirm or otherwise previous decisions made in light on any new information. As set out in Application Document 7.3 Design Development Report [APP-321] the proposed location of Minter Converter Station was backchecked following detailed site surveys and this site remained the preferred site location.

Reference	Matter	Points Raised	Applicant's Comments
			3) The ground conditions at the site of the proposed Minster Converter Station and Substation were well known and were factored into the decision-making process for site selection. The site selection process considers a number of factors of which ground conditions is only one. When considered on balance with other technical, environmental and socio-economic factors, the proposed site was selected as preferred option, details of which are provided in Application Document 7.3 Design Development Report [APP-321] and Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044]. Whilst the Applicant recognises the challenge associated with ground conditions in certain parts of the Kent Onshore Scheme, these are not considered as posing a risk to the delivery of the Proposed Project and can be dealt with through standard engineering processes including piled foundations for the principal structures including the temporary bridge structure over the River Stour. The Applicant is experienced with working within these ground conditions. The Converter Station is a necessary part of the Proposed Project, and the cost of construction was considered in Application Document 7.2 Strategic Option Back Check Report [APP 320]. 4) Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] presents the greenhouse gas (GHG, or 'carbon' as shorthand) lifecycle assessment of the Proposed Project. This assessment includes lifecycle carbon emissions associated with the concrete used in the Proposed Project. Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] demonstrates that the potential total lifecycle GHG emissions of the Proposed Project are estimated to contribute to less than 0.01% of any respective UK carbon budget and are therefore deemed not significant in this context in accordance with the best-practice methodology applied in Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085]. This means that the Proposed Project does not negatively impact the UK's ability to meet its net zero targets. GHG assessments of alternative options are not within the scope of Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] and these would not demonstrate any observable improvement in the significance of GHG emissions, as GHG emissions of the Proposed Project are already deemed not significant.
2.3	Burden of Proof	Sites with this level of statutory protection should be considered only as a last resort. The Environmental Law Foundation notes: 'This area has been targeted for development in the past, with several planning approvals being granted. This has caused a drastic reduction in the biodiversity of the area, and has made Minster Marshes a haven for wildlife, acting as a critical ecological superhighway.' That Minster Marshes has become a crucial refuge because surrounding areas have been developed strengthens, not weakens, the case for its protection. <i>Source: Environmental Law Foundation (30 June 2025)</i>	Note that Minster Marshes has no statutory or non-statutory wildlife designation. Ash Level (south of the River Stour) has a local (non-statutory) wildlife designation, but Minster Marshes has never been designated by Thanet Council.
3. Ecological Significance			
3.1	Critically Endangered Species	Kent Wildlife Trust has confirmed the presence of critically endangered European eels (<i>Anguilla anguilla</i>), which have declined by 95% since the 1980s. The site also supports 32 red-listed and 46 amber-listed bird species, including	Comment is toted. Impacts on ecology and biodiversity form the Kent Onshore Scheme, including on protected sites, habitats and species are addressed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and

Reference Matter		Points Raised	Applicant's Comments
		nightingales, turtle doves, skylarks, curlews, golden plover, and jacksnipe. Independent bird ringing data shows that in 2023, Minster Marshes accounted for 90% of woodcock, 90% of jacksnipe, and 50% of all skylarks ringed in Kent. <i>Sources: Kent Wildlife Trust (2025); The Canary (16 March 2025); Environmental Law Foundation</i>	Biodiversity [REP1-049] and Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071].
3.2	Protected Designations	The development impacts two SSSIs, two Special Areas of Conservation, a Special Protection Area, a Ramsar Wetland, Kent's largest National Nature Reserve, and a Marine Conservation Zone. Pegwell Bay has more statutory conservation designations than any other bay in the UK. Golden plover and turnstone, designated features of the SPA, have been recorded in significant numbers on the proposed converter site. <i>Sources: Kent Wildlife Trust; multiple campaign materials</i>	
4. Carbon Contradiction			
4.1	Construction Requirements	The site lies in a groundwater flood zone with soft clay soil unsuitable for heavy construction. National Grid proposes raising the ground level by two metres using 40,000 lorry loads of aggregate, constructing a concrete platform covering one square kilometre, and installing concrete support columns 20 metres deep. The 28metre-tall converter station will cover 9 hectares. <i>Source: The Isle of Thanet News (8 July 2024)</i>	A description of the proposed works associated with the construction of the Minster Converter Station and Substation is provided in Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003] .
4.2	Concrete Emissions	Concrete production is responsible for 8% of global CO2 emissions. For every 1,000 kg of Portland cement produced, 931 kg of CO2 are emitted. Destroying natural carbon sinks (wetlands) to build carbon-intensive infrastructure contradicts stated climate objectives. <i>Sources: EConcrete (11 December 2022); PMC (2021); Northwestern University (2025)</i>	Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] presents the GHG lifecycle assessment of the Proposed Project. This assessment includes lifecycle carbon emissions associated with the concrete and land use change associated with the Proposed Project. Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] demonstrates that the potential total lifecycle GHG emissions of the Proposed Project are estimated to contribute to less than 0.01% of any respective UK carbon budget and are therefore deemed not significant in this context in accordance with the best-practice methodology applied in Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] . This means that the Proposed Project does not negatively impact the UK's ability to meet its net zero targets.
5. Planning Deficiencies			
5.1	Contradictory Impact Assessments	National Grid's documentation contains a fundamental inconsistency: the application states 40,000 lorry loads are required solely for aggregate, yet claims total construction will involve only 38,000 lorry movements. These figures are mathematically incompatible. If National Grid cannot provide consistent basic logistics figures, how can the Examining Authority trust environmental impact assessments? <i>Sources: The Isle of Thanet News (8 July 2024); CrowdJustice</i>	It is unclear where these traffic figures have been sourced from. The Applicant would be very happy to provide a more detailed answer if further clarification could be provided on the source of this figure. However, it appears that the identified figure of 40,000 lorry loads has been sourced from Application Document Written representations (WR) [REP1-246], which state <i>“SMM’s calculations indicate that there will be 40,000 lorry loads of aggregate needed to raise the site by 2 metres, and potentially further heavy loads for dewatering”.</i> The Applicant cannot engage with traffic figures/forecasts provided by third parties other than to make the point that the construction traffic forecasts which have been assessed as part of the DCO application are based on those provided by design engineers on the Proposed Project as set out in Application Document 6.2.2.7

Reference Matter		Points Raised	Applicant's Comments
			Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] and Application Document 6.3.3.7.D ES Appendix 3.7.D Baseline Traffic Movements [APP-178].
5.2	Previous Environmental Damage	When National Grid drove the Nemo cable through Pegwell Bay in 2019, it caused permanent damage to the saltmarsh and nature reserve despite assurances of 'limited impact'. <i>Source: CrowdJustice campaign</i>	No response required other than to note again that Nemo Link was a joint venture project between National Grid Ventures (NGV) and BelgiannElia, and not a National Grid Electricity Transmission (NGET) project. Details of the differences between the Proposed Project and Nemo Link are, and why the circumstances are different, are set out in AP16 of Application Document 9.72.2 Applicant's Response to Issue Specific Hearing 1 Action Points [REP1A-037] .
6. Required Independent Assessment			
6.1	Required Independent Assessment	Before consent can be granted, an independent expert assessment (not engaged solely by National Grid) must: 5. Identify all potentially viable alternative sites with comprehensive field surveys 6. Calculate full lifecycle carbon footprint of each option 7. Assess true economic costs including environmental remediation and longterm maintenance 8. Apply precautionary principle when sites have this level of statutory protection 9. Conduct genuine engagement with local communities and conservation organisations Granting consent without this assessment would set a dangerous precedent that cost considerations can override protection of internationally designated conservation sites.	The Applicant considers that the appropriate level of information has already been submitted including Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] and that the DCO Examination process is a robust and appropriate mechanism for assessing the issues around the application. The lifecycle GHG assessment in Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] deems the effect of GHG emissions associated with the Proposed Project to be not significant in the context of UK carbon budgets. This means that the Proposed Project does not negatively impact the UK's ability to meet its net zero targets. Conducting GHG lifecycle assessments of alternatives will therefore not result in any alternatives having observably improved significance in terms of GHG emissions as they are already deemed not significant for the Proposed Project.
7. Conclusion			
7.1	Conclusion	This Development Consent Order must be refused on four grounds: First: National Grid has not demonstrated that alternative sites have been properly assessed. The reliance on cost considerations and potential desktop studies indicates incomplete alternatives assessment. Second: The project threatens critically endangered species (European eels with 95% decline), 32 red-listed and 46 amber-listed bird species, and sites with more statutory protections than any other UK bay. Third: Destroying natural carbon sinks combined with massive concrete construction emissions (40,000 lorry loads, 1sqkm concrete platform) undermines climate objectives. Fourth: Internal inconsistencies (contradictory lorry figures) and documented history of environmental damage undermine confidence in impact assessments.	For the reasons set out above the Applicant does not agree with this conclusion.
7.2	Recommendations	1. The Examining Authority should refuse this Development Consent Order 2. National Grid must conduct a comprehensive, transparent review of alternative sites 3. Independent experts must assess all alternatives with full field surveys and carbon assessments	For the reasons set out above the Applicant does not agree with these conclusions.

Reference	Matter	Points Raised	Applicant's Comments
		4. Only after these conditions are met should further consideration of consent be entertained The burden of proof lies with the applicant to demonstrate no viable alternative exists. National Grid has not met this burden.	

3.2 Bill Pryde [REP1-172]

Table 3.2 Bill Pryde [REP1-172]

Reference	Matter	Points Raised	Applicant's Comments
1.1	Objection	I, a Saxmundham resident, object to National Grid/Sealink's last-minute proposals to strengthen Benhall Green railway bridge. The disruption stemming from them has been utterly unacknowledged in its submission, and any closure of the road at Benhall Green, at the same time as the A12 Saxmundham bypass is suffering significant disruption because of the South Saxmundham development, is beyond contemplation. If these facilities need to be built onshore (a big "if"), there is a much more suitable brownfield site at the old Leiston airfield, that will be a stone's throw from the new access road being built for Sizewell C. I also strongly object to the cumulative impact of all these plans about to befall East Suffolk and can't understand how anyone in their right to think it is in the Nation's interests to plan SIPs in this way.	With regards to the proposals for strengthening Benhall Bridge, the Applicant submitted a Change Request application, which included 'Change 4 – Benhall Railway Bridge', at Deadline 1A. The likely significant effects associated with the proposed works at Benhall Bridge have been assessed and are presented within Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055]. This document provides additional information on the impacts associated with the temporary road closures at Benhall Bridge. The Change Request application has been accepted by the ExA on 5 December 2025. In their procedural letter, the ExA has noted the following: <i>"Having regard to the above considerations, the ExA is satisfied that the proposed changes, whether considered individually or taken together, would not be so substantial as to amount to a materially different project from that which was applied for"</i>. It is acknowledged that the Proposed Project will be under construction alongside other schemes in the area. The assessment of inter-cumulative effects is considered within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Inter-Project Cumulative Effects [APP-060] based on Application Document 6.3.1.5.C ES Appendix 1.5.C Inter-Project Cumulative Effects Short List [APP-093], which includes more than 25 developments including Sizewell C Nuclear Power Station, East Anglia One North Offshore Windfarm, East Anglia Two Offshore Windfarm and LionLink. This includes assessment criteria relating to traffic and transport, as covered within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]. Please see Appendix B in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043], for further information, which includes confirmation that the former Leiston Airfield it is not a brownfield site.

3.3 David John Stapley [REP1-181]

Table 3.3 David John Stapley [REP1-181]

Reference	Matter	Points Raised	Applicant's Comments
1	Minster Converter Station foundations	I very much doubt that the proposed 2-metre thick layer of aggregate under the concrete foundation to the converter building will help stabilise it. Differential settlement under the weight of the aggregate and the building itself, taking place over a prolonged period, is most likely to occur. Damage to the concrete flooring would follow and I suspect create maintenance problems for any sensitive machinery operating in the building. Incidentally, if the area of the aggregate layer is 9 hectares, as I have been informed, that equates to 180,000 cum of fill, which in turn equates to more than 400,000 tonnes of aggregate to be transported to the site. If we assume the use of 50 tonne lorries, that would mean 8,000 lorry journeys to and from the site. 50-tonne lorries would probably severely damage the roads en route, so smaller lorries would need to be used. At 20 tonnes per lorry, journey numbers would increase to 20,000. Taking note of the scale and type of ground investigations recently proposed led me to the conclusion that what had been performed previously was totally inadequate for the design of such a large complex site and building. I understand that alternative solutions and locations were dismissed by National Grid. Another well-known, often-quoted warning to designers and planners states, <i>"If you fail to plan, you are planning to fail."</i> It seems to me that the National Grid is ignoring advice and planning to fail. I do hope that the costs of such a failure are not passed down to me and my fellow consumers. In conclusion, I have to say that the Sea Link scheme landing at Pegwell Bay and progressing into Minster Marshes is a very poorly conceived and risky project from a construction point of view. It involves a highly questionable construction plan, which will prove horrendously expensive to achieve. It will also lead to a maintenance nightmare for its operators.	Although part of the ground improvement proposed for the Kent Converter Station and Substation site, the raised ground does not form the foundation, in isolation, for the key elements of infrastructure on the site which will have piled foundations. Differential settlement is controlled through the design of the station platform and foundations for the various assets included within it. The significant import of aggregate material to raise the ground level at the Converter Station and Substation site will require a significant number of vehicle movements, with 20,000 not being an unfair assessment. The level of vehicle movements required for the Proposed Project have been considered within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067], noting that the A256 which would be the access point for these vehicles, has an average daily traffic flow in excess of 20,000.

3.4 Delia Ann OBrien [REP1-185]

Table 3.4 Delia Ann OBrien [REP1-185]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Large substation and battery storage – Omitting	I want to bring forward the point on an often overlooked yet increasingly relevant topic: the effects of invisible frequencies	From an operational noise point of view, and operational noise assessments have been undertaken for the Proposed Project in line with current noise

Reference	Matter	Points Raised	Applicant’s Comments
	high-frequency sound Day & Night	emitted by electrical power stations and how they can disrupt the well-being of both humans and animals. In our modern world, we are surrounded by technology that generates various forms of electromagnetic radiation. Power stations contribute significantly to this phenomenon. While we may not hear these high-frequency sounds or see their effects, they permeate our environment, often going unnoticed. However, the impact they have on our lives—and the lives of our animals — can be profound. Research has shown that exposure to high-frequency sounds can lead to stress and anxiety in humans. Many people report feelings of unease and discomfort when near power stations yet may not fully understand the source of their distress. This discomfort can manifest as headaches, fatigue, and irritability. In a world where mental health is a growing concern, we must recognise and address the potential role these invisible frequencies play in our overall well-being. But it doesn’t stop with humans. Our animals are equally vulnerable to the effects of these hidden frequencies. Studies indicate that pets exposed to high-frequency sounds can exhibit signs of stress, such as increased heart rates, changes in behaviour, and heightened aggression or anxiety. Livestock, too, can experience disruptions in their natural behaviours, leading to decreased productivity and welfare issues. Imagine a serene farm where animals thrive. The sounds of nature should dominate, yet the hum of electrical power operations can create an unsettling environment. Cows may become anxious, chickens may stop laying eggs, and pets may shy away from areas near power stations. The consequences ripple through the ecosystem, impacting not just individual animals but the entire agricultural system and, ultimately, our food supply. As we advance technologically, we must also advance our understanding of its impacts. We must advocate for stricter regulations on noise pollution and work towards implementing measures that reduce the emission of harmful frequencies from power stations. We will educate our local communities about the potential effects of invisible frequencies—a collective effort to create more harmonious living environments for both humans and animals. In conclusion, it is our responsibility to ensure that the energy we rely on does not come at the expense of our mental well-being or	policy requirements, including the Noise Policy Statement for England, National Planning Policy Framework, National Policy Statement EN-5 and BS 4142 ‘<i>Methods for rating and assessing industrial and commercial sound</i>’, to assess the impacts of the development. The assessments are detailed in Application Document 6.2.3.9 (B) Part 3 Kent Chapter 9 Noise and Vibration [AS-111], Application Document 6.2.2.9 (B) Part 2 Suffolk Chapter 9 Noise and Vibration [AS-109], Application Document 6.3.2.9.D (B) Appendix 2.9.D Suffolk Operational Noise Assessment [AS-119], and Application Document 6.3.3.9.D (B) Appendix 3.9.D Kent Operational Noise Assessment [AS-123]. Further noise assessments will be undertaken as part of the detailed design phases, and mitigation measures will be identified to reduce noise levels. The applicant is not aware of any significant ultrasound from the proposed substation or converter station. Additionally, high frequency noise typically attenuates quickly within the environment and through standard mitigation measures which will form part of the Proposed Project. From an Electromagnetic Field (EMFs) assessment point of view, health considerations are given a high priority in the process by which we arrive at any proposals for new electricity circuits. Assessment of compliance with EMF guidelines and policies is key to the Applicant’s approach. The UK has a carefully thought-out set of policies for managing EMFs. There have been over four decades of research looking into whether EMF can cause health effects and there are no established effects below the exposure limits. When designing overhead lines, substations, converter stations and cables, design criteria ensure they will not exceed those exposure limits, even when operating at 100% capacity. Additionally, the precautionary measures which the Government have adopted, are applied to overhead line design which ensure the EMFs reduce as quickly with distance as possible As well as possible effects on humans, possible effects of electric and EMFs on various animals have been studied a number of times. No proven effects of EMFs have been found in any species at levels below the guidelines. This is confirmed in National Policy Statement EN-5 which states: “<i>There is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences.</i>” As set out in Application Document 6.5 Electric and Magnetic Field Compliance Report [APP-289], specific EMF design criteria are incorporated into the proposed Converter Station and substation technical specification to ensure that the finalised design is compliant with public exposure limits at and beyond the Converter Station boundary. These specifications will ensure the following criteria are employed in the design: Static magnetic fields at the boundary fence of the proposed Converter Station site will not exceed the ICNIRP public exposure limits; and

Reference	Matter	Points Raised	Applicant’s Comments
		that of our animals. By addressing the impact of invisible frequencies emitted by electrical power stations, we can pave the way for a healthier, more balanced coexistence with our environment. Let us work together towards solutions that enhance our lives and protect the animals that share our world.	AC magnetic fields at the boundary fence of the proposed Converter Station site shall not exceed the ICNIRP general public exposure limit.

3.5 Ian Rix [REP1-203]

Table 3.5 Ian Rix [REP1-203]

Reference	Matter	Points Raised	Applicant’s Comments
N/A	N/A	We are the owners of, on which the Sea link project (put together by National Grid Electricity Transmissions) seeks to place cable routes and associated landscaping areas.	Comment noted.
N/A	Hedgerow Mitigation	We strongly oppose the proposed acquisition of land in our ownership along the B1119 within the ‘change application consultation document’ (paragraph 4.6 - change 5) and would be grateful if you could accept this letter as a formal objection.	Please refer to the Applicants response as logged in Table 4.23 of Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners [REP1-113] .
N/A	N/A	The land added in the ‘change application consultation document’ is still being pursued, despite the assurances of Sea link representatives that this would not happen as it will have little/no benefit other than screening the existing trees due to the topography of the land.	Please refer to the Applicants response as logged in Table 4.23 of Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners [REP1-113] .
N/A	N/A	Please can you acknowledge this objection and then take appropriate measures to consider an amendment to the proposed land acquisition.	The Applicant acknowledges the landowners objection.

3.6 Karen McKenzie [REP1-213]

Table 3.6 Karen McKenzie [REP1-213]

Reference	Matter	Points Raised	Applicant's Comments
1.3	N/A	I support the Government's drive to clean energy, a move away from reliance on fossil fuels and investment in existing renewables (hydro, wind and solar), new renewables (nuclear fusion, hydrogen, wave) and nuclear fission. But the energy market is changing so rapidly that this project is already left behind. Indeed, just this week the Government has announced consultation on indexation of Renewables Obligation and Feed-in Tariffs in an effort to reduce the cost of subsidies to consumers ⁹⁴ and this will have a marked influence on their sparse cost justification for the project.	The Applicant disagrees with the suggestion that changes in the energy market will mean that the Proposed Project is not necessary. As set out in Part 5.2 of Application Document 7.1 (C) Planning Statement [AS-057], the Proposed Project is Critical National Priority infrastructure with an 'established' and 'urgent' need for new electricity network infrastructure that should be 'brought forward at pace to meet our energy objectives' (NPS EN-1 Para 3.3.63). The need for Sea Link reinforced in the government National Energy System Operator (NESO) Clean Power 2030 'Advice on achieving clean power for Great Britain by 2030' (November 2024). This report is the NESO analysis of what it considers to be the pathway to a clean power system by 2030. This report states that a major network expansion is needed to achieve this and identifies Sea Link as being critical for the achievement of the Clean Power 2030 target and also requiring acceleration of its delivery date. The report highlights that without the Proposed Project, consumers could face an extra £1.4b in constraints costs in 2030. In any case, the Applicant has legal duties under the Electricity Act 1989 to develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time.
1.4	N/A	In addition, the Government DESNZ Select Committee on the cost of energy, 15th October, took oral evidence from the Energy Companies, in which they questioned the modelling of future energy needs ⁹⁵ , invalidating National's Grid's cost justification for the project, which is clearly now out of date.	
1.5	N/A	My concerns are that this may be the right scheme towards achieving Net Zero, but a) I question the Needs Case and b) I believe it is the wrong location for landfall in Kent for a variety of reasons outlined in my initial response and expanded on here.	The Proposed Project is needed to achieve the national objectives of meeting current and future demand for electricity, increasing energy security, and reducing emissions associated with electricity generation to meet decarbonisation targets in accordance with NPS EN-1. The Proposed Project addresses two distinct system needs, which arise separately in the transmission networks in East Anglia and the South East. These are summarised below: <u>South East</u> The Proposed Project will address a shortfall in the capacity of the existing network in Kent to carry power out of the region at times of low wind and high interconnector imports. This is driven by the interconnectors landing in Kent due to its proximity to mainland Europe, as well as growth in other renewable and battery storage projects. The Proposed Project has to connect on the network no further west than Canterbury North substation, to provide an additional route for power to flow out of Kent in a scenario where there is fault on the existing overhead line between Canterbury and Kemsley.

⁹⁴ <https://www.osborneclarke.com/insights/energy-transition-government-consults-indexation-renewables-obligation-and-feed-tarif>

⁹⁵ <https://committees.parliament.uk/event/25089>

Reference	Matter	Points Raised	Applicant's Comments
			<u>East Anglia</u> The Proposed Project will support the connection of additional low carbon generation in East Anglia by providing an additional route for power to flow out of the region at times of higher wind. The Proposed Project has to connect in the Sizewell area in order to enable power flow from the generators connecting in this areas (referred to as the Sizewell Generation Group) in a scenario where there is a fault between Sizewell and Bramford. The Proposed Project is also particularly important because it bypasses the existing network around north Kent, the Thames Estuary, and London, avoiding putting more power onto these already constrained parts of the network, while also providing further network capacity relief for the generators connecting in Essex (referred to as the Essex Generation Group). As an HVDC link can be configured to transfer power in both directions, it can benefit multiple areas in the East Anglia and South East regions. The Proposed Project represents a coordinated approach to solving the above issues using a single solution. The Applicant has submitted Application Document 7.3 Design Development Report [APP-321] which sets out the reasoning behind the selected landfall location in Kent.
1.6	N/A	Other locations that would be less environmentally damaging, were a) discounted before dialogue with the Inspectorate began in 2022 and b) pre-empt the Strategic Spatial Energy Plan that NESO is currently working on to deliver a truly integrated modelling of location choice. The project is Cart before the Horse.	The need case for the Proposed Project requires a reinforcement that connects into the existing transmission network no further west than Canterbury North substation, to provide capacity in a fault scenario on the existing overhead line between Canterbury and Kemsley. Application Document 7.2 Strategic Options Back Check Report [APP-320] sets out in detail how other strategic options were considered that could have met the network need. These included the possibility of connection into Canterbury and/or using an onshore overhead line. Furthermore, the Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368] described all the other options considered and the reasons for the selection of the emerging preference, formed part of the non-statutory consultation materials. This document demonstrates that the Proposed Project considered six landfall areas of search within the Kent study area, and two converter station areas of search. The National Energy System Operator (NESO Strategic Spatial Energy Plan will not change the need for the Proposed Project, which is already described as being critical for the achievement of the Clean Power 2030 target in the NESO Clean Power 2030 'Advice on achieving clean power for Great Britain by 2030' (November 2024).
1.7	N/A	Indeed, the choice of location for the Kent end of Sea Link breaches their own guidelines for site selection, and the document APP-320 7.2 Strategic Options Back Check Report appears to work backwards to justify the site that was chosen, rather than	The Proposed Project has been developed in accordance with the Applicant's approach to project development. The Applicant's approach to project development is set out in Application document 7.3 Design Development Report [APP-321]. This involves a balanced consideration of

Reference	Matter	Points Raised	Applicant's Comments
		having worked through a fully informed site selection process. An option to bring cables through to Dover, through the rail tunnel to Sellindge appears not to have been considered even though this is supported by Kent County Council.	various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to what the most appropriate project design to take forward. The approach to routeing and site selection for the Proposed Project specifically is set out in Section 5 of Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368]. Regarding Application Document 7.2 Strategic Options Back Check Report [APP-320], this is a back check of the decisions made regarding the strategic option at earlier stages of the project, to ensure that there have been no material changes to the relevant matters, including the Proposed project costs, the latest generation and network requirements or socio-economic or environmental factors that would change the conclusions. It is important to note that the process of strategic options appraisal considers broad route corridors and technology choices, and environmental constraints at a high level. The outcome of the strategic options appraisal process is not specific routes or locations for infrastructure, which is considered in more detailed subsequent routing and siting stages. The potential to connect into Sellindge was considered at the strategic options stage.
1.8	N/A	I also have many concerns about the adequacy of the consultation process; Interested Parties have been given 6 weeks to read and respond to 412 detailed documents that are only available online and require a powerful computer to manage (which is unreasonable) and it appears that feedback from consultees in previous statutory and non-statutory consultations have been ignored.	The Applicant acknowledges that this is a large application that engages a number of complex environmental matters. It is important that enough information is submitted to allow Interested Parties to understand these matters. The Applicant does not accept that Interested Parties are not able to participate in the Examination. The Applicant has consulted extensively on the proposals and has had regard to the feedback provided by consultees during statutory and non-statutory consultations as set out within Application Document 5.1 Consultation Report [APP-301].
3	Need case is not made	National Grid makes a case for the need for Reinforcement of this section of the grid to carry additional power from wind farms in the North Sea. I understand that there is a pressing need for the government to be able to stop paying constraint fees to Wind Farm operators by ensuring that excess generated power can be carried around the network to where it is needed or traded abroad. The NEMO Interconnector at Richborough was built to trade power between UK and Belgium	Need case & interconnectors The Proposed Project needs case is not based on the need to trade more power to Europe, but to reinforce the transmission network in a way that address various constraints on the networks in Kent and East Anglia simultaneously. Regarding interconnectors, electricity can be traded on the single market in Great Britain by generators and suppliers in other European countries. Interconnectors with transmission systems in France, Northern Ireland, Belgium, Denmark, Norway and the Netherlands are used to import electricity to and/or export electricity from the transmission system.
3.1		NG's argument that they need to be able to trade more power to Europe when we have excess power generated by wind in the North Sea fails to consider that the wind will be blowing equally strongly in Western Europe at the same time – it's the nature of the European weather systems and they are unlikely to need our power.	Interconnectors contribute to meeting the needs in GB when generation is lower. They also contribute to reducing constraints costs (costs paid by the NESO to generators to reduce power output) when generation in the UK is high by allowing it to be exported elsewhere.

Reference	Matter	Points Raised	Applicant's Comments
3.2		Para 3.4.3 of APP-320 7.2 Strategic Options Back Check Report states “Without reinforcement the capacity of the East Anglia and South East existing network is insufficient to accommodate the connection of the proposed new power sources. The ‘Thermal Boundary Export Limit’ – the physical maximum energy capacity the system can accommodate during planned system faults – would be exceeded, preventing export of power to demand centres beyond East Anglia.” And Para 3.4.4 (Ibid) “To address these SQSS compliance issues reinforcement of the network is required. Without reinforcement, in some conditions generators connecting in the area would be required to reduce their output. Generators would then have to be compensated via a ‘constraint’ payment, and additional payments made to non-constrained generators outside of the area to ensure that supply matches demand. These costs would be passed on to end consumers. Previously ESO analysis shows that, in this case, predicted constraint costs are likely to significantly exceed those of reinforcement, providing a further driver to reinforce the system in addition to meeting the criteria of the SQSS.” Generators are already paid constraint costs when power cannot be utilised – details of these current payments and predictions are not supplied as far as I can see in the same document or elsewhere in the pack – although a bit of digging elsewhere turns up NESO’s Future Energy Scenarios Workbook that contains the predictions that were queried by the Energy Sector representatives at the DESNZ Select Committee Hearing on 15th October.	Need case & connections points The need to reinforce the various network boundaries stated, and the strategic options that would be capable of achieving this, is set out in detail in Application Document 7.2 Strategic Options Back Check Report [APP-320]. This document does indeed consider the possibility of connecting into Canterbury North or Sellingde. The constraints that prevent a landfall on the north Kent coast are similarly set out in detail in Application Document 8.1 Corridor Preliminary Routing and Substation Siting Study (October 2022) [APP-368]. The potential to connect the Proposed Project at Sellindge was considered at the strategic options stage, however this option would offer no benefit in environmental or socio-economic terms to justify the greater distance beyond the Richborough location, and associated costs. Dungeness is further away still, and the same logic would apply.
3.3		Previous ESO analysis is not referenced so we are expected to take it as read that the cost of the project is mitigated by reducing constraint costs.	Need case & timing NGET has legal duties under the Electricity Act 1989 to develop a network which can accommodate power flows from existing as well as contracted sources of generation and interconnection. This comprises those which have connection offers from the National Energy System Operator (NESO) to connect into the network at a future time.
3.4		Customers are already picking up the constraint costs through payment of taxes. It is inconceivable that taxes will go down if constraint payments are reduced, so to say that “<i>these costs would be passed on to end consumers</i>” is somewhat trite and may even be misleading.	Regarding timing, Application Document 7.2 Strategic Options Back Check Report [APP-320] demonstrates a clear capacity shortfall across the networks in East Anglia and Kent and sets out the contracted connection dates. However, the timing of the reinforcement is informed by the NESO, which models various future energy scenarios (including when generators may energise) as part of its processes for considering when it is most appropriate for the Applicant to develop network reinforcements. The timing of a need may not align directly with when a network constraint starts to apply, because the NESO may decide that paying constraints costs may be more economic and efficient for a period of time.
3.5		There is no explanation why reinforcing across the network at EC3, EC5N, EC5, EC6, Essex Coast and LE1 could not all be brought into a link north of Kent and East of Canterbury and straight into the Canterbury Substation or round the coast through Dover to Sellindge or to Dungeness – obviating the need for the Sea Link being brought into such a precious area.	Further information on the need for the Proposed Project was provided in Application Document 9.72.1 Applicant’s Response to Issue Specific Hearing 1 (ISH1) Action Points [REP1-124].
3.6		Energy surge from faults across the SC2 boundary as per 3.7.2.1 (Ibid) could be channelled to and from NEMO or the other Interconnectors until the fault is repaired.	
3.7		At 3.7.21 it appears they introduce a new argument – “<i>The transfer required by 2037 following the closure of Dungeness Nuclear</i>”	

Reference	Matter	Points Raised	Applicant’s Comments
		<i>Power Station is 12,689.2 MW. This is in excess of both the capability and capacity of SC2 causing both overloads and voltage stability issues on the south coast.” Would it not therefore make more sense to bring Sea Link into the Brownfield Site at Dungeness where the cable lines are already capable of massive power transfers? Is all this network infrastructure at Dungeness to be mothballed?</i>	
3.8		EDF have recently announced that they plan to keep Sizewell B going until 2055 provided there is a sustainable commercial model. The investment model for Sizewell C is still not agreed, so there is no guarantee that the additional energy premised by NG from Sizewell B will be generated within the timeframes cited in their documented needs case.	
3.9		The timelapse of planned generation capacity and requirement is opaque. The figures in the tables (see 3.2 Energy Generation Capacity) have to be picked apart to make sense and it is not made clear how much of the planned capacity that is referred to by 2022 to 2024 has actually been built or has started. Indeed Lion Link has only just started pre-examination.	
3.10		NESO, who manage connections to the grid have said <i>“More than 280GW of generation projects are currently seeking connections to the transmission network and an increasing number of those projects have dates into the mid to late 2030s. We’ve seen huge increases in the numbers and capacities of projects seeking to connect, yet our data shows up to 70% of those projects may never be built”</i> ⁹⁶ . So how can the generation figures that NG are using to describe the need for SeaLink be relied upon?	
3.11		I find the needs case unconvincing in the extreme with insufficient referencing to demand predictions, generation type balance and cost analysis.	
4.1	Site Selection goes against their own guidelines	National Grid doesn’t in any document explicitly state <i>“don’t build on marshland,”</i> but their design and planning guidance does emphasize avoiding unsuitable or environmentally sensitive ground conditions, which includes marshes, wetlands, and flood-prone areas. See the following documents that they produce to support their own work. EDS 07-4000: Grid and Primary Substation Civil Design – This UK Power Networks document (used in National Grid contexts) outlines civil design standards. It stresses the importance of ground investigations and avoiding unstable or waterlogged soils where possible. NG DH 10 – Design Handbook: Electricity Substation Construction – This handbook includes requirements for ground improvement,	The Proposed Project has been developed in accordance with the Applicant’s approach to project development. The Applicant’s approach to project development is set out in Application document 7.3 Design Development Report [APP-321]. This involves a balanced consideration of various environmental, socio-economic, engineering, and cost factors, which (alongside consultation, ongoing survey work, and back checking) inform reasoned judgements as to what the most appropriate project design to take forward. The ground conditions at the converter site are understood, as demonstrated in Application document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065], informed by various ground investigation surveys undertaken at the site. Further ground investigations

⁹⁶ <https://www.neso.energy/news/connections-reform-consultation-now-open> - accessed 20/6/25

Reference	Matter	Points Raised	Applicant's Comments
		drainage, and site selection. While it doesn't single out marshland, it implies that such areas would require significant mitigation or should be avoided due to stability and access issues. National Grid's Technical, Policy & Engineering Documents – This repository includes the G81 series and other planning standards. These often reference the need for geotechnical assessments and avoiding high-risk ground types. The Holford Rules guidelines that NG refer to, whilst primarily dealing with Overhead Power Lines, should surely also inform the process for this project.4 This states “We consider at a broad regional scale where the required infrastructure could be accommodated (with no corridors or sites considered at this stage), along with the most appropriate technology to be used. Options appraisal is the method we use to compare options and differentiate between their relative costs and benefits to best meet the needs of our customers and consumers whilst also meeting our various statutory duties and other commitments”. I cannot see evidence of the broad regional scale investigations since the Inception meeting for the project.	will be undertaken in the future. The foundation design for the converter station and substation platform will reflect this. The construction of the converter station site at Richborough was assumed from an early stage to require civils and earthworks, and to require piled foundations. It is likely that the design will include a raised development platform, with piled foundations through the Thanet Formation (including alluvium and clay) into the white chalk bedrock beneath. The Applicant is confident that the Proposed Project is suitable and deliverable, including those elements within the Kent Onshore Scheme. The design of the proposed Minster Converter Station and substation has been informed by preliminary ground investigation works (see Application Document 6.3.3.5.C ES Appendix 3.5.C Ground Investigation Report – Kent [APP-171]) and embeds several mitigation measures for the ground conditions, (such as GH01 and GH02) which are detailed within Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].
4.2		The location is unsuitable for development due to the nature of alluvial clay soil on the selected site which NG mainly assessed via desktop surveys. The shrink/swell capacity of the soil on the marsh is very high. Participants at OFH 2 & 3 at Discovery Park 11th and 12th November and who farm the land referred to it as 1meter crust with blancmange underneath. It needs careful management for farming.	See response to 4.1 above.
4.3		The land is unsuitable for construction of large heavy developments. Their surveys should have found this. Ground water was found 1m below ground in some of their surveys. Their test bores went 20m down and failed to find bedrock. These findings appear to have been ignored in the push for this location at all costs.	See response to 4.1 above. The presence of a high-water table is known to the Applicant and has been factored into the preliminary design informing the submission.
4.4		Indeed they are still completing bore-hole work in an attempt to make the engineering fit the site. If they haven't found bed-rock yet, how can you rely on any of the cost data on which this project is built.	Ground investigations are routinely undertaken in phases as projects develop, increased detail of survey data is required to inform detailed design. This level of survey is not required to inform the preliminary design or the assessment of the validity of engineering solutions at a site.
4.5		Previous trenches for archaeology (for this scheme) when backfilled have left the ground unusable for agriculture. A tractor tipped over into the slumped ground (photos can be supplied).	The Applicant has submitted Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102].
4.6		Previously located portacabins and heavy machinery have left other areas too compacted and now more prone to flooding (from the previous NEMO scheme) (see image within Written Representation).	This document sets out the measures that the Applicant will be committed to control and manage the impacts of the Proposed Project. This includes measure AS01 that deals with site restoration. This is in turn secured by

Reference	Matter	Points Raised	Applicant's Comments
4.7		From the previous NEMO scheme damage to riverbanks along public footpaths has not been repaired.	Requirement 6 Soil Management Plan – of the Application Document 9.7 (C) Applicant's Schedule of Changes to the Draft Development Consent Order [REP1-106] .
4.8		From the previous NEMO scheme trees and hedges were removed without discussion and the replanting left un-watered and an-attended to blow over and die, leaving plastic detritus from the tree guards (see photos). Choice of trees was not discussed.	Archaeological evaluation trenching undertaken by the Proposed Project has been carried out in line with the relevant Written Scheme of Investigation and as agreed with Kent County Council Archaeological Advisor.
4.9		From their own document 8.2: Options Selection and Design Evolution Report (October 2023), page 15, shows their approach should be that after the strategic proposal they “ <i>engage stakeholders and consultee feedback to shape the development of the project</i> ”. Followed by “ <i>Develop project design in response to feedback, identify PEIR</i> ” etc. Numerous people including KWT, Sandwich Bird Observatory, National Trust, Cliffsend and Minster Parish Councils have told you that throughout the project, affected parties and communities have simply been ignored as NG push on regardless. This document is meaningless – it’s just Words to tick a box.	
4.10		I understand that the project is ‘accelerated’, but they have been working on this since 2021 and still don’t know the condition of the soil in Minster Marshes to inform the engineering and the cost of the build. As a retired project manager, I would be seriously embarrassed to have got this far in the project without basic information for my stakeholders (ie. the public) to review.	See response to 4.1 and 4.3 above.
5.1	Site selection pre-empts NESO work on Strategic Spatial Energy Plan	I am delighted to see that NESO are finally working with the Government on a modelling tool of how to assess land for energy infrastructure, taking into account spatial constraints that include important Environmental matters. It seems ludicrous that the Inspectorate should be pushed into a decision on this case on the one hand while the Government is doing its best to come up with modelling that will take account all the important environmental concerns that I and others are outlining to you in this document. You can find more about this initiative here https://www.neso.energy/what-wedo/strategic-planning/strategic-spatial-energy-planning-ssep	Environmental matters have been thoroughly and robustly considered throughout the development of the Proposed Project, as set out throughout the application submission and Environmental Statement.
5.2	Strategic Spatial Energy Plan	As per previous section NESO are currently consulting and their evidence should feed into this massive project, it should not start before NESO can give strategic guidance – otherwise this runs the risk of becoming a hugely expensive and ecologically damaging white elephant.	
6.1 to 6.3	Non-compliance with mitigation hierarchy in site selection	NG has failed to correctly apply the mitigation hierarchy as required under NPS EN-1. For example, given the preferred single option of landfall at Pegwell Bay, avoidance measures have been ruled out entirely – bypassing a critical element of the mitigation	In developing the Proposed Project, the mitigation hierarchy has been rigorously applied by the Applicant, as part of the approach to consenting set out in Application Document 7.3 Design Development Report [APP-321] and as part of the iterative process of EIA (as explained in Application

Reference	Matter	Points Raised	Applicant’s Comments
	(same as lack of consideration of alternatives), SPA, SSSI, RAMSAR, SAC	hierarchy. The area benefits from the following National and International designations:- Two Special Areas of Conservation (Thanet Coast SAC & Sandwich Bay SAC) Special Areas of Conservation (SACs) are internationally recognized. They are designated under the European Union's Habitats Directive to protect habitats and species of European importance. The UK government and other member states designate these areas, and they are part of the broader Natura 2000 network, which is an international network of protected areas. A Special Protection Area (Thanet Coast & Sandwich Bay SPA) Special Protection Areas (SPAs) are internationally recognized, specifically within the framework of the European Union's Birds Directive. They are designated for the protection of wild bird populations, including those that are rare, vulnerable, or migratory, and form a key part of the Natura 2000 network. DEFRA notes that this is a vital area for the bird species Ruddy Turnstone (<i>Arenaria interpres</i>), the European Golden Plover (<i>Pluvialis apricaria</i>) and the Little Tern. The area regularly supports up to 940 individual turnstones (5 year peak mean 1991/2 - 1995/6) which represents at least 1.3% of the Western Palearctic wintering population (JNCC, 2015). The conservation aims are “<i>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</i> The extent and distribution of the habitats of the qualifying features The structure and function of the habitats of the qualifying features The supporting processes on which the habitats of the qualifying features rely The population of each of the qualifying features, and, The distribution of the qualifying features within the site.	Document 6.2.1.5 Part 1 Introduction Chapter 5 EIA Approach and Methodology [APP-046]). The avoidance of environmental designations and other environmental constraints is an important factor which informs the Applicant’s site selection process. This is considered alongside other factors such as engineering feasibility, cost, and other wider environmental and socio-economic matters. In considering these various factors, the Applicant uses reasonable judgement, in the context of the various statutory duties in the Electricity Act 1989 which include the duty to “develop and maintain an efficient coordinated, and economical system of electricity transmission” (which includes reducing costs on behalf of consumers), and also the duty to have regard to the desirability of conserving the environment and doing what can reasonably be done to mitigate effects. These duties are set out in Application Document 7.1 (C) Planning Statement [AS-057]. As set out in Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368], the Proposed Project considered six landfall areas of search within the Kent Study Area. National and international designated sites for nature conservation were unavoidable at any of these landfall areas of search with all potential landfall locations resulting in varying degrees of interaction with these designations. For any of the landfalls considered along the north Kent coast the Thanet Coast and Sandwich Bay SPA and Ramsar and Thanet Coast MCZ and SSSI were unavoidable. For the landfall at Boardstairs the Thanet Coast and Sandwich Bay SPA and Ramsar and Thanet Coast SAC, MCZ and SSSI were unavoidable. For the landfall in Pegwell Bay the Thanet Coast and Sandwich Bay SPA, Sandwich Bay SAC, Sandwich Bay to Hacklinge Marshes SSSI were unavoidable. The appraisal of the landfalls in conjunction with the connecting marine and terrestrial cable routes took into account the habitat types that were present and the potential for avoidance of the permanent effects on those habitats. The north Kent coast landfall areas of search were ruled out due to significant technical and environmental constraints on the marine approaches. With regards to nature conservation sites Margate and Long Sands Special Area of Conservation (SAC), which due to shipping a navigation constraints and bathymetry would have been unavoidable by the marine cable route to a landfall along the north Kent coast. This designation is designated for sandbanks therefore any cable or crossing protection within the designated site would have resulted in permanent habitat loss of the interest features of this site. Natural England expressed concerns regarding the potential impacts of crossing the proposed NeuConnect cable within the Margate and Long Sands SAC as the material required for the crossing could permanently change the protected features in this site. Natural England also advised that their preference was for the project to avoid any cable installation in this protected site. Landfalls at either Pegwell Bay or Broadstairs would avoid this permanent habitat loss. In addition to the potential for permanent habitat loss the marine approaches to the north Kent coast landfalls were significantly constrained by an area of mobile sandbank as illustrated on Figure 7.17 of Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368]. Mobile sediment is considered to be an important consideration as cable spanning or over burial could result which presents a
6.4		The further damage to the bay by construction and disturbance to the bird life is underplayed by NG. The damage to the bay from the previous NEMO link project has not recovered and promised mitigation did not take place. The local population have no cause to believe NG’s promises about minimising disturbance and making good on damage as they have failed to do so and try to wriggle out of their obligation when questioned at the ISH by stating that NGET was a different company. This is totally disingenuous, they have the same parent company and Board of Directors.	

Reference	Matter	Points Raised	Applicant’s Comments
			considerable exposure and engineering risk and interaction with key anchorage areas offshore of Margate. Although taken in isolation the Broadstairs landfall (K1a) would be slightly preferred to the Pegwell Bay landfall from a purely marine routeing perspective, there were significant constraints associated with the onward terrestrial corridor from the Broadstairs landfall to both converter station option areas considered, including existing settlements and further proposed development, (part of which has subsequently been delivered) as illustrated on Figure 8.5 of Application Document 8.1 Corridor Preliminary Routeing and Substation Siting study (October 2022) [APP-368]. Whilst nature conservation sites are unavoidable at the Pegwell Bay landfalls (as they are at any of the landfall considered) trenchless construction techniques have been proposed to avoid the sensitive saltmarsh habitat thereby avoiding the potential for permanent habitat loss as such the landfall at Pegwell Bay, was identified as the least constrained technically viable landfall option. The effects on the nature conservation sites have been assessed and presented in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-050] and Application Document 6.6 (D) Habitats Regulations Assessment Report submitted at Deadline 2.
6.5		A Wetland of International Importance (Thanet Coast & Sandwich Bay Ramsar site) Ramsar sites are internationally recognized as they are designated under the Ramsar Convention on Wetlands, an intergovernmental treaty focused on wetland conservation. These sites are recognized for their international importance in conserving wetland biodiversity and are included on the List of Wetlands of International Importance. <i>Before the pandemic in 2020 we faced related and escalating crises – climate breakdown, biodiversity loss and our deteriorating wellbeing. These crises are interlinked, and at the heart of them is our loss of connection to the natural world. The Ramsar Convention is more important now than ever before and we, as a partner, must continue to raise the profile of wetlands, designate and protect more wetlands, and encourage the wise-use principles so that generations to come can benefit.</i> James Robinson, Director of Conservation at WWT Have we forgotten so much, so soon?	The Ramsar site has been specifically assessed in Application Document 6.6 (C) Habitats Regulations Assessment Report [REP1-071] for the Development Consent Order, in discussion with Natural England.
6.7		National Nature Reserve (Sandwich and Pegwell Bay NNR). NNRs are recognized for their important habitats, geology, wildlife, and species. The NNR is so important for the health and wellbeing of Thanet residents. It’s the only bit of ‘wild’ that we have left.	The Sandwich and Pegwell Bay National Nature Reserve has been fully considered within the Environmental Statement (ES). Its habitats, species, and ecological sensitivities are specifically assessed across the relevant marine ES chapters submitted as part of the Development Consent Order (DCO) application (see Application Document 6.2.4.1 (C) Part 4 Marine Chapter 1 Physical Environment [REP1-051], Application Document 6.2.4.2 (C) Part 4 Marine Chapter 2 Benthic Ecology [REP1-053], Application Document 6.2.4.3 (B) Part 4 Marine Chapter 3 Fish and Shellfish Ecology [AS-022], Application Document 6.2.4.4 (C) Part 4

Reference	Matter	Points Raised	Applicant’s Comments
			Marine Chapter 4 Marine Mammals [AS-049] and Application Document 6.2.4.5 (B) Part 4 Marine Chapter 5 Marine Ornithology [AS-115]. A detailed response to comments regarding the impact of the Proposed Project on health and wellbeing as a result of access to open space can be found in Table 7.28 (Reference 7.28.5) of Application Document 9.34.6 Applicant’s Thematic Responses to Relevant Representations [REP1-116].
6.8		Site of Special Scientific Interest (Thanet Coast SSSI and Sandwich Bay to Hacklinge Marshes SSSI) While Sites of Special Scientific Interest (SSSIs) are primarily a national designation in the UK, many SSSIs are also internationally recognized as part of broader international conservation efforts. The Sandwich Bay to Hacklinge Marshes were designated as a Site of Special Scientific Interest (SSSI) primarily due to the presence of a diverse range of plant and animal species, including several rare and scarce species, and the significance of the site for overwintering birds. Specifically, the lizard orchid (<i>Himantoglossum hircinum</i>) has the UK’s largest population at this site. The site also features a diverse range of other plant, bird and animal life, including several rare and scarce species like fragrant evening-primrose (<i>Oenothera stricta</i>), bedstraw broomrape (<i>Orobanche caryophyllacea</i>), and sand catchfly (<i>Silene conica</i>). The area also supports an internationally important wintering population of the ruddy turnstone (<i>Arenaria interpres</i>).	The SSSI has been specifically assessed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] in discussion with Natural England.
6.9		NG document APP-029 2.9 Habitats of Protected Species and Important Habitats, provides maps of the area. Page 16 shows the old Hoverport Site as “Hardstanding”, completely failing to address the fact that this is recovering mosaic habitat where lizard, man and beeorchids are found and appear to be spreading naturally. Thanet District Council have refused NG the use of this land and so they are side-stepping this by starting a consultation on Compulsory Purchase for permanent occupation of the site as a compound.	The Applicant is aware of the vegetated nature of the former hoverport and the fact it supports orchids and rare invertebrates is discussed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. Thanet District Council has now been issued with the necessary notice to obtain access for surveys so that this habitat mapping can be updated. The hoverport is only proposed for access to the inter-tidal area (not a construction compound), and it will be possible to use existing hardstanding routes to access the intertidal zone without vegetation removal, as visible from aerial photography (such as Google Earth photography for 2025). Appropriate mitigation measures (e.g. B66) have been included within the REAC (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP-102]) to minimise impacts on ecological interest features within the hoverport.
6.10		The maps provided by NG overlap, have confusing draft order limit outlines and fail to show these designations in context. For example See page 15 [Ibid] in particular, which simply shows some of the SSSI as “Broad-leaved woodland” with some internal areas unclassified and fails to show that is connected to an important hedgerow (also broad-leaved woodland), which they have classified as “poor semi improved grassland” and is a hedgerow they intend to remove for the site of the Converter station. The farmers planted this habitat to provide a functional land link between the SSSI land, the Minster Stream and	The habitat in question, connecting Weather Lees Hill and the Minster Stream has been assessed in detail in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] including its role for reptiles, breeding birds and other wildlife. Impacts on the SSSI have been discussed with Natural England.

Reference	Matter	Points Raised	Applicant's Comments
		Weatherlees Hill. As far as I can tell from the confusing and badly referenced documentation provided by NG these important aspects of the SSSI have been completely ignored.	
6.11		It appears also that a substantial section of the SSSI is to be claimed within the Draft Order Limits and is not correctly shown as Broad Leaf Woodland, see page 15 of APP – 036 2.12. Trees and Importants Hedgerows to be Removed or Managed. This is only apparent on this map, is not discussed and is not shown in relation to the SSSI. This is totally unacceptable. See further discussion in the Trees and Hedgerows section.	None of the SSSI will be subject to development. Some tree height maintenance within the SSSI may be required in the long-term where the new section of overhead line cross the spur of SSSI along the railway line. This has been assessed in the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] and discussed with Natural England. These trees are 6 m height at time of writing, and vegetation can reach almost 10 m before it requires pruning to avoid interference with the overhead line. Therefore, it is likely to be many years before any pruning is required.
6.12		One of the better documents for maps is APP-365 7.11.2 – Design Approach Kent. This clearly shows from page 18 that the impact on wildlife as a ‘receptor’ is to be ignored. On this page the focus is entirely on the built environment and humans. The SSSI is not shown.	See above responses on wildlife and the SSSI.
6.13		However, delving further into this document it clearly shows the SSSI in relation to the build on page 27 [Ibid] and it is clear that NG intends to build right up against the SSSI. Do they think that this amount of construction will have no adverse on the SSSI. It is not a park for humans. It is a home for birds, mammals, reptiles – all of whom will be so disturbed that they will not return. What a price to pay for green energy.	See above responses on the SSSI. This has been discussed with Natural England and detailed measures built into the Proposed Development to avoid significant disturbance of the breeding bird interest feature of the SSSI.
6.14		In addition, page 29 [Ibid] clearly shows the pylons that will cut directly across the northern end of the SSSI contributing to the likelihood of bird strikes as they fly along the SSSI and follow the flyway to Stodmarsh. The utter contempt for the wildlife and this protected land is quite frankly astounding.	See above regarding the overhead line traversing the SSSI which has been discussed with Natural England. A detailed assessment of collision risk is presented in the ES documentation to support the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] .
6.15		The map shown on page [Ibid] clearly shows the area as Marsh (ie. not suitable) – the only document in the pack that seems to do this. Have NG read their own documents? I have highlighted in my section 16.5 the double row hedge that was planted to connect the SSSI to the Minster Stream (I hope that the annotation does not move around as I am not a designer). This 300m hedgerow will be utterly destroyed to accommodate the converter station. This hedgerow appears missing from the following maps in the document and becomes a mere line. This is the area where the landowner has been ringing birds for the last 5 years or so in order to provide a properly informed baseline for the ecology that will be impacted and where the Dawn chorus birdsong you listened to in the OFH at Discovery Park was recorded.	See above regarding this feature. The impacts on this feature have been assessed in detail in the Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] . In the long-term extensive woodland, scrub, wetland and grassland planting around the converter station and substation will result in a considerable net increase in habitats.
6.16		Acoustic sensitivity [Ibid] Page 27 is once again focussed entirely on human kind. It is distressing to read that the wildlife within the	Refer to Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] where a detailed assessment of

Reference	Matter	Points Raised	Applicant's Comments
		SSSI is ignored in this respect. Never again will the critically endangered turtle doves or nightingales be heard here.	noise impacts on wildlife (particularly breeding and wintering birds) and the SSSI is presented. This includes noise contour mapping. Detailed noise mitigation measures, and in some cases seasonal avoidance, have been incorporated into the Proposed Project as a result of the assessment.
6.17		I do not feel qualified to talk about all the problems with the construction method, nor do I have the time to research and respond to this since I am simply a member of the public doing my best to understand these documents. But I do note also that in this same document, page 30 [Ibid], the designers show 'attenuation ponds'. On a marsh. Even I can see that is a ludicrous suggestion.	Where ground water is expected to be high as expected at the Kent Converter and Substation site, attenuation features are designed to be shallow and in some cases raised and lined to provide sufficient storage to reduce runoff rates to consented limits. This is a standard design approach.
6.18		APP-319 became APP-030 became AS-057 7.1.C Planning Statement Clean. Difficult for members of the public to keep track of the changes. In the original planning statement I read at para 7.4.21 <i>"To support the SoS with its duties under the Conservation of Habitats and Species Regulations 2017 (as amended) and in accordance with planning policy, Application Document 6.6 Habitats Regulation Assessment (HRA) Report has been prepared. The HRA concludes that the Proposed Project will not result in any adverse effect on site integrity (AEoSI) of the following sites: [] Thanet Coast to Sandwich Bay SPA/Ramsar and Stodmarsh SPA/Ramsar."</i> No significant effect to site integrity?? This is not possible. They intend to build immediately within and adjacent to these and the SSSI. The document has been superseded twice. The latest version ASO-57 7.1.C Planning Statement Clean appears to have lost this section entirely and instead focuses on 5.3.8 and the proposed pathetic mitigation. NOTHING will make up for the loss the habitat on the marsh and the disruption across the saltmarsh at Pegwell.	The Application Document 6.6 (D) Habitats Regulations Assessment Report submitted at Deadline 2, presents a detailed assessment of impacts on Pegwell Bay which includes specifically avoiding the saltmarsh both through vehicle routing through the hoverport, and the use of deep trenchless construction beneath the saltmarsh to avoid impacts. Robust mitigation measures (e.g. GG35, B61, B67, B69, B70) have been included within the REAC (Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP-102] [REP1-102]) to avoid and/or minimise impacts on saltmarsh habitat. A Change Request application has been submitted which included a change in order limits at the hoverport (Change 1) to ensure that the access routes to the foreshore continue to be able to avoid all areas of saltmarsh. The ExA accepted the Change Request application on 5 December 2025.
7.1	There is no local benefit	Buried in APP-070 6.2.3.10 Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism and par 4.10.1, table 5, NG are clear that for the people of Thanet, "the scale of operational employment generated is likely to be very limited. The Inspectorate agrees that this matter can be scoped out of the assessment for the operational stage on this basis. The ES description of development should, however, explain the level of employment generation in operation. NG have settled on a predicted 20 FTE jobs coming from the area in a peak workforce of 24. Why have you scoped this out? This is truly shocking.	The decision to scope out operational employment on the basis that it will generate negligible employment has been supported by the Planning Inspectorate. As set out in Application Document 6.2.1.4 (C) Part 1 Introduction Chapter 4 Description of the Proposed Project [AS-093] of the ES, the proposed converter stations would be operated by a small team based on site. In general, a minimum of two operators would be present at all times. During normal operation there would be approximately six personnel on site, divided between three shifts over a 24-hour period.
7.2		NG have said [Ibid] <i>"Employment generation during the construction phase, including multiplier effects (i.e. indirect benefits for the local area and the region resulting from supply chain activity including contribution of the Kent Onshore Scheme to low carbon industries as well as induced employment created through increased spending across the Study Area), potential training benefits and apprenticeship opportunities; is insignificant."</i> They have certainly spelled it out that there is ZERO benefit for the people of Thanet and Sandwich.	The Applicant notes this comment regarding the limited extent of construction employment likely to be generated within the local community. The home-based workers assessment is set out in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] . As set out in Table 10.20, in the construction phase, an estimated 50 average net additional jobs per annum will be created by the Proposed Project. The calculation of employment generation has also accounted for leakage; the proportion of jobs taken-up by people who live inside of the Study Area, here defined as a 60-minute travel area. This

Reference	Matter	Points Raised	Applicant’s Comments
			Study Area is based on research by the Chartered Institute of Personnel and Development (CIPD) which found that 90% of national employees commuted for 60 minutes or less each way. The leakage rate has been estimated to be 30%, given the specialised nature of the construction roles which may require sourcing labour from outside the local area. This figure has been determined using professional judgement and is informed by assumptions used in other comparable Nationally Significant Infrastructure Projects. Applying the 30% leakage rate to the average net additional employment, it is estimated that approximately 15 construction jobs per annum would be taken up by residents within the Study Area. The Applicant will, in collaboration with its main works contractors, develop and implement a Social Value strategy. As the Proposed Project develops, the detail of the approach can be shared and discussed with a view to benefit the local economy.
7.3		APP-319 became APP-030 became AS-057 7.1.C Planning Statement Clean. Difficult for members of the public to keep track of the changes. At Para 5.3.2 [Ibid] they seem to have settle on a peak benefit of 15 FTE workers from within a 60 minute drive. So these 15 may not even come from Thanet.	Please see response in the row above. Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] assesses the impact of the Kent Onshore Scheme on employment generation (locally and within the supply chain) and gross value added (GVA). Applying the average gross direct value added per construction worker in the South East of England to the total number of construction workers generated from the Kent Onshore Scheme gives the total GVA arising from the construction period. Based on ONS data on regional gross value added by industry, in 2024 in the South East, GVA per worker in the construction sector is estimated to be £72,671 per head. By applying this figure to the average net employment generated by the Kent Onshore Scheme (15 FTE), it is estimated that construction will contribute approximately £1.1 million to the economy the Economic Study Area.
7.4/7.5		How insulting that we are to become a Zone of Sacrifice for other areas and do not even benefit from temporary economic benefits. The Procurement Act 2023 mandates that public spending must generate additional economic social and environmental benefits to local communities. (As a side issue I wonder why this reference is redacted on page 61 and who exactly Dover District area? “Dover District Council. (2015). Adopted Policies Map. Retrieved from Dover District Council:)”	
7.6		If NG statement at 10.9.7 referenced above in 7.1 is to be believed they cannot justify their statement at 10.9.24 that construction will generate £1.1million GVA within the Economic Study area.	Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] assesses the impact of the Kent Onshore Scheme on employment generation (locally and within the supply chain) and gross value added (GVA). Applying the average gross direct value added per construction worker in the South East of England to the total number of construction workers generated from the Kent Onshore Scheme gives the total GVA arising from the construction period. Based on ONS data on regional gross value added by industry, in 2024 in the South East, GVA per worker in the construction sector is estimated to be £72,671 per head. By applying this figure to the average net employment generated by the Kent Onshore Scheme (15 FTE), it is estimated that construction will contribute approximately £1.1 million to the economy the Economic Study Area.
7.7		At 10.9.6 they are clear that there is a temporary minor beneficial effect – but this is contra to the Government’s requirement in the Procurement Act 23 (made law in 2025) that changed the model for the way that the public sector procures goods and services from a Most Economically Advantageous Tender to Most Advantageous Tender. National Grid have a duty to provide the Most Advantageous project – not simply the cheapest. The current project landfall at Richborough does not benefit anyone in the Economic Study Zone – we are to be a Zone of Sacrifice and this is not acceptable.	
7.8		Route SI1 is the least damaging albeit more expensive option (but even this is questionable – see my comments on Cost).	

Reference	Matter	Points Raised	Applicant's Comments
8.1	Local house price blight	I know from conversations with Cliffsend residents that houses overlooking Pegwell Bay cannot now be sold and have dropped in price. Local Estate Agents and Conveyancers are duty bound to tell residents about the plans or they might become subject to legal challenge. As far as I can see this has not been addressed anywhere in the document pack.	A response to this comment regarding the impact of the Proposed Project on house prices can be found in Table 7.13 (Reference 7.13.4) Application Document 9.34.6 Applicant's Thematic Responses to Relevant Representations [REP1-116] .
8.2		A speaker at the OFH hearing 2, 11th November, highlighted that he had moved to house directly opposite the bay in Pegwell and the estate agents had not advised him of the project. Whilst this may be a failing of his individual agent and something he should take up legally with them, it appears he was not alone. And NG had failed to let them know of the consultations for the project. The first they knew of it was when Save Minster Marshes volunteers pounded round every single house in Pegwell and Cliffsend to let everyone know. If NG tell you that they have carried out their duty to let householders with the Zone of impact know about the project they are being 'economical with the truth'.	Since 2022 there have been four rounds of pre-application public consultation, as well as the publicity undertaken by the Planning Inspectorate during the pre-Examination period.
9.1	Damage to Tourism & Local Economy	They have only considered the impact on tourism within a 500m radius of the draft order limits and on communities within 1 kilometre. In reality all communities and businesses across the Isle of Thanet will be impacted by the construction and vast numbers of vehicle movements.	The socio-economic, recreation and tourism study area for inter-project cumulative effects has been determined in line with other comparable DCO applications. The assessment considers cumulative inter-project socio-economic impacts on residential properties, businesses, community facilities, open spaces, visitor attractions and PRoW and recreational routes within a 500 m study area from the Proposed Project's order limits (see Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073]). This aligns with the DMRB LA112, where 500 m is the distance threshold beyond which it is considered that people are likely to be deterred from making trips to an extent that they would change their habits. The study area for impacts on local communities has been extended to a 1 km radius, in order to capture potential wider severance and accessibility effects for local residents associated with the Proposed Project.
9.2		Even the impact of the wider business community within the draft order limits is dismissed. For example, much of the agricultural land that will be damaged and trees removed are within the boundaries of Abbey Farm. But they are not mentioned in the table 10.16 of APP-07 Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism. Why is Little Cliffsend Farm mentioned when Abbey Farm and others are not?	Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] assessing potential impacts on businesses premises including auxiliary businesses associated with farms (e.g. holiday lets, campsites, recreational enterprises) located within 500 m of the Order Limits, as these are the receptors with potential to experience socio-economic effects such as severance, access restrictions or land take. Little Cliffsend Farm is presented in Table 10.16 as a receptor located within 500 m of the Order Limits, with an associated auxiliary business, in this case an equestrian stable. Two holiday lets associated with Richborough Farm (The Boiler House and The Tractor Shed) were also identified as sensitive business receptors. Abbey Farm has no associated auxiliary businesses and, therefore, has not been included in the socio-

Reference	Matter	Points Raised	Applicant's Comments
			economics, recreation, and tourism assessment. No significant effects have been identified on businesses as a result of the Kent Onshore Scheme.
9.3		Para 10.9.64 (Ibid) says “ <i>St Augustine’s and Stonelees Golf Clubs, both of which could experience land use impacts</i> ”. But these are not further explained.	A complete assessment of socio-economics effects has been undertaken. This is set out in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007]. The chapter concludes that there are no anticipated significant effects as a result of the Proposed Project. The socio-economic impact of the construction of the Kent Onshore Scheme on Stonelees Golf Club is set out in paragraphs 10.9.64 – 10.9.65 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007]. As set out in paragraph 10.9.73, there are no visitor attractions, including St Augustine’s Cross, within the Study Area which would be affected by the Kent Onshore Scheme or to which access would be required. Additionally, Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] concludes there are no roads assessed that would experience significant severance effects during construction. Therefore there are no significant severance effects identified between residents and local assets. Amenity impacts on receptors are assessed in Application Document 6.2.3.11 Part 3 Kent Chapter 11 Health and Wellbeing [APP-071]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no significant effect on local businesses arising from construction of the Kent Onshore Scheme.
9.4		Para 10.9.64 (Ibid) Says they will be creating permanent access roads “ <i>Two permanent access routes will be required for the monitoring throughout the drilling process and maintaining the HVDC cable alignment [] during construction and operation</i> ”. But the detail and planned disruption is not explained in this document.	Permanent access along the HVDC alignment is required by foot and/or quad bike on an annual basis for monitoring purposes during construction and operation. Movements on the permanent access route are expected to be infrequent in the context of the duration of the operational and maintenance phase, and will therefore have a negligible impact.
9.5		They continue at 10.9.5. (Ibid) “ <i>The sensitivity of the two golf courses is assessed to be medium, due to their local importance but alternatives are available in the local area.</i> ” My bold and italics. What alternatives? Is it simply assumed that players can just go and play elsewhere? Where are the discussions of this with members? Anecdotally – members of the club are blissfully unaware still that anything is even proposed – because the members have not been consulted. Where were these discussed in the documentation?	Section 10.4 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007] describes the technical methods used to determine the baseline conditions, sensitivity of the receptors and magnitude of effects and sets out the significance criteria that have been used for the socio-economics, recreation and tourism assessment. Where possible relevant national standards and guidance have been used to inform the assessment of effects, such as the DMRB. However, where relevant standards do not exist, professional experience and expert judgement have been used to assess the scale and nature of the effects of the Kent Onshore Scheme against baseline conditions.
9.6		The continue [Ibid] “ <i>Overall, the magnitude of impact is assessed to be small, given the Proposed Project requires permanent access across the two golf courses, however this is anticipated on an infrequent monthly basis. This results in a permanent minor adverse effect, which is not considered to be significant.</i> ” This is	In line with criteria presented in Table 10.9, the sensitivity of Stonelees Golf Course and St Augustine’s Golf Club has been assessed as ‘medium’. This accounts for the local importance of these assets as well as noting there are

Reference	Matter	Points Raised	Applicant’s Comments
		written as statement of fact, when not enough detail is provided for Interested Parties or the Inspectorate to make a decision.	alternative golf courses within the local area, such as Prince’s Golf Club at Sandwich Bay and Manston Golf Centre in Ramsgate. Section 10.9 assesses the impact of the Kent Onshore Scheme on the two receptors, concluding no significant effects at Stonelees Golf Course and St Augustine’s Golf Club are anticipated. The Applicant remains committed to minimising disruption and has proposed a series of embedded measures set out in Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341], such as GG27 commits to keeping members of the community and local businesses informed regularly of works through active community liaison.
9.7		It is noted at para 10.9.6 (Ibid) “<i>There are no further local businesses located within the Kent Onshore Scheme Order Limits and therefore no additional land use impacts on local businesses are expected</i>”. What about all the farms? What about Great Oaks Small School, Salty Seal, Cappucinos, Salty Seal, Njord and Viking cafes and the Jet Garage? It is insulting not to include them in the Economic Assessment because they will be impacted in many ways.	The Applicant recognises that the potential for future environmental changes associated with the Proposed Project during construction, operation and decommissioning are currently a source of concern for local businesses. To address this concern, the Applicant has undertaken a comprehensive and robust Environmental Impact Assessment, through which no residual significant effects have been identified following the application of appropriate mitigation. Section 10.9 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] assesses potential effects of the Proposed Project on private and community assets, recreation and tourism. The assessment ES considers potential land take and severance of access to residential properties, local businesses, visitor attractions community facilities and open space as a result of the Proposed Project. The assessment of severance is informed by the findings in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. Overall, the assessment identified no significant effects on businesses premises. The Applicant recognises that there is potential for amenity effects arising from construction of the Kent Onshore Scheme to impact on the amenity of businesses within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no significant effect on local businesses arising from construction of the Kent Onshore Scheme and therefore no mitigation will be required.
9.8		They continue with para 10.9.6.7 (Ibid) “<i>Chai Stop Takeaway and Kent Waterjet Cutting do not fall within the Kent Onshore Scheme Order Limits, however will experience induced severance effects from the trenching of the existing UKPN OHL along Jutes Lane. Access to the two businesses would be agreed and enabled through the trenching works which are expected to take approximately one week to complete. If there are constraints over phasing of the works to suit accesses then this could take longer.</i>” My bold and italics. Induced Severance Effects does not appear in the Glossary that they have supplied in the pack. Do they want to cover up the fact that they are closing these businesses while the work goes on? Are they providing compensation for this enforced closure? Indeed, the proposed change to the use of the Hoverport	As set out in the DMRB LA112, severance is defined as the extent to which members of communities are able (or not able) to move around their community and access services/facilities. In this case, severance is referring to impacts on residents’ ability to access existing local assets. It does not refer to temporary or permanent business closure. Section 10.9 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1-007] assesses potential effects of the Proposed Project on private and community assets, recreation and tourism. The assessment ES considers potential land take and severance of access to residential properties, local businesses, visitor attractions community facilities and open space as a result of the Proposed Project. The assessment of severance is informed by the findings in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and

Reference	Matter	Points Raised	Applicant’s Comments
		(although not currently under consideration cannot be ignored as this will be the death knell for the Viking Café business.	Transport [APP-067] . Overall, the assessment identified no significant effects on these receptors.
9.9		They continue with para 10.9.68 (Ibid) “The sensitivity of Chai Stop Takeaway is assessed to be low due to its low importance and alternatives available in the local area.” Do the owners of this business know that their livelihood is dismissed as of low importance? And (Ibid) “alternatives in the area” is presumably supposed to mean that customers can go elsewhere to buy curries. This is a truly cavalier way to write about someone’s livelihood and is quite shocking to read.	Section 10.4 of Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007] describes the technical methods used to determine the baseline conditions, sensitivity of the receptors and magnitude of effects and sets out the significance criteria that have been used for the socio-economics, recreation and tourism assessment. Where possible relevant national standards and guidance have been used to inform the assessment of effects, such as the DMRB. However, where relevant standards do not exist, professional experience and expert judgement have been used to assess the scale and nature of the effects of the Kent Onshore Scheme against baseline conditions. In line with criteria presented in Table 10.9, the sensitivity of Chai Stop Takeaway has been assessed as ‘low’. This is assessed in line with the local importance/value of the asset as well as noting there are comparable alternative businesses for residents to access in the local area.
9.10		At 10.9.69 [Ibid] they state that Kent Waterjet Cutting is assessed to have High Importance because of it’s rarity in the area yet they bizarrely then state that effects would be negligible. This is misleading and once again a cavalier way to write about an important livelihood.	As set out in Application Document 6.2.1.5 Part 1 Introduction Chapter 5 EIA Approach and Methodology [APP-046] , the sensitivity of receptor and magnitude of impact are combined to give an overall significance of effect using the matrix. The assessment presented in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007] is completed in line with this.
9.11		The Great Oaks Small School will be heavily impacted not by the construction (which they say be accommodated out of term time) but the ongoing change to their environment. The school caters for neuro-diverse children between the age of 11 and 19. The students require a calming and secure environment away from the noise of urban lifestyle amid a green and pleasant environment in order to progress with their special education. This is what NG says about this business para 10.9.63. Ibid] “ <i>The sensitivity of Great Oaks Small School is assessed to be very high, due to its high level of local importance, the absence of alternatives available in the local area and daily usage by families and children with special needs. The proposed works would be undertaken during the school holidays and/or at a time agreed with the school, avoiding any effects on vulnerable users. As a result, no likely significant effect is anticipated</i> ”. But the ongoing result to the change of outlook, noise, vibration and light is not addressed for these vulnerable children. The only impact truly considered is the change to the cycle path.	The socio-economic impact on Great Oaks Small School is assessed within Application Document 6.2.3.10 Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [APP-070]. Section 10.9 assesses potential effects of the Proposed Project on private and community assets, recreation and tourism during the operational phase. The assessment in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007] considers potential permanent land take and severance of access to residential properties, local businesses, visitor attractions community facilities and open space as a result of the Proposed Project. The assessment of severance is informed by the findings in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. Overall, the assessment identified no significant effects. The Applicant recognises that there is potential for amenity effects arising from operation of the Kent Onshore Scheme to impact on the amenity of community facilities within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no significant effect on local businesses arising from operation of the Kent Onshore Scheme on Great Oaks Small School.
9.12		I understand that the school’s requests for dialogue have been met with silence.	

Reference	Matter	Points Raised	Applicant's Comments
			The Applicant has already had several conversations with the Great Oaks School and will continue to engage with the School throughout the examination process, and if consent is granted during the construction phase of the Proposed Project.
9.13		There are two (2) byways, and eleven (11) footpaths that will be impacted either temporarily or permanently including the King Charles Coast Path. No maps are provided for Interested Parties or the Inspectors in the same document to truly understand the impacts of these temporary or permanent closures – making it almost impossible for Interested Parties to take an informed view. I will have to search through 412 documents to find the relevant plans and add to this submission later.	Application Document 7.5.9.2 Outline Public Rights of Way Management Plan – Kent [APP-353] has been prepared for Kent as part of the DCO application. This has been developed in consultation with the relevant Local Highway Authorities and PRow officers and provides details on PRow diversions, closures and management during the construction, operation and decommissioning phases of the Proposed Project. The King Charles III England Coast Path has also been considered where any management and mitigation measures are required given its significance. Plans showing the proposed PRow diversions are contained within Application Document 2.7 (B) Access, Rights of Way and Public Rights of Navigation Plans [AS-011] . It should be re-iterated that there are no proposed permanent closures of any PRow intersecting the Order Limits of the Kent Onshore Scheme.
9.14		The Way of St Augustine footpath doesn't appear to get a mention at all – although it is part of an internationally important footpath network from Canterbury to Rome.	The Way of St Augustine, coinciding with the Viking Coastal Trail/ National Cycle Network Route 15 where it intersects or runs near the Order Limits in the northern study area, is assessed as the Viking Coastal Trail receptor within both Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] . These conclude that the route will remain open and usable throughout construction and operation, with no significant adverse effects on value or user experience.
9.15		Little Cliffsend Farm was mentioned as a business (albeit completely missing the business in the small business units there) but none of the other farms including Abbey Farm, who will have to absorb much of the damage, are considered as businesses. How insulting.	See response above to Reference 9.2.
10.1	Cost of the project lack of detail	I am surprised that it is so difficult to find detailed costings for a project of this magnitude – even were they to be only at a high level. I reference APP-011 4.1 Funding Statement para 3.2.9 to 3.2.12 which outlines the role of OFGEM, RIIO arrangements and the new ASTI framework for building network infrastructure for Net Zero by 2030. It makes it clear that the taxpayer will be paying back the cost of this development to NG over 45 years.	The role of the Funding Statement document is to demonstrate that the Applicant has the means to secure the necessary funding for the acquisition of land and other interests required for the Proposed Project, for any compensation or blight claims brought by interested parties, and to implement the project itself. This funding is secured via OFGEM's regulatory framework. Accordingly, the appropriate and consistent price base to use when considering funding is that used in the current regulatory price control period (referred to as RIIO-T2), which is the 2018/19 price base.
10.2		This document has not been superseded with updated figures. Bearing in mind that this project began earlier than 2022 and since then tax payers have been shouldering CPI increase of between 10% and 3.5% 5 - surely the funding documents should be re-	The OFGEM regulatory framework places the cost of infrastructure works on customers bills over a 40 year period. The project is not tax payer funded.

Reference	Matter	Points Raised	Applicant’s Comments
		released so that everyone can understand the full cost of the proposal with updated financial projections?	It should be noted that Application Document 7.2 Strategic Options Back Check Report [APP-320] uses a 2020/21 price base when considering capital costs for different strategic options. These are effectively the same costs as used in the Funding Statement, albeit stated in a more recent price base. The purpose of the costs in this document is to inform an evaluation of the high-level costs associated with different strategic options. Notwithstanding the costs used in this context, any solution taken forward following detailed design will be in excess of any high-level appraisal cost (although all options would incur cost increases proportional to initial estimate in the development of a detailed solution). The actual final cost of the Proposed Project will depend on updated market prices and inflationary pressures at the time of delivery.
10.3		Is this project going to be another HS2 Fiasco? HS2 Ltd, the government-owned company building the railway, estimated in June last year that the project would cost between £54 billion and £66 billion. However MPs warned costs could reach £80 billion. The Lord Berkley review in 2019 suggested that the cost could reach £110b6 . The Government doesn’t have a great track record on big projects and SeaLink is underwritten by the Government.	
10.4		At para 3.2.11. [Ibid] NG states “ <i>The Proposed Project has confirmed Pre-Construction Funding allowances and as part of the RIIO-T2 price control set by Ofgem, the Proposed Project was given an allowance of £34.02m (2018/19 Price Base) in order to deliver pre-construction activities required to secure development consent.</i> ” I understand that a project of this magnitude requires funding for the surveys and the consultation and the very glitzy documents they produce etc., but NG need to understand that this was for a consultation process. It does not mean that they choose what happens and then tell us stupid residents what we are going to get. But perhaps the final sentence of this paragraph is illuminating “ <i>activities required to secure development consent</i> ” ie., do whatever you need to get this project through. That would seem to me therefore that your role as Inspectors is without power to refuse. I hope this is not the case.	
10.5		The SL1 route to Sellindge was not properly surveyed before being ruled out on cost alone because of the longer undersea cabling. They chose Richborough before they had really started eating into the allowance. If they had chosen SL1 – they would not have had to conduct so many additional ground surveys and had extra rounds of expensive consultation because of the sensitivity and unsuitability of the location in Kent.	
10.6		Additionally, it is not fair to rule out another option on the basis of the cost of undersea cabling, if the follow on project is to bring another cable through Pegwell from Scotland!	
10.7		It is not until para 3.2.17 (Ibid) that NG state the cost “ <i>The estimated cost of implementing the Proposed Project is approximately £1.1bn (18/19 price).</i> ” And that’s it – no breakdown. Just one sentence. Is that truly sufficient for a spend that the tax payers will pay back over 45 years and is already out of date?	
10.8		AS-091 4.2 C Statement of Reasons contains no cost information. Isn’t cost the deciding factor for them in their choice of Richborough? Statement of Reasons has already been through 3 iterations since the first document load. Don’t they have their reasons clear by now?	The Applicant confirms that the Statement of Reasons (Application Document 4.2 (E) (v2) Statement of Reasons (Version 2, change request) [CR1-033]) is set out to outline the rationale for the compulsory acquisition of land and/or rights in land for the Proposed Project.

Reference	Matter	Points Raised	Applicant’s Comments
			Please refer to Application Document 4.1 Funding Statement (Version 2 - change application) [CR1-031] which outlines the funding strategy for the Proposed Project.
10.9		We heard at the Issue Specific Hearing that one of their fundamental reasons for the project is to secure consistent supply in the event of a fault across the SC1.5 boundary and that re-inforcing the network to the east of Canterbury sub-station is vital for this purpose. I would contend that the option to bring the cable through Dover (as suggested by KCC) or through Dungeness onto the Brownfield land there – would be a more sensible option. Either would still be within the SC1.5 boundary for resilience and proximity to the 2 Interconnectors already built.	The rationale for the strategic option into Richborough is set out in Application Document 7.2 Strategic Options Back Check Report [APP-320] . This presents other strategic options that were considered and not progressed, including further around the Kent coast. As set out in that document, there are environmental constraints associated with a Sellindge strategic option. While there are also environmental constraints at Richborough, there are also opportunities to avoid impacting the sensitive saltmarsh habitat using trenchless cable technology, and to seek to avoid designated sites through routing and siting.
10.10		In addition the Dungeness site already has super pylons that are designed to take additional current from the Nuclear Power Station there and would require limited, if any upgrading.	As already noted above, Nemo Link was not developed by the Applicant. It was developed by National Grid Ventures (NGV) and the Belgian Elia group. NGV is a different business to National Grid Electricity Transmission. These businesses are legally separate, with each business having no control, influence, or special insight into the activities of the other. Indeed, business separation is a requirement of the licence under which the Applicant operates.
10.11		In APP-320 7.2 Strategic Options Back Check Report para Ex1.6.5. NG states “ <i>Taking all environmental and socio-economic factors into account, Richborough (SL2) is preferred over Canterbury (SL3). Sellindge (SL1) and the onshore option (LL1) would offer no benefit in environmental or socio-economic terms to justify the greater distance, and associated costs, required.</i> ” These statements appear on the face of it to be sensible – if they had provided any detail whatsoever to show how they have arrived at their figures.	
10.12		Plus, it is ludicrous and insulting in the same para to state “there is no benefit in environment [] terms to justify the greater distance and costs required”. The environmental benefit in leaving pristine an area that is an SSSI, SPA, MCZ, RAMSAR and NNR is immeasurable. (An area that NGET already damaged by the previous NEMO project and is recovering slowly from this). It was also disingenuous for the gentleman at the ISH on 11th November to say that the NEMO project was run under a different company and they haven’t consulted them. NGET has the same parent company and the same Board of Directors. They should not be allowed to hide behind this obfuscation.	
10.13		At table EX 1.1. (Ibid) NG state the cost of the project now updated to £1,154.2m (which doesn’t entirely align with the figures in 4.1 Funding Statement). It is another summarised view of the project costs to prove that the Richborough option is the cheapest choice for landfall in Kent although they do not explain why SL2 Richborough was the preferred option over SL3 when they appear to cost the same. The justification they use at Ex1.6.5. is “ <i>Taking all environmental and socio-economic factors into account, Richborough (SL2) is preferred over Canterbury (SL3). Sellindge</i>	

Reference	Matter	Points Raised	Applicant's Comments
		(SL1) and the onshore option (LL1) would offer no benefit in environmental or socio-economic terms to justify the greater distance, and associated costs, required". No further detail is supplied to support any of that. And, as I have stated in my criticism of the consultation process (see section 20.1) no other options for landfall in Kent have been truly discussed from the start.	
10.14		I hoped for more data in Table 11.1 (Ibid) – but no, they have simply used the same broad brush stroke figure of their preferred £1,154,2m	
10.15		At Appendix D (Ibid) I was hoping to see a decent project cost breakdown as per PRINCE Project Management Principles, number 1 of which is " <i>Continued business justification: A project must make good business sense. There needs to be a clear return on investment, and the use of time and resources should be justified.</i> " A single estimate and one sentence describing the cost of the project should surely cause the Government concern.	
10.16		NG state at para D.7.7 9 (Ibid) " <i>The capacity of HVDC circuits assessed for this Report is not always exactly equivalent to capacity of AC circuits assessed</i> ". Why not? Does this not feed directly into the cost modelling?	
10.17		Appendix Table D8 (Ibid) NG appear to show comparisons between the costs of CSC and VSC HVDC converter builds under Lo and Med conditions but states in this table that HDVC matches AC ratings – but they've already said in the preceding paragraph that they don't. And additionally they do not settle on a final cost for the build – which condition is it?	
10.18		Para D 7.v Notes third bullet point (Ibid) NG states " <i>Capital Costs for HVDC cable installations are based upon subsea or rural/arable land installation with no major obstacles (examples of major obstacles would be Subsea Pipelines, Roads, Rivers, Railways etc...)</i> ". Surely they are ignoring that building on a marsh is a major obstacle? Where are the cost adjustments for this and would it therefore not make the Sellindge Route SL1 or suggested alternatives via Dover or Dungeness preferable in comparison?	
10.19		The NEMO project found unexploded ordnance during their construction. Do NG think that this will not be a major obstacle?	The Applicant has undertaken UXO risk assessments for the site and is aware of the risk posed. Further survey and investigation works will be undertaken as part of the Proposed Project. The Applicant will be liaising with the emergency services to confirm emergency procedures in the event of finding any suspected UXOs during the works.
10.20		It appears from the second consultation that NG realised that they would be building on a marsh and carried out further surveys of the	When considering the costs implications for different options, the Applicant takes account of the assumption that the final costs for any option, once

Reference	Matter	Points Raised	Applicant’s Comments
		land. The construction method was changed to require 20m concrete piling to hold a 2m deep concrete raft covering 9 hectares on which to build the converter. I cannot see where these additional costs have been taken into consideration and then compared once again to the costs of the other site options to ensure this project still makes good business sense. It takes a brave project/programme manager to say that a project is already going off the rails – but even I, as a project manager (retired), can see that this cost case has serious flaws.	detailed design and mitigation is taken into account, will exceed any high-level assumptions that informed initial options appraisal. This means that when considering the higher cost implications of a more detailed design, it is assumed that alternative designs could present proportionate cost increases should they be designed to the same level of detail. This principal is explained in Application Document 7.2 Strategic Options Back Check Report [APP-320] in the context of strategic options, but it is applied at options selection stages of the options appraisal process too. Notwithstanding this, the construction of the converter station site at Richborough was assumed from an early stage to require civils and earthworks, and to require piled foundations through the Thanet formation and into the chalk bedrock up to 30 m below (as presented in Volume 1 Part 1 Chapter 4 Description of the Proposed Project and Volume 1 Part 3 Chapter 6 Geology and Hydrogeology of the Preliminary Environmental Information Report consulted on at the Statutory Consultation stage in 2023). However, in the interest of transparency and robust consultation, and recognising the potential implications on overall building heights, the Applicant presented the emerging detail of the likely foundation design during the targeted consultation in 2024, as set out in Application Document 5.1.7 Appendix F Targeted Consultation Part 1 of 2 [APP-313]. This was a design progression from the previous assumptions, rather than a new requirement.
11.1	Land use issues	NG plan to take over 9 hectares of Best Most Versatile (BMV) land permanently out of production. It is not adequately described in the documentation nor is the fact that this is mostly Higher Level Stewardship land, which is not mentioned throughout the documentation. It is inconceivable that the Government should be paying farmers to manage their land with the environment in mind and then allow National Grid to remove it entirely. I refer back to the nascent NESO SESP	Application Document 6.2.2.6 (B) Part 2 Suffolk Chapter 6 Agriculture and Soils [PDA-019] present the assessment of the likely significant agriculture and soils effects that could result from the Proposed Project, including impacts associated with temporary and permanent land take. It also sets out how policy generally seeks to minimise agriculture and soils effects from development and to avoid significant adverse effects. This applies particularly to the protection of best and most versatile (BMV) land, defined as comprising Grades 1, 2, and 3a agricultural land, and soil ecosystem services. In addition, an Application Document 7.5.10.1 Outline Soil Management Plan – Suffolk [APP-354] has been produced to ensure the effective management, protection, and reinstatement of soil resources. The plan outlines the necessary measures to minimise soil degradation and promote sustainable land use in accordance with best practice and regulatory requirements.
11.2		Compensation for damage to farmland from the surface works on clay soil has not been clarified as far as I can see.	The Applicant can confirm that there is a publicly available document, The Applicant’s Land Rights Strategy and Payment Schedule for Assets which sets out the basis of payment for additional compensation claims. Additionally, the Applicant’s Land Agents are working closely with all landowner’s and their Land Agents on the scheme and are reviewing claims in line with the Compensation Code. The Applicant can confirm that the Landowner’s on the scheme are represented by RICS qualified land agents and are able to receive advice on how to claim, from their own agents. The Applicant can also confirm that reasonable Agents Fees are being reimbursed so the affected Landowners are able to be represented appropriately

Reference	Matter	Points Raised	Applicant’s Comments
11.3		Damage from NEMO project and existing surveys has not been paid for or mitigated (please reference to KWT and TDC submissions).	As already noted above, the Applicant reiterates that NEMO scheme was a different project delivered by a separate company and delivered under a separate consenting regime.
11.4		The change to the use of the Hoverport (although not yet accepted by the ExA) has uncovered that ownership of a tract of land directly underneath the drilling route has not been found by TeraQuest. And this is after 4 years of work! And it is not specifically in relation to the use of the Hoverport – since this has always been the location for the drill route since the beginning. See my photograph of the notice attached to a nearby fence asking for further details of the ownership. Is this acceptable to you?	Application Document 5.1.8 Appendix G Land Referencing Methodology [APP-315] sets out how The Applicant and the appointed Land Referencer (TerraQuest) identifies and categorises these persons with interests in land inside and outside of the Proposed Project’s Order Limits. Contact site visits are undertaken to verify land referencing information (such as ownership and other interests derived from the earlier title analysis phases) and determine non-registered interests (such as unregistered land, tenancies, occupations), as well as to follow up on requests for information that have not yet been returned, and by erecting unknown site notices for any remaining unknown gaps in the interest coverage. Site visits may identify previously unknown parties which will require validation. Any additional outstanding information will be followed up through communication with the affected party (or any agents authorised to respond on their behalf). With regards to the Change Request application submitted by the Applicant and which included Change 1 (Change to access at the former Hoverport) this has now been accepted by the ExA on 5 December 2025.
11.5		We heard from residents during the OFHs at Discovery Park who had not been notified, although they are directly impacted with land issues. This is just not acceptable at this late stage in the project. Please questions the land agents Dalcour McLaren and TerrQuest about their due diligence and please do not take what they say at face value – but cross refer to impacted land owners and residents. An example of this is the Great Oaks Small School who have asked for further meetings and have been ignored and residents of Ebbsfleet lane and Sandwich Road and even the Garage Owner directly behind the lagoon.	Details of the approach to consultation during statutory consultation and the Applicant’s regard to the feedback it received (including change requests) are set out in the Application Document 5.1 Consultation Report [APP-301]. The land referencing process was ongoing throughout the pre-application period and in some instances diligent inquiries led to new interests being identified after the initial issue of Section 42(1)(d) consultation materials in October 2023. Application Document 5.1.8 Appendix G Land Referencing Methodology [APP 315] sets out how the Applicant and the appointed Land Referencer (TerraQuest) identifies and categorises these persons with interests in land inside and outside of the Proposed Project’s Order Limits. The acquiring authority needs to identify everyone who has a legal interest in, or right to occupy, the land it proposes to acquire. This would include owners (both freeholders and leaseholders), tenants and occupiers as well as some beneficiaries of legal rights. The parties identified by Ms McKenzie are not identified as Category 1 parties as they do not have land or interests inside the Order Limits. They may qualify as Category 3 parties who are defined as:

Reference	Matter	Points Raised	Applicant's Comments
			<i>“A person is within Category 3 if the applicant after making diligent inquiry believes that the person may be entitled to make a relevant claim, meaning: a claim under section 10 of the Compulsory Purchase Act 1965 (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase); a claim under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by use of public works); a claim under section 152(3) of the Planning Act 2008 for land injuriously affected by the carrying out of works.”</i> This is set out in Application Document 5.1.8 Appendix G Land Referencing Methodology [APP-315]. To identify Category 3 parties environmental experts advised on the anticipated impacts of relevant environmental factors in order to inform where properties might be adversely affected as a result of the implementation or operation of the Proposed Project. The Applicant included any parties with an interest in land that may be able to make a claim and may include a greater number of properties in order to allow for flexibility in design post-consultation. Given the limited information available to the Proposed Project at the time and the preliminary nature of assessments, a cautious approach was been taken to identifying these parties for consultation, and a 150 metre buffer was been applied around sections of the Order Limits where considerable work is proposed to be undertaken. The Applicant has already had several conversations with the Great Oaks School and will continue to engage with the School throughout the examination process, and if consent is granted during the construction phase of the Proposed Project. A detailed response to Great Oaks Small School's Relevant Representations is provided in Application Document 9.34.5 Applicant's Response to Selected Relevant Representation Responses [REP1-115].
12	Inadequate Surveys	Many of their surveys are either incomplete or seem designed to give them the answer they want rather than present a true picture for the Planning Inspectorate. They plan to install a temporary bridge in a wetland location and drive heavy machinery on unsuitable land. Their current working method – shows utter contempt for the land and the environment. They have been driving heavy vehicles directly across crops, have churned up unsuitable tracks without using mats, have broken the banks for the Minster Stream causing runoff and have left heavy machinery unattended blocking access tracks. This cavalier attitude is shocking. The local population including me have no confidence that the surveys are to find the best solution. It appears that they are simply trying to justify the previously chosen location at any expense. The Environment Agency and Natural England should have told NG that they will not be able to drive heavy plant along the edge of the river without collapsing the riverbanks, however this is in their plans. Previous work by NG for the Nemo project damaged the banks of the River Stour and it has still not been repaired.	The latest ground investigation works have been undertaken under a Lawful Development Certificate issued by Thanet District Council. An EIA Screening exercise was undertaken for these works (TDC confirmed no EIA is required) and relevant control measures identified for inclusion within the GI Contractor's Construction Environmental Management Plan (CEMP). Any impacts of soils from these works would have been temporary, did not reach subsoil and was less-than plough depth so will be fully remediated once the soil is ploughed again as standard. The Applicant is not aware of any damage to the river banks as a result of the ground investigation works. Regarding working close to the riverbank as part of the main works, Application document 7.5.3.1 CEMP Appendix A Code of Construction Practice [APP-341] sets out a range of measures to ensure that construction activity is carried out in appropriate ways that reduce impacts. This includes various measures that specifically control working near to main rivers and the River Stour. The temporary crossing of the River Stour, situated within the River Stour flood plain, is addressed in detail in Application document 6.8 Flood Risk

Reference	Matter	Points Raised	Applicant's Comments
			Assessment [APP-292], with measures to reduce construction impacts set out in Application document 7.5.3.1 CEMP Appendix S Code of Construction Practice [APP-341]. It is considered from an aquatic ecology perspective in Application document 6.2.3.2 (C) Part 3 Kent Chapter 2 Ecology and Biodiversity [PSA-021], with mitigation measures set out in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. With regards to Nemo Link and as stated somewhere else, this project was not developed by the Applicant. This project was developed by National Grid Ventures, a separate business, as explained in paragraph 1.6 of the Application Document 7.1 Planning Statement [AS-057].
12.4		Geology Surveys were inadequate - they have said it themselves. In para 3.3 of APP-171 6.3.3.5.C Part 3 Kent Chapter 5 Appendix 3.5.C Ground Investigation Report – Kent they state <i>“Only one of the four previous investigations reviewed included exploratory holes located on site with the others being located close to the site.”</i> So you would hope therefore that their own surveys would fill the gap.	This comment relates to the Applicant’s desk top assessment of historic surveys prior to the planning and undertaking of the preliminary ground investigation works.
12.5		At 2.12.2 (Ibid) they state <i>“The existing boreholes indicate the anticipated ground profile to comprise a thin layer of Topsoil (up to 0.4m thick) overlying Tidal Flat Deposits. The Thanet Formation underlies the superficial deposits from a depth of between approximately 6 and 9m bgl. The White Chalk Subgroup is expected to be encountered around 28m bgl, however; none of the existing holes reviewed extended to the Chalk therefore this depth is based on boreholes located further from the site.”</i> Do they just hope that they can float the Converter station? They failed to find stable ground 28 m.	The preliminary ground investigation was designed to confirm the depth of the Tidal Flat Deposits and to understand the properties of the Thanet Formation underlying the deposits. This information was required to inform the preliminary design. Therefore, boreholes down to the underlying chalk were not necessary across the site, a single borehole was progresses to help validate the ground model. The Applicant is confident in the application as submitted.
12.3		The diagram, at 4.3 [Ibid] shows clearly that they did not hit bedrock chalk in their tests. It is simply the wrong location. Please please tell NG this is the wrong site and to review alternative sites suggested by KCC, Sir Roger Gale, MP, and others.	
13.1	Cumulative Impact Assessment	Document APP- 171 ES Figures Kent Onshore Scheme Inter-Project Cumulative is provided at such macro level that it is impossible to understand the effects on the SSSI, which is functionally linked land for Pegwell Bay SAC, which is why I have provided our own map to show the impact more clearly.	The figure presented in Application Document 6.4.2.13 ES Figures Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-238] was not intended to be the mechanism through which inter-project cumulative effects would be assessed. The methodology used is set out in Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment Methodologies [APP-091] and reported in Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment Methodologies [APP-060] .

Reference	Matter	Points Raised	Applicant's Comments
14		As you can see, the areas already consented for Solar Panels and Infrastructure completely crowds out the existing SSSI strip next to where NG plan to build their converter station (dark orange and blue polygons).	Regarding the specific schemes referenced as being in proximity to the golden plover mitigation site, they are separated from the mitigation land by features such as a railway line, the River Stour and a dense wooded belt. They do not separate the mitigation fields from the rest of Ash Level to the west or the SPA to the east and are not considered to impede the ability of the mitigation land to function.
14.1		You can also see that the proposed mitigation area is then completely cut off from the SSSI surrounded by a busy road opposite a boating yard, bordered by the busy river and opposite Discovery Park which creates light pollution. It is is totally unsuitable.	The proposed mitigation area is for golden plovers and is located close to the intertidal portion of the SSSI (the mouth of the River Stour). It is well located therefore to be used by golden plover and the location has been agreed with Natural England.
14.2		The NG grid development aims to removes a further 300m of hedgerow planted to provide a vital corridor for wildlife from the SSSI strip to connect it to the Minster Stream. This is drastic damage to a sensitive receptor that hosts red and amber listed bird species and various orchid species.	See above comments on this habitat loss which has been assessed in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] . In the long-term the Proposed Project will result in a considerable net increase in woodland, scrub, grassland and wetland habitat due to planting around the Converter Station and substation.
14.3		In APP-073 6.4.3.13 ES Figures Kent Onshore Scheme Inter-Project Cumulative Effects NG lists many other projects but fails to describe their relationship to the Draft Order Limits for Sea Link – hence the need for the map above to make it more obvious for you and I hope this is helpful.	The figure presented in Application Document 6.4.2.13 ES Figures Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-238] was not intended to be the mechanism through which inter-project cumulative effects would be assessed. The methodology used is set out in Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment Methodologies [APP-091] and reported in Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment Methodologies [APP-060] .
15.1	Flood risk is not avoided	They have not covered adequately how they will manage ground water flooding caused by the exceptionally high ground water in Minster Marshes. On 13/06/2025, Thanet and Sandwich received 2 inches of rain in 2 hours causing extensive flooding. Sandwich was also very near to catastrophic flooding in 2023. It would seem that flood risks are no longer a once in 100 years event as they choose to believe.	The design of the proposed Minster Converter Station and substation has been informed by preliminary ground investigation works (see Application Document 6.3.3.5.C ES Appendix 3.5.C Ground Investigation Report – Kent [APP-171]) and embeds several mitigation measures for the ground conditions, (such as GH01 and GH02) which are detailed within Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [REP1-102]. The June 2025 flooding was triggered by an intense, summer storm. It is also clarified that a flood event with a return period of 1 in 100 years has a 1% chance of occurring in any year and so floods of this magnitude can be experienced in consecutive years.
15.2		Their proposal to cover 9 hectares (20m deep) in concrete, displacing water and hampering the ability of the marsh to absorb and mitigate for flood events will only make matters worse.	The full coverage of impermeable land cover added by the Proposed Project will be served by Sustainable Drainage Systems designed to accommodate runoff generated from rainstorm events with an annual chance of 1%, with an additional uplift in attenuation storage capacity for future climate change. The Proposed Project would therefore mitigate its effects on the rainfall runoff regime.

Reference	Matter	Points Raised	Applicant's Comments
15.3		NG propose to use a SUDS scheme to compensate for displaced water. How do they propose to manage SUDS when the water table is already less than 1m below the surface?	The Proposed Project is currently preparing an update to its surface water drainage strategy report and which will account for the recent publication of the National Standards for Sustainable Drainage Systems (SuDS) (DEFRA, July 2025). The updated strategy will be shared with the flood risk management authorities for review and agreement and will be submitted to the Planning Inspectorate for consideration as part of the examination of the Proposed Project. The suite of proposed measures have been selected commensurate to local conditions, including topography, soil infiltration properties and groundwater levels.
15.4		I attach a picture of recently inundated fields in the area (NEMO link building shown in the background). This is a typical site in the winter and why the area is so important for overwintering birds who thrive in this type of wetland.	The Applicant knowledges that areas within the Kent Order Limits are prone to waterlogging and has embedded measures within the design to ameliorate these conditions.
14.3		In para 2.7.2 of APP-065 Chapter 5 Appendix 3.5.C Ground Investigation Report – Kent the consultant states “ <i>The majority of the Converter Station/ Substation area is identified to be at risk of surface water flooding with the highest risk on site and within 50m of the site being 1 in 30 year return period, depth 0.3 to 1.0m (maximum modelled flood depth)</i> ” Have NG just ignored this risk?	The information reported in the Ground Investigation report with regard to surface water flood risk is drawn from a Groundsure report dating to 2022. More recent data and surface water flood extent and depth mapping is available, published by the Environment Agency in March 2025. This newer data has informed Application Document 6.8 Flood Risk Assessment [APP-292] and has shaped the drainage design solutions embedded into the design to manage surface water flood risk.
14.4		Refer also to 2.2 of APP-365 7.11.2 Design Approach Document – Kent that has some of the best maps of the watercourses in the whole pack and shows just how wet the site is now without the need for expensive test boring.	The Applicant knowledges that areas within the Kent Order Limits are prone to waterlogging and has embedded measures within the design to ameliorate these conditions.
14.5		The maps I have taken [Ibid] page 24 show the historic evolution from a wide sea channel.It’s simply the wrong location and goes against their own guidelines and mitigation hierarchy. It will also probably be cheaper if they were to Avoid and choose another site.	The history of the area, which included the silting up of the Wantsum Channel during the medieval and post-medieval period before the land was reclaimed, is acknowledged. Detailed information about the site selection decision making process is provided in Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] .
14.7		I would query their flood risk data also if their employed specialists have found a problem. Please compare the area maps to the data that can be obtained from the Government’s own site that shows the extent of regular flood risk in the area. NG’s solution appears to be somehow draining the marsh.(see Construction section). Is this factored into their cost calculations? It is not apparent if it is so.	Application Document 6.8 Flood Risk Assessment [APP-292] has been informed by Government and Environment Agency mapping of flood risks from rivers, the sea and surface water. The FRA acknowledges the high water table and notes that waterlogging is experienced as infiltration of rainfall is impeded by the underlying impermeable soils and geology. Design of the converter and substation sites has factored in these ground conditions and detailed designs are being developed to mitigate for this.
15.1	Carbon/Climate justification	The whole project is surely premised on carbon impact as it is a key part of the government’s drive to Net Zero we are told.	This is noted by the Applicant, see responses below.

Reference	Matter	Points Raised	Applicant’s Comments
15.2		APP-085 6.2.5.1 Part 5 Combined Chapter 1 Climate Change baseline conditions para 1.7.3 fails to mentionn that the soil is marshy and the whole area acts as a carbon sink.	The greenhouse gas (GHG, or ‘carbon’ as shorthand) emissions associated with land use change have been accounted for in the lifecycle GHG calculation.
15.3		It further fails to mention that farming methods here are predominantly direct drilling in order to preserve the soil structure, which needs careful handling because of the type of soil.	
15.4		It fails to mention the salt marsh of Pegwell Bay at all and the importance of the area as a carbon sink.	
15.5		Para 1.8.1.[Ibid] states “ <i>The Proposed Project has been designed, as far as possible, following the mitigation hierarchy in order to, in the first instance, avoid or reduce climate change impacts and effects through the process of design development, and by embedding measures into the design of the Proposed Project.</i> ” But I can see no sign of avoidance in any section of this project.	Refer to Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] for a description of the main alternatives considered in the design development of the Proposed Project.
15.6		The following paragraph 1.8.3 [Ibid] states “ <i>Sensitive routeing and siting of infrastructure and temporary works, to avoid or reduce climate change effects</i> ” I cannot truly see that sensitivity has been used in this design, let alone learing from history. The cost of bringing in 1000s of tons of aggregate and concrete to build up the marsh over 9 hectares with a concrete raft 2 metres thick seems to be ignored in the calculation	See response to item 15.2 above.
15.7		At APP-358 7.5.13 Greenhouse Gas Reduction Strategy para 5.4 NG shows raw materials are the hot spot. 180,000 tonnes of CO2 (tCO2e) would be produced over the lifetime of the project in raw materials, representing 62% of the total project lifecyle GHG. Is this really acceptable as a ‘Green’ project? There is not mention of innovative ways to build to reduce this figure and they appear not to include the cost of the 2m raft of concrete, which is one of the worst CO2 offenders.	Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] evaluates the significance of the total lifecycle GHG emissions of the Proposed Project, in accordance to accepted best-practice methodology. The total lifecycle GHG emissions of the Proposed Project are estimated to be less than 0.01% of any respective UK carbon budget, and therefore are deemed not significant in accordance with the methodology, as the emissions do not negatively impact the UK’s ability to achieve their net zero targets.
15.8		At 5.4.3. [Ibid]construction alone accounts for 50% of the lifecycle GHG	
15.9		Where are the calculations for disassembly and recyle at the end of the lifecycle?	See Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] paragraphs 1.9.15 to 1.9.17 which explain why the impacts from decommissioning are not likely to be significant in terms of the UK’s national GHG inventory or the ability of the UK to meet its carbon budgets.
15.10		The document itself appears to be the result of a focus group session with a consultant and there is hopeful noise that they will be taking actions to reduce the GHG of the project – but some of the targets are talking about NG as a whole and seem to be ‘stretch targets’ hopeful outcomes rather than specific actions to reduce the impact of this project.	Application Document 7.5.13 Greenhouse Gas Reduction Strategy [APP-358] is produced in accordance with NPS EN-1 requirements. This GHG Reduction Strategy helps inform actions that should be undertaken at each relevant work stage, but the opportunities are not committed to through the DCO as this is beyond the scope of the document and NPS EN-1 requirements.

Reference	Matter	Points Raised	Applicant's Comments
15.11	Environmental surveys	It does not appear to take into account the updated construction method (if only they could tell us exactly how it will work) that is needed for a marsh site. I assume it will require bringing in 1000s of tonnes of aggregate and concrete in order to stabilise the build on the marsh. Where are the calculations to show how this project does not simply add to climate change through the use of so much concrete on an existing carbon sink? Surely sites to support cabling into Sellindge SL1 would not require such remediation? But we will not know, because the choice of SL2 was made in 2022 and NG have no intention of turning away from this.	The numbers presented in the Application Document 7.5.13 Greenhouse Gas Reduction Strategy [APP-358] are the same as those presented in Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] . These calculations include materials, construction activities and land use change. The total GHG emissions are still evaluated to be not significant as explained in the response to item 15.7 above.
15.12		Redactions to references at the end of this document do not give us confidence that baseline data is reliable.	Refer to Application Document 6.2.5.1 Part 5 Combined Chapter 1 Climate Change [APP-085] for an unredacted list of the same references.
15.13		The Carbon Tracker spreadsheet the consultants have provided at the end is interesting but does not feed into any commitments to do anything as far as I can see, remaining as vague targets. None of this is good enough for a project that is premised on Green Energy and a drive to net zero.	See response to item 15.10 above. The GHG Reduction Strategy meets the requirements of NPS EN-1.
16.1		The environmental surveys are inconsistent, not referenced, undated, are anonymous, baseline datasets are often not referenced and there is a failure to address the importance of protected and catastrophically in decline species that rely on these important habitats, both marine and on land for the following species birds, beavers, otters, water voles, dormice and eels.	Regarding points 16.1 to 17.1 refer to above comments on ecology, or to the responses provided to Relevant Representations from Save Minster Marshes and Kent Wildlife Trust in Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043] , and CPRE Kent in Application Document 9.34.5 Applicant's Responses to Selected Relevant Representation Responses [REP1-115] .
16.2		Firstly Birds:It appears that counts for Golden Plover that appeared in the PEIR are now not the same figures. Surely this is not allowed?	
16.3		As a key species of concern NG have noted in APP-073 .2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects <i>“The Kent Onshore Scheme will result in the permanent loss of functionally linked land (within 5 km from the SPAs) for golden plover associated with Thanet Coast & Sandwich Bay SPA/Ramsar site due to the Minster Converter Station and Substation. Wintering bird surveys undertaken for the Proposed Project have identified that the area supports more than 1% of the SPA population of golden plover. Mitigation for the contribution of the Kent Onshore Scheme for loss of functionally linked land associated with the SPA/Ramsar will take the form of managing approximately 10ha of off-site arable land in a way that is favourable to wintering golden plovers.”</i> Mitigation for a bird species that requires functionally linked land cannot be provided by signposting an unsuitable field down the road that is NOT functionally linked. It seems that NG consider this to be acceptable collateral damage. It is environmental vandalism.	

Reference	Matter	Points Raised	Applicant’s Comments
16.4		DEFRA notes species of concern from many sources including the IUCN that advises the JNC. The SSSI achieved its status for its importance for Ruddy Turnstone among others listed below. Each of the bird species listed here is noted by DEFRA as important to protect through management of habitat. Each of these species demands special consideration as their habitat diminishes throughout the UK. It should be noted that the land around the converter location is functionally linked land and supports large numbers of overwintering birds. When the tide is high at Pegwell Bay they travel inland to the marshes to rest and feed. The land is also linked along the River Stour to Stodmarsh, which is also a RAMSAR site. All these birds are found in numbers at Pegwell Bay and Minster Marshes showing that sensitive farming and management of the land is allowing these birds to make a comeback. National Trends however, are outlined below, for reference since none of this information is provided for you to inform your judgement. [Paragraphs 16.4.1-16.4.7, 16.4.9]	
16.4.8		Turtle Doves (streptopelia turtur) down 99% in England (population trend 1966 to 2024). And indeed the farms within the Draft Order Limits are part of the RSPB’s Operation Turtle Dove and there was a breeding pair of turtle doves here in this last summer season. What a mockery that this location choice will undo all this good work and probably contribute to the extinction of Turtle Doves as a migrant species in the UK. You really must not allow this.	The Proposed Project will result in a considerable net increase in woody planting (woodland, scrub and hedgerows) and wetlands, particularly in the vicinity of the Converter Station and Substation. These will be well connected to the existing scrub and woodland along the rail corridor and at Weather Lees Hill. Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] recognises that it will take time for the woodland to mature (10 years) and therefore recognises a significant moderate adverse habitat loss effect on ornithology in the short-medium term.
16.4.10		The following birds are not noted of concern by DEFRA according to Magic Map data and no specific management of farmland or otherwise therefore appears recommended for them. However, the absence of a specific management strategy for these species by DEFRA, all of which are in serious decline, does not suggest that these bird species do not merit protection; Protection that should be afforded to them through the international and national site designationthey enjoy. All the following species are found in recovering numbers in Pegwell Bay and Minster Marshes. An area that is allowing their dwindling populations to hang on. It is inconceivable that you should allow this important area to be disturbed, let alone completely removed. [Paragraphs 16.4.11-16.4.13]	The Applicant has replied to these points above (see comment 16.1 above).
16.4.14		The remaining sections all relate to data from BTO, 2024. BirdTrends 2023: trends in numbers, breeding success and survival for UK breeding birds. All these birds are found in numbers on the marsh and Sandwoch Bay Bird Observatory and official ringing data directly on the Converter site proves all of these. [Paragraphs 16.4.15- 16.4.29]	

Reference	Matter	Points Raised	Applicant's Comments
		All these species are recorded over the last 5 years at least by members of the local RSPB group, by members of the Sandwich Bay Bird Observatory and other qualified bird ringers.	
16.4.31		The International Union for Conservation of Nature (IUCN) Red List of Threatened Species, also known as the IUCN Red List or Red Data Book, founded in 1964, is an inventory of the global conservation status and extinction risk of biological species. A series of Regional Red Lists, which assess the risk of extinction to species within a political management unit, are also produced by countries and organizations. The goals of the Red List are to provide scientifically based information on the status of species and subspecies at a global level, to draw attention to the magnitude and importance of threatened biodiversity, to influence national and international policy and decision-making, and to provide information to guide actions to conserve biological diversity.	
16.4.32		I understand there are, 32 Red Listed species and 46 Amber Listed species in a total of 171 that have been recorded on Minster Marshes and Pegwell Bay by RSPB, SBBOT and members of SMM.	
16.4.33		A Golden Oriole was recorded during the summer and Dartford Warbler during the last couple of weeks.	
16.4.34		In Reference to NG document APP-150 6.4.3.2.D Part 3 Kent Chapter 2 Appendix 3.2.D Breeding Bird Survey Report 2023 – Figures and APP-151 6.4.3.2.E Part 3 Kent Chapter 2 Appendix 3.2.E Breeding Bird Survey Report 2024 – Figures shows the preponderance of red and amber listed species found in the Draft Order Limits land, with a particular concentration in the area that is to be built on for the Converter and Substation. These documents refer in the legend to Annex D, Table 9. I may be wrong but this appears to be missing from the submitted documents and the importance of these birds to the UK and internationally is therefore minimised?	Annex D Table 9 is simply the list of the standard BTO bird codes for each species. These are available online but are also presented in Annex 2.C.3 of Application Document 6.3.3.2.C (B) ES Appendix 3.2.C Wintering Bird Survey Report 2023-2024 [REP1A-017] .
16.4.35		The map layouts in the documents relating to surveys in 2023 and 2024 are difficult to compare because the transects have been chosen differently.	The transects between the 2023 and 2024 surveys varied based on different land been accessible during each of these surveys, particularly in 2024 when land south of the River Stour became available for surveying.
16.4.36		Industry guidelines and best practice require the names of the ecologists, their qualifications, licences and years of relevant experience in any documentation provided for developments applications. These appear to be entirely missing from all the reports relating to Birds as shown below. This is contrary to guidance and cannot give Interested Parties confidence in the baseline data, methodology or results.	

Reference	Matter	Points Raised	Applicant's Comments
16.4.37		Para 1.1.3. of the Wintering Bird Survey Report 2022-2023 states <i>“Details of avoidance, mitigation, compensation and enhancement measures relating to wintering birds are not included in this report and are instead reported within Application Document 6.2.2.2 Part 3 Kent Chapter 2 Ecology and Biodiversity”</i> . It appears that this has not been supplied – but perhaps they meant 6.2.3.2.? They have had nearly 2 years to get this right. Should we have to guess at their documentation when we are struggling to deal with 412 documents?	Application Document 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049] is the correct reference.
16.5		Secondly I turn to Trees & Hedges: in para 6.3.32 of APP-294 6.10 Arboricultural Impact Assessment Part 1 of 2 “The Proposed Project will require the diversion of an existing utility line within the RPA of W526K” if diversions can take place why is the site placed so close to the SSSI in the first place and why then is it proposed to remove 300 metres of important hedgerow? The character of the whole SSSI will become less favourable for wildlife, especially Turtle Dove, where the habitat and farming go hand in hand to support them.	The overhead line (OHL) diversion proposed within W526K is required as part of the upgrade works that UKPN have proposed to enable them to provide a District Network Operator (DNO) connection to the new Substation and Converter Station. See above comments regarding impacts on the SSSI and the 300 m of hedgerow.
16.6		It may not be clear from NG supplied maps which hedgerow I am describing, as they are so difficult to make sense of, so please refer to the following aerial shot taken from Google maps that I have annotated to make it easier for you. The red outline is what is left of the SSSI in this location and the green outlined section is the important hedgerow that is marked for removal. This hedgerow was planted to ensure a link between the SSSI and the Minster Stream and to mitigate for some of the damaging agricultural policies of the 70’s where we lost so many hedgerows.	See above comments regarding impacts on the SSSI and the 300 m of hedgerow.
16.6.1		I understand from talking to the owner of the house at the end of [REDACTED], that he was totally unaware that NG plan to ‘manage’ his hedges and trees for access. They have not consulted with him at all. This is totally unacceptable.	Please refer to the response in paragraph 11.5 above, which sets out how parties were identified and consulted with. The works described here are trimming back of overhanging branches. The Applicant is in contact with this neighbour to the Proposed Project.
16.6.2		Thirdly I turn to Dormice. Referencing between documents and names of reports is challenging. The Dormice survey seems to suggest there are none present – but the methodology is flawed and we can provide evidence of dormouse tracking boxes being left damaged – so in this location it would not have been possible to track for dormice.	Zone B3 is a subset of Zone B. A total of 104 nest tubes and 5 nest boxes were distributed across Zone B. In line with normal practice these were focussed on those areas most likely to be affected by the Proposed Project , in addition to habitat suitability. Zone B3 primarily consists of an existing access route.
16.6.3		From their own document APP-259, 6.4.3.2.M ES Figures Kent Dormouse Survey Report, zone B3 appears to show only 5 boxes left for study in the whole of the 300m hedge and no tubes. Why is this? It would have had the highest likelihood of dormouse	

Reference	Matter	Points Raised	Applicant's Comments
		occupation – since it is the wildlife corridor that was planted to connect the SSSI to the Minster Stream. Their own data shows that of the 5 boxes in this huge stretch 3 of them showed evidence of occupation. 3 out of 5 in an area that could have been more comprehensively surveyed over a more meaningful period of time.	
16.6.4		Indeed in APP-159 – 6.3.3.2.M Appendix 3.2.M Hazel Dormouse Survey report page 5 it seems that they stopped bothering to check zone B after July 2024. Where is the rigour for examining for hibernating dormice in the boxes that they erected to look for evidence on the hedgerow that NG plan to entirely remove. Is that just convenience that the data is missing?	Dormouse surveys end when at least 20 points are achieved (calculated through a combination of number of tubes and survey duration in line with standard guidance). Standard guidance at the time the survey was undertaken confirms that a minimum of 20 points is required to confirm absence of dormice. For Zone B a total of 49.28 points were achieved thus far exceeding the minimum requirement.
16.6.5		[Ibid] para 1.3.3 does not appear to make note in relation to Zone B3 that it is adjacent to an SSSI – this is not just any old section of “semi-natural broad leaved woodland”. This is an important recovering landscape that has SSSI status.	This is not required for a dormouse report.
16.6.6		Fourth, I turn to the mammals that live in these watercourses that criss cross the Draft Order Limits. The Riparian Mammal Survey Report APP-154 para 1.3.15 states “Due to the size of the Kent Onshore Scheme Order Limits, surveys were conducted over multiple days; Survey one was undertaken on 5, 6, 10 and 11 June 2024, and Survey two was undertaken on 2, 3 and 4 September 2024. However, these days were used to survey for, Otter, Beaver and Water Vole at the same time across the whole of the order limits.	This methodology used for the surveys follows standard practice.
16.6.7		AECOM continue [Ibid] “ <i>After this date, updated surveys may be required, and advice should be sought from an appropriately qualified ecologist to determine the survey scope and methods.</i> ” Were they not qualified? I understand that all reports for planning by ecologists should clearly document their expertise. Expertise of the ecologists seems to be questioned by the writer of the report.	All surveyors working for the Proposed Project are suitably qualified.
16.6.8		They continue [Ibid] “ <i>Some watercourses within the Order Limits had limited visibility and access due to steep banks and dense vegetation. It is therefore generally difficult to survey these watercourses both in terms of physical penetration (even with a boat) and in terms of avoiding damaging habitat. While this limited some of the survey particularly for water voles, which has been taken into account in the impact assessment, it is believed that the watercourses were adequately accessed for the results of these surveys to be valid.</i> ” Is that sufficient? It sounds like they do not believe it themselves.	The text specifically states the watercourses were adequately accessed for surveys to be valid.
16.6.9		Please review the images below from APP-365 7.11.2 Design Approach Kent that clearly show all the watercourses within the order limits. Are the ecologists seriously suggesting that these few	The Applicant disagrees with this statement. The survey effort was adequate.

Reference	Matter	Points Raised	Applicant's Comments
		days to survey for Beaver, Otter and Water Vole (all at the same time) were adequate? Surely this baseline data is worthless.	
18.1	Environmental mitigation plans are grossly inadequate	It is impossible to mitigate in this area as it is so unique. The soils and the water catchment area have taken 100s of years to develop. Once this marshy habitat has gone it cannot simply be recreated somewhere else.	See earlier comments on this point.
18.2		The image below shows the area where the converter station is to be built. It shows its importance as functionally linked land in the winter with large flocks of birds feeding and resting. Image courtesy of George Cooper.	
18.3		The birds cannot be told where to go instead and the land chosen for the mitigation scheme is nothing like this land. It is unsuitable because it is to be cut off by yet another solar scheme and so will lose its functional linkage (see map at 13.3). You can also see from the map in 13.3. that the mitigation area is then completely cut off from the SSSI surrounded by a busy road opposite a boating yard on the river, and opposite Discovery Park which creates light pollution. It is totally unsuitable as mitigation.	
18.4		It is impossible to mitigate for the loss of 80 year old hedgerows connected to an SSSI especially important for breeding migrants (see section on Trees and Hedges above).	See earlier comments on loss of hedgerow.
18.5		They also intend to 'manage' hedgerows in the land they have chosen for the mitigation, which in our experience means clearing and then replacing. I have seen the standard of their mitigation work following the NEMO link see my own images below showing tree plastic not removed badly planted and unattended trees, many dead.	It is unclear which land is being referenced.
17.1		Bringing the mitigation land into management for wildlife is not sufficiently detailed.	The Applicant disagrees and considers that sufficient detail is provided within Application Document 7.5.7.2 (B) Outline Landscape and Ecological Management Plan- Kent [PDA-035] .

Reference	Matter	Points Raised	Applicant’s Comments
17.2		In APP-365 7.11.2 Design Approach Document - Kent they stated <i>“National Grid is committed to playing its part in halting and reversing the decline of biodiversity in the UK and to achieving 10% biodiversity net gain (BNG) on major projects. National Grid has made this commitment on a voluntary basis in advance of the requirement being mandatory for Nationally Significant Infrastructure Projects. The initial approach taken to BNG on the Proposed Project is explored in 6.12 Biodiversity Net Gain Feasibility Report submitted with the application.”</i> This document is mis-referenced and has added to the difficulty I have had in reviewing the documents as a whole. From first reading it appears there are many inconsistencies in their own data in order to arrive at 10% net gain. APP-297 is also now superseded with AS-055, but at least the Policy Context is clearly set out in para 1.5 – allowing them to write the words and then ignore plans to observe them.	The response below outlines the purpose of the Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025], the applicant's commitment to delivering BNG and the approach to be taken to deliver BNG off-site. All references to section numbers and paragraphs relate to this document (Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025]). The Proposed Project is seeking to achieve a 10% net gain in biodiversity to align with The Applicant targets (see Section 1.5), there is currently no mandatory requirement for BNG for Nationally Significant Infrastructure Projects (NSIP) that are to be consented through Development Consent Orders (DCO) under the Planning Act 2008 (see Section 1.4). As there is no guidance for BNG on NSIP, guidance devised for Town and Country Planning Act 1990 (TCPA) applications has been applied and modified as relevant. National Policy Statements EN-1 and EN-5 set out the policies for environmental net gain and BNG as it currently applies to NSIPs. The legal requirement to provide a 10% net gain in biodiversity is expected to be introduced for NSIP in May 2026. The purpose of Application Document 6.12 (C) Biodiversity Net Gain Feasibility Report [REP1A-025] is to quantify the overall effect of the Proposed Project on the biodiversity value (as measured within the statutory biodiversity metric calculation tool (DEFRA, 2024) (hereafter referred to as the ‘SBM’) of habitats located within the BNG Parameters Line (See Section 2.2). The BNG Parameters Line includes all habitat to be permanently and temporarily effected by the Proposed Project.
17.3		In the same paragraph they continue <i>“National Grid will explore how this can be delivered through a combination of onsite measures, off-site measures and credits will be determined when the detailed design of design is complete and the final effects and potential for delivering BNG on site is clear. Discussions and engagement have been held with stakeholders and the wildlife trusts throughout the project. National Grid will continue to engage with Kent Wildlife Trust for opportunities to progress any potential collaborative off-site projects.”</i> If the document is not supplied in the first place how are interested parties supposed to engage in dialogue about mitigation? Nothing in this project so far points to any interest in committing to 10% BNG voluntary basis or not.	The Applicant has corporate BNG commitments outlined in the RIIO-T2 Business Plan (2021 – 2026) and in the RIIO-T3 period (2026-2031). These commitments represent a long term aspiration to embed biodiversity net gain delivery into all projects and pre-dates mandatory BNG for Town and Country Planning Applications and DCO applications. In the absence of a legal obligation or NSIP-specific guidance, the Applicant’s approach to BNG for NSIP projects is to: • meet the policy requirements within the current NPS; • deliver its corporate commitments to deliver at least 10% BNG with wider benefits; • maximise the benefits and value from consumer funded BNG; and • follow the spirit of the TCPA BNG legislation and guidance, including using the Statutory Biodiversity Metric. The Applicant approach is to deliver the best outcomes for nature from consumer-funded BNG.

Reference	Matter	Points Raised	Applicant's Comments
			The Applicant will deliver BNG which can be managed and maintained for at least 30 years and which will be undisturbed by future development, because (i) continuity of habitat delivers better outcomes for nature, and (ii) ensures better value for money for consumers by avoiding having to expensively replace BNG habitat to accommodate future development. Better outcomes for nature and value for money for consumers would likely occur where The Applicant delivers BNG with expert partners, rather than through the Applicant acquiring land to deliver BNG 'in-house'. It is proposed that BNG will be delivered both on-site and off-site in the following ways and which is set out in more detail in Section 5.2: The Applicant will provide on-site BNG where: • it is on land in its ownership such as around sub-stations, converter stations or sealing end compounds; • it is in locations where it can also meet requirements for environmental mitigation, such as landscape screening; and, • where the location of any on-site BNG would not prejudice future site expansion needs or customer connections into the site. The Applicant's approach is to provide any on-site BNG in a coordinated manner in locations that do not prejudice the siting or routeing of future electricity infrastructure, such as substation extensions or customer connections. This approach is in the best interests of nature and is economic and efficient because it safeguards onsite BNG and means that on-site landscape screening or other environmental mitigation can also contribute towards BNG. Biodiversity net gain delivered off-site would be delivered through expert partners or purchase of biodiversity units from commercially registered providers. Further discussion will be undertaken with established and experienced conservation organisations which champion public access and engagement with the aims of delivering the required units in such a way to deliver a more meaningful and targeted provision of BNG (i.e. to benefit protected and notable species within local biodiversity action plans) that may work towards any targets within the incoming Local Nature Recovery Strategy (LNRS). The Applicant will continue to explore a range of options to deliver BNG for the Proposed Project which provide the best choices and outcomes for nature and wider environmental and societal benefits, and provide value for money for consumers. These outcomes will be secured and in place prior to the Proposed Project being operated as part of the high voltage electricity transmission network.
18.1	Construction methods have not been clarified	Construction methods are not included in sufficient detail and where they are included, are inconsistent and contradictory or simply missing important information on which an informed decision can be made.	Construction methodology has been assessed on a worst-case basis in terms of the environmental impact, therefore for example piling has been allowed for within the noise assessment contained in the ES (Application Document 6.3.3.9.D (B) ES Appendix 3.9.D Kent Operational Noise

Reference	Matter	Points Raised	Applicant’s Comments
18.2		APP-171 Chapter 5 Appendix 3.5.C Ground Investigation Report – Kent in para 8.3.1 the consultant’s state “ <i>Larger raft foundations, gantry foundations and/ or foundations with a settlement tolerance will require piles</i> ” (their own bold). They go on to explain there are alternative options for stabilising the ground. Which option is to be considered preferable? When is the cost for each method to be compared? Where are the documents that explain the piling methodology? Does this mean that more concrete will be needed than shown in the carbon/climate change justification? What does this do to the traffic volumes if heavy machinery is required for pile driving? What does this do to the noise profile for construction? All these issues are scattered around different documents and there is no clear sense of the construction design relating clearly to other documents.	Assessment [AS-123]) and the import of material to raise the site has been allowed for within the traffic assessment in Application Document 6.3.3.9.C ES Appendix 3.9.C Kent Construction Traffic Noise Assessment [APP-190] . Final foundation designs will be produced at detailed design following further investigation which is standard practice for construction projects of this nature.
18.3		It does not appear that any work was done to investigate tunnelling through Pegwell Bay, other than desk studies – Is this considered adequate?	A preliminary ground investigation was carried out to inform the preliminary design of the trenchless crossing at the landfall. As with other elements of the design this will be subject to detailed design development at a later stage of the project which is standard practice for construction projects of this nature.
18.4		It is noted at para 2.11 [Ibid] that Unexploded Ordnance may be a problem for the whole site. Pegwell Bay was used extensively to test weapons in WWII.	The Applicant has undertaken a detailed UXO risk assessment for the Proposed Project, including at Pegwell Bay reserve. The risk assessment notes that a maximum penetration depth of between 10-12m can be taken for WWII bombs at the site. With the trenchless crossing anticipated to be approximately 18m below the ground level, it is considered very unlikely that a UXO will be encountered by the drill along the majority of the drills length. The Applicant is planning to reduce the UXO risk for working areas and the complete length of the landfall route to ALARP by the appointment of an UXO Consultant and additional pre-construction UXO survey works. This approach was undertaken during the intrusive ground investigation works completed previously by the Applicant and will be used for future surveys and construction works.
18.5		I have struggled to find the detail of the construction to be used through Pegwell Bay in this pack, so I would like to return to this at a later stage in the process if I may, since interested parties, such as myself, have only been given limited time to look at the documentation and the Examination Library document was not provided from the start, making the 60 days even shorter. I can however point to the damage that was done to the marsh for the NEMO link that is being investigated by yourselves already (reference ISH questions). Damage that the salt marsh has not recovered from. This important habitat RAMSAR, SPA, SAC, NNR, must not be further damaged.	The Impacts of the Proposed Project on the ecology of Pegwell Bay are assessed in detail in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. Notwithstanding that the Applicant has committed to undertaking a trenchless landfall to protect the Salt Marsh from disturbance, the Applicant has submitted Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) which contains a number of measures designed to control and mitigate impacts on Pegwell Bay. These measures are secured via Requirement 6 of Application Document 3.1 draft Development Consent Order [REP1-036].

Reference	Matter	Points Raised	Applicant’s Comments
19.1	Impacts on health & wellbeing downplayed	Access to green space, the NNR, and PROWs are all important for residents of one of the most deprived areas of Kent. In the majority of the Indexes of Deprivation, Thanet comes out top in Kent. Nothing that we are proud of. But it does therefore seem even more sad that a deprived area such as ours should then suffer more damage to our precious space.	The proposed management and mitigation measures relating to PRow is set out within Application Document 7.5.9.2 Outline Public Rights of Way Management Plan – Kent [APP-353] which has been submitted in outline form to specify the overarching principles and measures to minimise and mitigate, as far as reasonably practicable, the potential effects of the construction activities associated with the Proposed Project on the surrounding PRow network. This has been developed in consultation with the relevant Local Highway Authorities and PRow officers and provide details on PRow diversions, closures and management during the construction, operation and decommissioning phases of the Proposed Project. A complete health and wellbeing assessment has been undertaken. This is set out in Application Document 6.2.3.11 Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. This concludes that there are no anticipated significant effects as a result of the Proposed Project. Specifically, the Applicant recognises the importance of local amenity and access to open space. In response to this concern, Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] assess the likely significant effects on amenity of residents, businesses, development sites, PRow users, and users of open spaces, and community facilities within 500 m of the Order Limits. The cumulative impact is also assessed in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Kent Onshore Scheme Inter-Project Cumulative Effects [APP-073]. No significant adverse effects are identified with regards to human health and wellbeing.
19.2		The impacts to PROWs are dismissed as ‘negligible or small’ in their documentation. We would argue that eg closure of the King Charles III footpath up to 8 times an hour for HGV crossing at two different points is not ‘negligible’.	The Applicant recognises the importance of uninterrupted, reliable access to open space, leisure facilities, and transport connections in supporting community wellbeing. In response to this concern, the Applicant has undertaken a comprehensive and robust assessment of health and wellbeing within Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003], such that any likely significant effects of the Proposed Project have been identified and mitigated. Section 11.9 of Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] adheres to the latest best practice guidance from the IEMA Guide to Effective Scoping of Human Health in EIA (IEMA, 2022) and also best practice methodology used on other major infrastructure schemes. Specifically, impacts related to access to PRow for active travel due to changes in traffic caused by the construction or operation of the Proposed Project is assessed under the “Transport modes, access, connections and physical activity” determinant within Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. This draws on assessment from Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. The King Charles III Coastal Path is identified as <i>very high</i> sensitivity in Application Document 6.2.3.10 (B) Part 3 Kent

Reference	Matter	Points Raised	Applicant’s Comments
			Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] due to its national trail designation and regular use, and <i>high</i> sensitivity in Table 7.41 in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. Both Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] conclude that the routes will remain open and usable throughout construction and operation, with no significant adverse effects on value or user experience. Taking these residual conclusions, the embedded mitigation set out in the Application Document 7.5.9.2 Outline Public Rights of Way Management Plan – Kent [APP-353], and all assessed PRoW into account, Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] assesses the likely impact on health and wellbeing by which physical activity and community connectivity may be compromised for users as a result of identified significant adverse effects. It concludes that there would be no significant adverse effects on health and wellbeing. Cumulative impacts are also assessed in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Inter-Project Cumulative Effects [APP-073], with the same conclusion.
19.3		They have also completely ignored the Way of St Augustine trail which is an important Christian pilgrimage route. Their plans include permanently rerouting part of it.	The Way of St Augustine, coinciding with the Viking Coastal Trail/National Cycle Network Route 15 where it intersects or runs near the Order Limits in the northern study area, is assessed as the Viking Coastal Trail receptor within both Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. These conclude that the route will remain open and usable throughout construction and operation, with no significant adverse effects on value or user experience. Health and wellbeing impacts related to access to PRoW for active travel due to changes in traffic caused by the construction or operation of the Proposed Project is assessed under the ‘Transport modes, access, connections and physical activity’ determinant within Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. This draws on assessment from Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. The Way of St Augustine is assessed as the Viking Trail receptor and classified as <i>very high</i> sensitivity in Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007] and <i>medium</i> sensitivity in Table 7.41 of Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067]. Taking the residual conclusions set out in the paragraph above into account, the embedded mitigation set out in the Application Document 7.5.9.2 Outline Public Rights of Way Management Plan – Kent [APP-353], and all assessed PRoW into account, Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003] assesses the likely impact on health and wellbeing by which physical activity and community connectivity

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			may be compromised for users as a result of identified significant adverse effects. It concludes that there would be no significant adverse effects on health and wellbeing. Cumulative impacts are also assessed in Application Document 6.2.3.13 Part 3 Kent Chapter 13 Inter-Project Cumulative Effects [APP-073] , with the same conclusion.
19.4		The Great Oaks Small School (specialist SEN school for children who cannot cope in mainstream education) will be surrounded by building and traffic movements and NG completely failed to engage with them when asked.	The Applicant has already had several conversations with the Great Oaks School and will continue to engage with the School throughout the examination process, and if consent is granted during the construction phase of the Proposed Project. As regards the formal assessment of the impacts on the School, it is accessed via Jutes Lane. As identified in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] and Application Document 7.5.1.2 Outline Construction Traffic Management and Travel Plan – Kent [APP-338], Jutes Lane will only be used as a secondary access route for Bellmouth K-BM03 (for utility connection works) and limited to Light Goods Vehicles (LGVs) where possible. The health and wellbeing impacts on Great Oaks Small School is assessed within the determinant ‘Access to other Social Infrastructure’ within Application Document 6.2.3.11 (B) Part 3 Kent Chapter 11 Health and Wellbeing [AS-003]. The health and wellbeing assessment firstly establishes the sensitivity of the population in relation to Access to other Social Infrastructure, which is classified as medium for both the general and vulnerable sub-population considering levels of deprivation and variable levels of self-reported health across the study area. The assessment then considers the conclusions from Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-007], Application Document 6.2.3.10 Part 3 Kent Chapter 10 Socio-Economics, Recreation and Tourism [APP-070] and Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067], both of which conclude no significant effects in terms of severance, increased traffic movements, and driver delay impacts on the School. Considering the evidence across all relevant topics, and applying professional judgement, the assessment concludes that the magnitude of impact on ‘Access to other Social Infrastructure’ is negligible during the construction phase. This results in no significant effects overall. The conclusion reached reflects assessment in accordance with established guidance and represents a proportionate assessment of the likely impacts on community health and wellbeing.
19.5		Pegwell Bay is a Nationally important Nature Reserve – opened by [REDACTED] no less. Access to the site will be restricted during construction and if the results of NEMO are to be repeated will be damaged beyond repair.	The Applicant acknowledges the value of Pegwell Bay. Whilst the reasons for the location of the Proposed Project have been set out in length in the DCO Submission the Applicant will continue to work with stakeholders and statutory bodies to minimise and mitigate the impacts of the Proposed Project on Pegwell Bay.

Reference	Matter	Points Raised	Applicant’s Comments
19.6		The out pouring of grief and outrage at National Grid’s plans for our precious environment is evidenced by the over 9500k people who signed a petition delivered to NG on 31 December 2023 (we did not even receive the courtesy of a reply) and the rising membership of the Save Minster Marshes campaign group now number over 16k in total. Indeed although we have evidence of the delivery of the petition, with tracked mail, National Grid appear to have lost this and asked us to resend it in February 2024. Utter contempt for the strength of feeling. Residents of Thanet are already feeling beleaguered by vast housing developments that have been foisted onto us by central government. This will only make anxiety and depression increase further.	This is noted by the Applicant.
20.1	Traffic movements are underestimated	Traffic surveys were carried out in January when the seasonal businesses are shut and tourism visits are low. This is therefore generally misleading. KCC pointed this out to NG – but no further surveys were undertaken. The traffic plans therefore have a misleading baseline.	Whilst it is acknowledged that the traffic surveys within Kent were carried out in January 2024, the Baseline traffic flows which have informed Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] are based on an agreed survey methodology with KCC Highways and are considered to be appropriate for the purposes of the assessment work. Had higher Baseline traffic flows been adopted to consider seasonal fluctuations during the summer for example, then the percentage increases as a result of forecast construction traffic associated with the Proposed Project would have been lower than what was reported and assessed for the majority of the assessment criteria in Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067], resulting in fewer potential impacts being identified. The assessment within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] adopts worst-case assumptions for construction traffic volumes, which provides a robust basis for impact evaluation by considering the busiest day of the construction programme. Therefore, whilst seasonal fluctuations in Baseline traffic levels are acknowledged, the methodology adopted for the assessment work is considered to be sound by adopting peak construction traffic levels, rather than average or seasonal construction traffic levels which would be lower.
20.2		Page 53 of APP-365 7.11.2 Design Approach Kent, shows a very small picture of a very large wide load. It is an articulated structure carrying a Transformer. There are no real plans anywhere in the document to show the route that this would be delivered to site. Is this to be down the small dead-end track at Sevenscore and then along the unmade tracks to the site? Or perhaps this is down Marsh Farm Road through Minster and then across the fields near Marsh Farm? Have National Rail been consulted about the plans for such heavy machinery across the tracks?	Details of the deliver route for Abnormal Indivisible Loads is set out in Part 7.9 of Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] .
].		The roundabout at the Lord of the Manor is already a particularly poor design and difficult for people to navigate safely. There have been many near misses. If HGVs are intended to access the Hoveport from this junction it will be dangerous to say the least and will exacerbate the potential for accidents throughout the 4 years of construction.	As assessment of Road Safety has been carried out within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] for six junctions within the study area as agreed with Kent County Council (KCC). The Lord of the Manor roundabout falls outside of the agreed study area as the Proposed Project is not expected to result in the potential for any significant effects on this receptor, given that only 10-15%

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			of construction traffic is expected to travel to/ from the A299 to the east. Nonetheless, both Sandwich Road (Receptor K-RL7) and A299 Hengist Way (Receptor K-RL4) which form two arms of the Lord of the Manor roundabout have been assessed within Application Document 6.2.3.7 Part 3 Kent Chapter 7 Traffic and Transport [APP-067] . This does not identify any potential significant effects on these receptors as a result of peak construction traffic, including for the assessment of Road Safety where negligible effects were identified.
21.1	Inadequacy of consultation	The Richborough location was chosen before first meeting with Inspector. At the Inception meeting 29 November 2021 Notes the Inspector wrote “ <i>Construction of a new converter station within 5km of the existing 400kv Richborough substation with HVAC underground cables between the substation 1 and a converter station located north of the substation. It is proposed there will then be HVDC underground cables between the converter station and Pegwell Bay.</i> ” 8 There was zero discussion of any other location. So the ‘consultation’ here has been meaningless.	Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369] explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation. Given the detailed information set out in this report as well as in response to similar points above, the Applicant considers that the application provides sufficient information to justify the choice of location.
21.2		Some of the best maps and visuals are provide in 7.11.2. It is a shame that the rest of the pack could not rely on a similar level of rigour. And I note that all the images are caveated in this document with “Rochdale Envope”, which I take to mean that it is based on cautious worst case. But I could not see that these images showed anything of the 2m additional concrete raft on which the converter station would sit and surrounded by displaced flood water in the winter. That would surely be a “cautious worst case” since the marshes are pretty flooded already as I type this, having had one of the wettest Octobers for many years?	There is nothing unusual in using a Rochdale Envelope approach for the assessment of a project of the size and complexity of the Proposed Project. The Applicant is confident that the information provided represents a robust worst-case scenario for assessing he impacts of the Proposed Project.
21.3		A few years ago the marsh was inundated. I believe that Nik Mitchell will be submitting drone footage he took at this time. To suggest that NG only need to plan for a 1 in 100 years event seems to be underplaying the event when we have had two or three events like this in the last 10 years. Had NG consulted with the farmers and listened at the earliest stage, the would have found out that this location in Kent is the wrong one.	The proposed Minster Converter Station and Substation in Kent, which represent the parts of the Proposed Project that are most vulnerable to flooding, are situated in Flood Zone 1, and have also been situated to avoid areas at high risk of surface water and groundwater flooding (see Section 4 of Application Document 6.8 Flood Risk Assessment [APP 292]).
21.4		The visuals on page 17 [Ibid] give no indication of height and are shown next to the wind turbine which has been removed. Is this intentional? It makes the construction (if it is drawn to scale) appear part of an industrial landscape. It is disingenous and should be updated if you choosee to allow this project to press on.	The visualisations shown within the Design Approach Document (Application Document 7.11.2 (B) Design Approach Document - Kent [REP1A-031]) are intended to be illustrative for the purposes of providing the reader with context. The document notes that “<i>wind turbine and one of the masts have been removed since the baseline photography was taken</i>”, which is due to the timing of the photography being taken to align with project timescales. The technical visualisations to accompany an assessment on landscape character and visual amenity are presented within Application Document 6.4.3.1 ES Figures Kent Landscape and Visual Parts 2, 3 and 4 [APP-241, APP-242 and APP-243]. The block photomontage shows the

Reference	Matter	Points Raised	Applicant’s Comments
			maximum parameters for the Proposed Project and there are labels as to the mast and wind turbines that have been removed since the photography was captured. Illustrative visualisations (Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 1 and 2 [REP1-296] and Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 2 and 2 [REP1-297]) have been prepared for three viewpoint locations in Kent; these being representative Viewpoints 4, 8, and 11 (the location of which is as shown on Figure 6.4.3.1.6 in Application Document 6.4.3.1 ES Figures Kent Landscape and Visual Part 1 of 4, [APP-240]). The illustrative visualisations have been prepared to illustrate how a more realistic and detailed model of the Proposed Project would look rather than the block photomontages which showed the maximum parameters for the Proposed Project. The design approach option used for the illustrations is the Conventional Industrial/Agricultural (Baseline) and there are four different design approach options still under consideration.
21.5		What is meant by consultation seems to be about the paint coating of the building (for which they appear to have engaged design consultants to create wonderful colour palettes to choose from) See 7.11.2 from page 37. How insulting that we are asked for paint treatments and roof design yet were not given a full justification for the site chosen, how they intended to stabilise the build and how much it would cost, let alone an alternative site.	As set out in Application Document 6.1 (B) Applicant’s response to the ExA’s s89(3) letter of 5 September 2025 - 9.18 s89 (3) 16 September Covering Letter [AS-106] the Application has fully met the requirements of Section 47 of the Planning Act 2008. The Applicant notes that compliance with Section 47 is part of the Section 55 Acceptance process for the Application (Application Document Notification of Decision to Accept Application [PD-001]) and that, of the fifteen Adequacy of Consultation Responses received from Local Planning Authorities, [AoC-001 to AoC015] none including Thanet and Kent Councils raised a failure by the Applicant to comply with Section 47 of the Planning Act 2008 in their responses.
21.6		The consultation has been very poor. Many people believed that by responding to the consultation, their views would be taken into account by National Grid. Unfortunately there was little to show that any views were taken into account.	The Applicant is engaging and continues to engage with landowners, as set out in Application Document 4.2.2 (C) Statement of Reasons Appendix B Schedule of Negotiations with Land Interests [REP1-044]. This document will continue to be updated throughout the Examination.
21.7		Repeated requests for meetings by the SMM group have been ignored and even householders within the order limits have had their requests for meetings ignored. You have heard from many of these people directly.	
21.8		In addition, there are many other flaws in their consultation as follows: Statutory consultees were asked for their views on the consultation but they were only asked whether NG had completed the bare minimum. Thanet District Council and Kent County Council expressed residual concerns that have been downplayed in the summary documents but not addressed.	
21.9		Thanet District Council refused permission to the use of the Hoverport. Although the plans were amended to show the compound is to be built elsewhere, the Hoverport is shown with what appears to be a permanent access track and hedges and	The ExA made a procedural decision to accept the Applicant’s Change Request on Friday 5 December.

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		shrubs are planned to be removed. They were not given permission for this.	The Applicant's view is that the nature of the requested change around the Hoverport is clear and that the consultation arrangements are in accordance with the requirements of the Planning Act 2008.
21.10		And subsequently they have introduced a separate consultation to turn the Hoverport site into a permanent compound – probably to bring in the ScotLink Scottish Power cable when they have finished vandalising the site for SeaLink.	
21.11		Many residents in Cliffsend and Pegwell were completely unaware of NG's proposals until the SMM group spoke to them. They had not received any postal communication.	
21.12		A Minster resident whose hedges are marked for 'management' has not been informed by NG and was not aware of this until a local farmer pointed it out to them (it is only marked on a single map and not referred to in writing in the documentation).	All landowners affected by the Proposed Project have been contacted in relation to land rights sought and are referenced in Application Document 4.3 (C) Book of Reference [REP1A-002] .
21.13		A landowner whose land is being compulsorily purchased asked to be sent hard copies of the documentation. This was refused.	As a matter of principle, the Applicant will not publicly engage with members of the public over their dealings with landowners other than to confirm that the Applicant's Land Agents are working closely with all landowners and their Land Agents on the scheme. The Applicant can also confirm that the Landowners on the scheme are represented by RICS qualified land agents and are able to receive advice on how to navigate this Development Consent Order. The Applicant can also confirm that reasonable Agents Fees are being reimbursed so the affected Landowners are able to be represented appropriately. Given that the Examination did not start until November the Applicant cannot accept that anyone has been prejudiced from taking part in the Examination process.
21.14		While documentation is available online in two libraries and IPs can respond by post and by telephone, NG did not share this information until 12 June, over a month after the pre-examination period opened. This is unfair.	
21.15		My own communication with, the caravan owner at Ebbsfleet Lane, highlighted the lack of consideration for those without access to technology. She does not have internet access in her caravan and does not have a postbox. She has intermittent phone coverage when she can charge her phone. She will not have been aware that she could speak at the OFH if I had not told her. This is repeated countless times with countless residents across the immediate zone of impact - let alone further afield for residents of Thanet who are among the most deprived in the UK.	
21.16		It was clear from the start of the process that the people of Thanet were not being given any choice at all in the siting of the Kent end of Sea Link. From the initial meeting with the Inspector it was clear that only Richborough SL2 location was on offer. This was, therefore, never a consultation at all and all the way through has only ever been a 'box ticking exercise'.	Information on the reasoning behind the connection location for the Proposed Project, the alternatives considered, how the Applicant has coordinated with other projects and a complete project description is contained in: • Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368]; • Application Document 8.3 Strategic Options Report (October 2023) [APP-370]; • Application Document 7.2 Strategic Options Back Check Report [APP-320]; • Application Document 6.2.1.3 (C) Part 1 Introduction Chapter 3 Main Alternatives Considered [AS-093];

Reference	Matter	Points Raised	Applicant's Comments
			• Application Document 7.13 Coordination Document; and • Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003].
22	Final Comments	There are so many documents for an Interested Party to read through in such a short time, (the Library document was only uploaded on 12/06 making the 6 weeks for review a miasma. Subsequent document drops have taken the load to over 500. I consider it unfair in the extreme for members of the public to be given such a short time to interpret these documents without expert assistance. As well as the points I have already raised, I have concerns about the following, - a) The confidential files were problematic. It is not clear why some documents are confidential. Subsequent investigation tells me that they relate to the location of badger sets. But I am sure you can see that redactions and confidential files, with no explanation, encourages people to think of conspiracy and reduces trust. b) I note from the Inspector's pre-submission advice/discussion notes that a confidential folder was to be set up. This is not an 'open and transparent' process. If this was for badger set information, that is understandable. But if for anything else it breeds mistrust. Clear explanation could avoid this. c) The bird collision data may not be reliable since we have evidence of 3 swan strikes this year already and those are the ones that have not been found by foxes first. Similarly small birds are not accounted for in the data, as they are seldom found and the true cost will never be known. I could find nothing in the documents that discussed mitigation for pylon lines. d) 2024. " AECOM surveyed on the same day for Beavers, Otters and WaterVole. All very secretive animals and in the case of beavers mostly active at night. e) The Noise disturbance documentation is difficult to interpret – but seems to ignore that the SSSI should be treated as a sensitive receptor (and the connecting hedgerow also). Birds, once disturbed from here will have nowhere similar to go. The mitigation area is not designed for these birds – focussed on Golden Plover alone and, as I have said before is not suitable. I have not had time within 10 days to review this. f) The Light pollution issue is of supreme importance for the bats that nightly forage across the Converter site. Also Woodcock and Snipe (local records show this). g) Critically endangered European Eels are a feature of the marsh – I have not had time within 10 days to review whether they are considered. h) Similarly with Newts, I have not had time within 10 days to review whether they are considered.	Reports containing information on location of badger setts need to be confidential to protect badgers and their setts from persecution, disturbance, and intentional harm. This is standard practice in all DCO and other applications. A detailed collision risk assessment has been undertaken, based on 12 months of vantage point surveys and taking account of the differing susceptibility of species to collision. Noise and lighting impacts on wildlife are discussed in detail in Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049]. Great crested newts are being addressed through the District Level Licensing scheme as agreed with Natural England. Points on the adequacy of the riparian mammals survey are addressed above. Impact on designated sites, protected habitats and species, including birds, bats, fish (including European Eel) and invertebrates have been robustly assessed and the finding presented within Application Document 6.2.3.2 (D) Part 3 Kent Chapter 2 Ecology and Biodiversity [REP1-049].

Reference	Matter	Points Raised	Applicant's Comments
		i) Anecdotally the area is home to the Fen Raft Spider – I have not had time to review whether they are considered. I would like to conclude by saying that the whole process seems designed to ensure that members of the public are not really given a voice in this DCO examination. I hope that you will take my comments into consideration and prove me wrong.	

3.7
Michael Mahony [REP1-226]

Table 3.7 Michael Mahony [REP1-226]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	I own a 45 acre field immediately to the west of the connection hub/substations site at Friston. The pylon lines from Sizewell to Bramford cross this field and National Grid has an easement in respect of the existing pylon lines.	The Applicant notes these comments.
N/A	N/A	Currently under the Scottish Power DCOs there are compulsory rights to modify the pylon lines.	
N/A	N/A	Over a year ago National Grid approached me concerning the different modifications they wished to carry out to the pylon lines given it had changed its design.	
N/A	Existing Rights under Deed	At no point did it indicate that it considered its existing rights under the “easement” were sufficient.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.16.4 [REP1-113] .
N/A	Biodiversity Net Gain	I appointed an agent and we had discussions with National Grid including whether part of my field, given its adjacency to the connection hub, could be developed to improve biodiversity. I indicated in meetings with National Grid that I was very receptive to such an approach. National Grid peremptorily ended those discussions.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.16.4 [REP1-113] .
N/A	N/A	More recently National Grid organised a meeting with my neighbours who also own property near the connection hub. I was not invited to that meeting by National Grid but my neighbours asked me to attend. At that meeting for the first time National Grid raised the possibility, but not the certainty, that its existing rights under the easement would be sufficient to carry out the modifications.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.16.3 .

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	I disputed this. Following this meeting there was no further contact from National Grid. When the land rights tracker was published it stated that National Grid would rely on its existing rights. I was surprised by this as neither I nor my agent had received any written notification that National Grid had changed its position.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.16.3.
N/A	SPR DCO	Accordingly I asked my agent to contact National Grid to find out what was going on. In its email reply National Grid's representative advised that it is now seeking a full description of the works required to this line (which will most likely be undertaken by NG on behalf of SPR, rather than on behalf of the Sea Link project) and it will then seek a further legal opinion in relation to the detailed description of the works.	SPR has in both its DCOs EA1N and EA2, sought and received consent to deliver the Kiln Lane substation including connecting it to the existing transmission network. This substation will be connected to the transmission network via modifications, and connection to the current overhead line. The Sea Link DCO application covers the scenario whereby the construction and connection of the substation to the network is not carried out under SPRs' DCOs as it is also needed for the purposes of the Sea Link connection.
N/A	N/A	If it is deemed that this agreement is not sufficient, we will look to upgrade the deed to reflect the most up to date drafting, land ownership and the proposed works.	The Applicant's legal review of the existing agreement on this land concluded that National Grid believe they have the rights in place to deliver the Sea Link project requirements under the existing deed.
N/A	N/A	In other words the statement in the land rights tracker is mere assertion not backed up by a formal legal opinion. This is unsatisfactory not least because such an opinion should have been sought before the application was submitted.	The applicant can provide assurance that a full review of the existing rights was undertaken ahead of submission of the DCO and there are ongoing checks which take place to ensure no breaches of the existing agreement will be undertaken as SPR and Sea Link progress.
N/A	Legal Advice	What is also unsatisfactory is that I will also need to instruct counsel to advise on the terms of the easement. All this will do is enrich the legal profession.	Comment noted. No response required.
N/A	Biodiversity Net Gain	I would prefer to have a constructive dialogue with National Grid concerning the use of my land to improve biodiversity given its proximity to the connection hub which is attracting multiple developments.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.16.4 [REP1-113].
N/A	N/A	Given the current position of National Grid I am not prepared to provide any additional rights over my land to National Grid. In respect of other matters I will rely on my relevant representations. I intend to participate in the compulsory acquisition hearings.	

3.8 Nicolas Jon Stuchfield [REP1-230]

Table 3.8 Nicolas Jon Stuchfield [REP1-230]

Reference	Matter	Points Raised	Applicant's Comments
1.2		We moved to our current “forever” home (our only home, I would add) many years ago on account of its unspoilt natural beauty, its freedom from pollution and peaceful tranquillity. We were aware even then of plans for Sizewell C (and D) on a site about 4 miles distant from our home.	The Applicant thanks Mr Stuchfield for their representation. The Applicant confirms Mr Stuchfield has an interest in land plot in Suffolk: 5/33 - Class 3. Compulsory Acquisition of Rights - Underground Cable System.
1.3	Construction Compound	The planned route of the Sea Link Cable grazes the bottom corner of our garden (making us an IP) but with the siting of two construction compounds the other side of our garden fence: one compound for landward trenching and the second for seaward tunnelling. The corner of our house is around 18m from the boundary fence with the workings beginning a further 10m away and the cable run at around 15m – a total distance from our house of between 30 and 35m.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .
1.4	Sizewell C	We have not objected to Sizewell C, largely on the basis that our nation needs continuously reliable energy from non-fossil fuel sources	Comment is noted.
		We have not even objected to the principle of cables coming ashore in our area of East Suffolk as we can understand the need for transmission infrastructure to adapt to the changing source of generation	Comment is noted.
		However, we do not feel that National Grid Electricity Transmission nor its proposals take adequate account of the disruption to our lives or the actual and potential stress and distress that the proposals create.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .
1.5	Noise Pollution	Noise pollution arising in a variety of ways: heavy equipment digging and re-filling trenches; the reversing warnings of manoeuvring vehicles; the continuous noise of tunnel-boring equipment (we have been informed that 4 tunnels will need to be bored, each taking 14 days, 24 hours per day); plus incidental noise pollution like operatives shouting at each other and radio music.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .
1.5.1	Light Pollution	Light pollution arising from the fact that the site will be lit as daylight, 24 hours per day throughout the duration of the work, together with vehicle hazard lights flashing.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .
1.5.2	Particle Pollution	Particle pollution: the soil type is fine sand and the levels of dust created so close to our home will inevitably lead to a constant need for cleaning in and around our home.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .

Reference	Matter	Points Raised	Applicant's Comments
1.5.3	Vibrations	Vibration: we can already hear the piling work taking place at Sizewell 4 miles away. Heavy earth moving and cable laying equipment will create vibrations that will not only be disturbing to experience but may well also lead to structural damage to our home, given its very close proximity to the construction site.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 [REP1-113] .
1.6	AONB	Other sensory distress caused by, for example the loss of view, wildlife diversity and the loss of our peaceful enjoyment of the AONB in which we live	The assessment of effects on landscape character and visual receptors is summarised within Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048] . This considers local residential receptors and explains the likely changes in views as a result of the Proposed Project. The assessment also considers the tranquillity of the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty.
1.7	Cumulative Impact	In addition, though not strictly a consequence of the project under consideration, residents of this part of East Suffolk already experience massive disruption from the following projects:	Comment is noted.
		a. The Sizewell C & D main build; b. The Road improvements to facilitate truck access to the site; c. The Rail improvements to facilitate rail-borne access to the site; d. Other cable projects in progress or prospect (e.g. EA 1 and EA2); e. The Prospective work on the Friston Sub-station; f. The Prospective work on the Saxmundham Converter station; g. Construction of Accommodation compounds for Sizewell project staff; h. Construction of Park and Ride schemes for Sizewell project staff; i. Construction of multiple solar farms within a 10-mile radius.	Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] provides an assessment of the cumulative effects of the Proposed Project alongside those that are already consented and based on available information for those proposed in the surrounding area. As part of its submission, the Applicant has produced a report on coordination which covers how it approached coordination with other projects with the aim to reducing the impact on the environment and local communities. Further details are set out in Application Document 7.10 Coordination Document [APP-363] .
1.8	Traffic	Whilst it is possible to recognise the national significance of this energy infrastructure work and the logic of siting many of these project in close proximity to each other, the human consequences are that we and other local residents feel under a state of siege, never knowing which roads are going to be closed from one day to the next, or where SALT traffic restrictions will be in place, or temporary closures for heavy vehicles being moved on the existing inadequate rural road infrastructure	The Applicant is committed to ongoing engagement with other projects to identify potential opportunities for coordination during project delivery and to minimise potential highway impacts, and the potential for significant cumulative effects as a result of the Proposed Project and other cumulative schemes. The Applicant remains in consultation with SCC Highways to ensure cumulative impacts are appropriately managed. In terms of traffic, a comprehensive cumulative assessment of forecast traffic impacts of the Proposed Project and other projects on the Suffolk highway network has been undertaken, as reported within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . This considered other major infrastructure projects such as Sizewell C, East Anglia ONE North Offshore Windfarm, East Anglia TWO Offshore Windfarm and LionLink, and the potential cumulative impacts on the surrounding highway network including with respect to Severance, Driver Delay and Road Safety. The assessment concluded that no significant cumulative effects were likely on traffic and transport receptors when the Proposed Project is considered alongside other developments.
		We are left with the prospect of staying at home being unbearable but leaving our home being a nightmarish labyrinth of traffic restrictions and jams. (We already have the latter!	The Applicant will look to coordinate with other developers in the region and SCC Highways in terms of planning and communicating about upcoming highways works throughout any pre-commencement and construction phase for the Proposed Project.

Reference	Matter	Points Raised	Applicant's Comments
1.9		We moved to our “forever” home many years ago. We have hope that when the project in view is completed (if we live long enough to see it) the natural environment around our home will recover (so long as another cable run is not resited to our location – as has been suggested by East Suffolk Council). However, we are enduring such extreme stress at the prospect of the disruption and our powerlessness to get satisfactory recognition of the impact on our lives that we are considering selling our house and leaving the area completely. However, such is the blight that we are encountering that we are far from sure that anyone would buy our house at any price. We therefore feel completely trapped and abused.	The Applicant notes these concerns and is committed to working with the landowner to apply accommodation works to mitigate disruption where possible. The Applicant’s Land Agent is in contact with this landowner and will compile a list of actions the Main Works Contractor will need to enact to help mitigate the effect of this project on the landowner. Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.19.3 (REP1-113).

3.9
 Nigel Bennett [REP1-231]

Table 3.9 Nigel Bennett [REP1-231]

Reference	Matter	Points Raised	Applicant's Comments
1. Alignment with National Policy Statements			
1	Alignment with National Policy Statements	NPS EN-1 (Energy Policy, 2023 Update) – paragraphs 2.3.3–2.3.5 emphasise that major energy infrastructure should be designed to enable future renewable integration and system flexibility. NPS EN-5 (Electricity Networks) – paragraph 2.2.5 requires that new transmission assets facilitate connection of low-carbon generation sources and avoid “design lock-in” that would prevent future connection opportunities. Including modular “spurs” or connection hubs along the Sea Link cable corridor would directly meet these policy obligations and ensure readiness for integration of tidal stream technologies.	As set out Application Document 7.1 Planning Statement [AS-057] the National Policy Statement (NPS) EN-1 there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, which includes the Proposed Project. NPS EN-1 further states (at paragraph 3.3.63) that “<i>Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible</i>”, and also recognises (at paragraph 1.2.8) that over the next decade the onshore and offshore transmission network will require substantial reinforcement in East Anglia to handle increased power flows from offshore wind generation. The Applicant does not accept that there is a policy requirement to incorporate spurs or connection hubs along the cable corridor. The Proposed Project responds to the needs of the network. The Applicant worked with North Falls and Five Estuaries windfarms as part of the Department for Energy Security and Net Zero’s (DEZNZ) Offshore Coordination Support Scheme (OCSS), during this exercise a review of connecting offshore generation to the Proposed Project was assessed.

Reference	Matter	Points Raised	Applicant's Comments
			The outcome of this review was that connecting any generation into the Proposed Project would impact the needs case of the Proposed Project and would require additional onshore or offshore network reinforcements. Please refer to Application Document 9.72.1 Applicant's Response to Issue Specific Hearing 1 (ISH1) Action Points [REP1-214] for a more detailed explanation of the Needs Case and the Offshore Coordination Support Scheme (OCSS).
2	Technical and Economic Justification	Tidal stream arrays are now entering commercial deployment, with significant operational experience at the European Marine Energy Centre (EMEC) in Orkney and the Morlais Tidal Demonstration Zone in Wales. These facilities provide proven technical standards for grid interface, subsea junctions and cable specifications suitable for marine conditions in UK waters. It is strongly recommended that National Grid Electricity Transmission (NGET) consult with these centres to define the most effective and future-compatible subsea connection solutions. Integrating this capability during initial construction would minimise cost, avoid environmental disturbance, and establish the Sea Link route as a ready-made hub for marine renewable connection.	See above comment
3	Contribution to National Objectives	The Net Zero Strategy (2021) and British Energy Security Strategy (2022) identify tidal stream power as a key growth technology capable of contributing up to 6 GW by 2050. The Sea Link project offers a critical opportunity to facilitate this transition by providing pre-engineered connection capacity, ensuring that tidal energy can scale efficiently and contribute to UK grid stability and regional economic growth.	See above comment
4	Requested Action	I respectfully request that the Examining Authority: 1. Seek confirmation from the Applicant (NGET) as to whether design provision for tidal stream energy connections has been incorporated; and 2. Recommend consultation with the European Marine Energy Centre (EMEC) and the Morlais Tidal Energy Project to identify suitable subsea connection standards and implementation options; and 3. Advise inclusion within the Development Consent Order (DCO) of provisions that preserve capacity for future tidal energy interconnection along the Sea Link corridor.	See above comment

3.10 Pippa Southorn [REP1-237]

Table 3.10 Pippa Southorn [REP1-237]

Reference	Matter	Points Raised	Applicant’s Comments
N/A	Flooding		
N/A	Groundwater Levels	Groundwater levels are consistently shallow, at 0.5–3.0 m below ground level (bgl) averaging 1 m bgl across the site within the Tidal Flat Deposits (TFD).	A groundwater risk assessment has been undertaken for the Proposed Project and is presented in Application Document 6.3.3.5.B Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-170] which concluded that that the risk to groundwater and groundwater receptors from potential dewatering was low. The assessment utilises groundwater level information from a preliminary site specific ground investigation (Application Document 6.3.3.5.C Appendix 3.5.C Ground Investigation Report [APP-171]). In accordance with commitment GH07 within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] , any temporary dewatering activities during the construction of the Proposed Project will be undertaken in accordance with Environment Agency guidance and if required, an abstraction licence and environmental permit would be obtained. Commitment GH09 also requires a Hydrogeological Risk Assessment to be undertaken to assess the specific risks to groundwater and groundwater receptors. Measures will be implemented to ensure dewatering activities do not have an effect on agricultural land or the SSSI. In Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments [APP-342]) measures (including W06, W10, W11 and W14) ensure that as an early activity in the construction schedule Sustainable Drainage Systems (SuDS) will be incorporated, appropriate to the existing ground conditions (with infiltration to ground preferred where conditions are suitable) and severance of existing land drainage routes, including agricultural field drainage systems, would be managed. Drainage infrastructure would provide the storage necessary to achieve discharges at greenfield rates and would not significantly alter groundwater recharge patterns by transferring recharge quantities from one catchment to another.
N/A		The site’s proximity to tidal rivers (River Stour 300 m southwest, Minster Stream 200 m west), its low elevation (1 m OD), and the TFD’s low permeability result in a high water table.	
N/A		This necessitates temporary dewatering for excavations, impacting agricultural land and the Sandwich Bay to Hacklinge Marshes SSSI through drawdown effects on the marsh ecosystem.	
N/A	Flood Risk and Poor Drainage	The site is in Flood Zone 2, with a surface water flooding risk of 0.3–1.0 m depth. The TFD’s low permeability and the site’s flat, low-lying topography prevent natural drainage, leading to ponding during heavy rainfall. Infiltration-based SuDS are unfeasible due to the impermeable strata, requiring non-infiltration drainage solutions	The site of the proposed Minster converter station is in Flood Zone 1 and is largely in the low risk of surface water flood zone according to the 2025 updates to the Environment Agency flood maps. Albeit it is noted that due to the combination of the topography and underlying geology, waterlogging is experienced. The surface water drainage strategy (summarised at a high level in Appendix C of Application Document 6.9 Flood Risk Assessment [APP-292] recognises that, paragraph C.1.12 stating that the strategy for the Kent Onshore Scheme relies on attenuated discharges to watercourses (rather than infiltration based solutions).
N/A	Soil		
N/A	Compressibility of Tidal Flat Deposits (Settlement Risk)	The site is underlain by 8–10 m of Tidal Flat Deposits, which exhibit high compressibility due to their high void ratio and susceptibility to consolidation under load. The TFD poses a risk of settlement,	In accordance with the embedded mitigation included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice

Reference	Matter	Points Raised	Applicant's Comments
		increased with the 2 m platform load, which could exceed allowable limits for critical infrastructure	[APP-341] , the Proposed Project design will incorporate suitable consideration of the ground conditions based on site specific ground investigation and assessment and therefore any risks from ground instability, chemical aggressivity of the ground etc would be considered within the engineering design.
N/A	Low Bearing Capacity and Soft Ground	The TFD has a thin desiccated crust (0.25–0.50 m bgl) and very low bearing capacity due to low shear strength. The soft ground risks “punch-through” failure under concentrated loads, especially when saturated.	
N/A		The Thanet Formation has an unconformable contact with the underlying Chalk, separated by the Bullhead Bed. This is consistent with the description from earthwise.bgs.ac.uk (OR/13/006 Geology), which marks the Thanet Formation’s base as the unconformable contact between the bouldery, cobbly gravelly sand of the bullhead bed and the chalk.	
N/A	Aggressive Ground Conditions (High Sulphate Content)	The TFD and underlying Thanet Formation (secondary A aquifer) exhibit high sulphate concentrations, creating aggressive ground conditions. Sulphate levels likely classify the site as DS-2 or DS-3 (per BRE Special Digest 1, 2005), with groundwater sampling confirming sulphate as the primary concern. This increases the risk of sulphate attack on concrete and corrosion of buried steel infrastructure	
N/A	Hazards		
N/A	Potential Made Ground and Mining-Related Hazards Near the Railway	While the site itself has minimal Made Ground, historical railway activity introduces risks. A historic mineral railway may have associated Made Ground (e.g., ash, ballast) or unmapped backfilled pits, which could contain weak, heterogeneous fill, buried debris, or voids from shallow mining or pit backfilling.	A preliminary contamination risk assessment has been undertaken for the Proposed Project and is included as Application Document 6.3.3.5.A ES Appendix 3.5.A Preliminary Contamination Risk Assessment [APP-169] which includes consideration of the railway line as a potential source of contamination. A preliminary ground investigation has also been undertaken to identify the ground conditions within the area of the Proposed Project. In addition, Commitment GH08 included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] requires the development of a protocol for dealing with unexpected contamination if encountered. In accordance with the embedded mitigation included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] , the Proposed Project design will incorporate suitable consideration of the ground conditions based on site specific ground investigation and assessment and therefore any risks from ground instability, would be considered within the engineering design.
N/A		The use of road salts for ice on 1.5km 10 metre wide permanent road across the marsh should be avoided to prevent contamination of water environment.	In Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments [APP-342]) measures (including W06, W10, W11 and W14) ensure that as an early activity in the construction schedule Sustainable Drainage Systems (SuDS) will be incorporated, appropriate to the existing ground conditions (with infiltration to ground preferred where conditions are suitable) and severance of existing land drainage routes, including agricultural field drainage systems, would be managed. Drainage infrastructure would provide the storage necessary to achieve discharges at greenfield rates and would not significantly alter groundwater

Reference	Matter	Points Raised	Applicant's Comments
			recharge patterns by transferring recharge quantities from one catchment to another. The SuDS will also provide for suitable treatment of surface water runoff, to ensure no detriment to the water quality of the local water environment (see measures W19 and W23 in Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments [APP-342]). The Applicant has prepared a Qualitative Groundwater Risk Assessment presented as Application Document 6.3.3.5.B Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-171], which includes discussion of the potential impacts and effects associated with potential dewatering. A key project assumption is that any discharges from dewatering would be subject to the relevant permit applications in accordance with the commitments included within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341]. The assessment provided in Application Document 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology [APP-065] concludes that temporary construction impacts from dewatering would be negligible which for groundwater and groundwater receptors (high sensitivity) would result in a negligible effect which would be not significant. Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] contains commitments that include measures to protect groundwater (quality) including GH02 (provision of Foundation Works Risk Assessment), GH08 (protocol for dealing with unexpected contamination) and GH09 (Hydrogeological Risk Assessment). Commitment GH09 requires that the nature and scope of any remediation or mitigation (based on the Hydrogeological Rik Assessment) is agreed with the Environment Agency or other stakeholders. Commitment GG15 describes that there will be no intentional discharge of site run off to ditches, watercourses, drains or sewers without appropriate treatment and agreement of the appropriate authority (except in the case of an emergency).
N/A	Unexploded Ordnance (UXO) Risk Near the Railway	The site's proximity to the Kent Coast railway line and historical context (5 km southwest of RAF Manston, a WWII target; (ref: Discovering Kent's Wartime Airfields That Never Were) indicate a high UXO risk. Railways were frequent bombing targets, and the area may contain unexploded bombs (UXBs, 50–250 kg, 3–10 m penetration depth in TFD). The risk is heightened near the railway and historic mineral railway.	The Applicant has undertaken UXO risk assessments for the site and is aware of the risk posed. Further survey and investigation works will be undertaken as part of the Proposed Project. The Applicant will be liaising with the emergency services to confirm emergency procedures in the event of finding any suspected UXOs during the works.
N/A	ENVIRONMENTAL		
N/A	Proximity Hacklinge Marshes SSSI and trenching through Pegwell Bay	The Sandwich Bay to Hacklinge Marshes SSSI is 10 metres from the converter site. The SSSI, functionally linked, is sensitive to sediment runoff, groundwater drawdown, and construction disturbance. The	A groundwater risk assessment has been undertaken for the Proposed Project and is presented in Application Document 6.3.3.5.B Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-170] which concluded that

Reference	Matter	Points Raised	Applicant's Comments
		cable route's path (2 km) passes through the UK's most environmentally designated bay	that the risk to groundwater and groundwater receptors from potential dewatering was considered to be low. The proposed converter station is located within an arable field rather than on marshland. Construction disturbance on wildlife has been assessed in Application Document 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity [AS-047] with mitigation measures outlined in Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) introduced to ensure this is not significant. These include: • Use of noise reduction techniques to reduce noise to an acceptable level over as much of the site as possible. • Programming the overhead line pylon base installation to avoid the core wintering period of October to February, thus considerably reducing the extent of disturbance and displacement of wintering birds south of the River Stour, on the basis that this area is of greatest importance for non-breeding birds. • Programming works that would increase noise levels at Sandwich Bay to Hacklinge Marshes SSSI (Weather Lees Hill) above 60dB to avoid the bird nesting season of March to June • Ensuring disturbing works commence in an area prior to the start of the Cetti warbler nesting season where possible. • A 20 m buffer will be implemented during construction around any Cetti's warbler nests that do establish within the construction area in each nesting season. A specific decision will then be undertaken in discussion with the ecological clerk of works over the construction activities that can take place in that area while the nest is active. • Undertaking updated water vole, otter and beaver surveys of watercourses to be crossed to enable burrows to be avoided where possible or riparian mammals to be excluded from the works area if necessary. • Ensuring that lighting controls are implemented during construction The use of best practicable methods to reduce noise is commitment B44 in Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments, while a commitment to a seasonal restriction, as identified above, is in commitments B48, B50 and B51 of the same document. Moreover, the planting proposed around the converter station will result in a long-term net increase in the amount of species-rich grassland, woodland and wetland habitat compared to the current situation. There is no reason to assume that wildlife populations would not recover from any residual disturbance that did arise following implementation of these measures.
N/A	AGRICULTURE		

Reference	Matter	Points Raised	Applicant's Comments
N/A	Attenuation ponds on arable land	Pond excavation disturbs the thin topsoil crust (0.25–0.50 m), increasing erosion on clay. Sedimentation in ponds can bury cover crops or contaminate fields if ponds overflow, reducing biodiversity and nutrient cycling. Provide details on how these will be reinstated, applying soil type.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.3 [REP1-113] .
N/A	Observed Impacts from Preliminary Surveys	Vehicles in wet conditions caused track collapses, flooding, and silt runoff into Minster Stream (image 1), with potential harm to aquatic life and contamination of unassessed reservoirs.	The Applicant has secured, through inclusion within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] , several commitments to the design and construction of haul roads in order to ensure their integrity, good drainage and control of pollution of the water environment associated with receipt of track drainage. These measures will contribute to avoiding collapses and managing flooding and pollution risks.
N/A	Min-till farming	Relies on undisturbed soil to build aggregates and root networks, which improve water infiltration and reduce compaction on clay soils. It benefits from reduced erosion (up to 90%), improved water retention by maintaining organic matter and pores, and reduced runoff.	The Applicant acknowledges these concerns and will engage with the landowner on this matter.
N/A	Stripping topsoil and compacting clay	Heavy machinery exacerbates clay's high shrink-swell capacity (up to 50 mm annually), leading to erosion and loss of soil structure. Construction compaction will reverse min-till benefits, making surrounding farmland more prone to waterlogging and reduced yields. As the topsoil is noticeably thin, a body of soil fine the proposition of clay soil stripping top soil and heaping will not be effective management.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.3 (REP1-113)
N/A		The construction's dewatering (to lower the 1 m bgl water table during piling/excavation) and 2 m site raise with drainage systems (e.g., French drains, attenuation ponds) will alter groundwater flow in the surrounding TFD clay, drying out or flooding adjacent fields. Clay's low permeability means dewatering drawdown could extend, reducing moisture across the marshes.	A groundwater risk assessment has been undertaken for the Proposed Project and is presented in Application Document 6.3.3.5.B Appendix 3.5.B Qualitative Groundwater Risk Assessment [APP-170] which concluded that that the risk to groundwater and groundwater receptors from potential dewatering was considered to be low. In accordance with commitment GH07 within Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341], any temporary dewatering activities during the construction of the Proposed Project will be undertaken in accordance with Environment Agency guidance and if required, an abstraction licence and environmental permit would be obtained. Commitment GH09 also requires a Hydrogeological Risk Assessment to be undertaken to assess the specific risks to groundwater and groundwater receptors where unexpected dewatering is required
N/A	Loss of Biodiversity and Soil Health	Min-till farming on clay enhances biodiversity by supporting earthworms, microbes, and invertebrates (over 1,000 species), which improve nutrient cycling and structure. Construction vibration (e.g., piling) and traffic (e.g., 19,800 lorries for aggregate) will compact soil up to 50 m away.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.3 [REP1-113] .
N/A		Improvements to soil structure also reduce the risk of runoff and pollution to surface waters with sediment, pesticides and nutrients (Holland, 2004). A study by Leake & Lane (2009) showed less nitrogen and phosphorous run off from reduced cultivations.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.4 [REP1-113] .

Reference	Matter	Points Raised	Applicant's Comments
N/A		Aquatic biodiversity tends to improve as crop cultivations decrease (Barton & Farmer 1997), as less soil and associated nutrients enters freshwater. Streams and rivers in agricultural catchments usually remain in good condition until 30-50% of the area is cultivated (Donahue et al., 2006). The greater availability of crop residues and weed seeds in min-till improves food supplies not only for birds, but insects and small mammals (Holland, 2004)	Noted. The Applicant is delivering enhancements to the landscape through extensive woodland, grassland and wetland creation. This will also improve habitat for birds, insects and small mammals. The Applicant is also enhancing 10ha of off-site arable land for farmland birds and wildlife.
N/A		Soil compaction at 150 mm depth caused primarily by heavy machinery increased soil BD (1.93 Mg m ⁻³) and led to up to 38% yield loss in wheat (Ishaq et al., 2001a). The effects of compaction can significantly reduce crops yield by 10 to 15% (Godwin et al., 2019). The reduction in yield of corn due to compaction was reported to be as much as 50% (Raghavan et al., 1979).	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.7 and 4.20.8 [REP1-113] .
N/A	Long-Term Soil Degradation and Recovery	Clay takes years to build resilience (e.g., 15 years for yield improvements, per studies) and is slow to recover from disturbance due to compaction. Construction could introduce contaminants (e.g., sulphates, from Made Ground near the railway, altered pH/stratification, or salt from the sea layer). Post-construction, farms may see reduced yields and increased weed pressure from disrupted microbiomes. Recovery could take 5–10 years.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.8 [REP1-113] .
N/A	Mitigation Possibilities and Limitations	Mitigation may reduce impacts, but permanent land loss and hydrological changes could irreversibly affect the marshes' sustainability, undermining benefits like carbon sequestration (up to 3,667 kg CO ₂ /ha/year) and erosion control (90% reduction).	The Applicant is delivering enhancements to the landscape through extensive woodland, grassland and wetland creation. The planting proposed around the converter station as detailed in Application Document 7.5.7.2 Outline Landscape and Ecological Management Plan – Kent [APP-349] will result in a long-term net increase in the amount of species-rich grassland, woodland and wetland habitat compared to the current situation, which will significantly benefit wildlife. This will also benefit carbon sequestration and erosion control.
N/A		Post-Nemo Link (2020 completion), slumping soil repairs took 5 years to agree, with ongoing issues unresolved.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.2 [REP1-113] .
N/A	Need for Comprehensive Agricultural Baseline	Desktop study presumed sufficient but inaccurate for site conditions, full on-site agricultural survey essential to establish pre-construction baseline for post-project reinstatement, ensuring clay soil is understood.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.7 and 4.20.8 [REP1-113] .
N/A		Subsoiling is often considered effective in removing soil compaction following construction traffic, but this operation sometimes causes a risk of re-compaction of soil (Ishaq et al., 2001a; Schwab et al., 2002; Busscher & Bauer, 2003; Sidhu & Duiker, 2006; Radford et al., 2007; Abu-Hamdeh, 2010; Botta et al., 2010).	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.8 [REP1-113] .

Reference	Matter	Points Raised	Applicant’s Comments
N/A	Omission of Environmental Schemes and Specific Construction Risks	Farm environmental schemes (Natural England Higher Level and Sustainable Farming Incentive) absent from planning maps, lacking risk assessments or mitigation.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.6 [REP1-113] .
N/A		Key concern: Temporary bridge over River Stour directs construction traffic through wetland recreation area, likely causing complete habitat loss, high risk to vehicle operators (image 2&3). Historic Monks wall adjacent to wetland, built as flood protection, in path of construction traffic.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.20.2 and 4.20.6 [REP1-113]. Potential impacts on the Abbots Walls (Historic Environment Record ID TR 26 SE 148), a feature thought to have been constructed by the monks during the medieval period as part of the reclamation and protection of the Wantsum Channel, were assessed as part of the Kent Cultural Heritage Chapter (APP-063). This assessment, which is detailed in Paragraphs 3.9.33-3.9.35, concluded that there was the potential for a negligible magnitude of impact which on an asset of medium value would result in a negligible effect. This is not considered significant in EIA terms. A mitigation strategy is currently being developed with stakeholders including Kent County Council and Historic England, with current mitigation measures outlined in an updated Overarching Written Scheme of Investigation (OWSI) (REP1-104). All mitigation will be agreed with stakeholders, and approved via a site specific WSI.
N/A	Farmland on the Isle of Thanet	The Isle of Thanet benefits from a mild maritime climate influenced by its near-total encirclement by the North Sea, resulting in higher annual sunlight hours (up to 1% more light than mainland averages, boosting photosynthesis by equivalent margins), warmer temperatures, and minimal frost risk—enabling year-round cropping without extensive protection. This equable environment, with low winter freezes and consistent mild conditions, supports some of the UK's premier crop production areas.	The Applicant thanks Ms Southorn for this information on the Isle of Thanet.
N/A		Upland in Thanet is predominantly classified as Grade 1 ("excellent quality") representing land with very minor limitations that supports the highest yields of a broad range of crops, such as cereals, horticultural produce, and top fruit. This high-grade status is reflected in Thanet District Council's climate assessments, which describe the area as predominantly BMV land unsuitable for large-scale conversion due to its agricultural value.	Application Document 6.2.3.6 (B) Part 3 Kent Chapter 6 Agriculture and Soils [PDA-023] . present the assessment of the likely significant agriculture and soils effects that could result from the Proposed Project, including impacts associated with temporary and permanent land take. It also sets out how policy generally seeks to minimise agriculture and soils effects from development and to avoid significant adverse effects. This applies particularly to the protection of best and most versatile (BMV) land, defined as comprising Grades 1, 2, and 3a agricultural land, and soil ecosystem services.
N/A		This scarcity underscores Thanet's role in specialised production, such as salad crops and vegetables, contributing significantly to UK output. (reliant on un-contaminated reservoirs)	In addition, an Outline Soil Management Plan- Kent has been produced [APP-355] to ensure the effective management, protection, and reinstatement of soil resources. The plan outlines the necessary measures to minimise soil degradation and promote sustainable land use in accordance with best practice and regulatory requirements.
N/A		Minster Marshes is classified as Grade 2 agricultural land under the UK's Agricultural Land Classification (ALC) system, which rates land from Grade 1 (excellent) to Grade 5 (very poor). Grade 2 is defined as "very good quality" land capable of supporting a wide range of crops. This classification aligns with its status as Best and Most Versatile (BMV) land, a category that is prioritized for protection under the	

Reference	Matter	Points Raised	Applicant's Comments
		National Planning Policy Framework (NPPF) due to its high productivity for food security.	
N/A		1. Silt run off from preliminary surveys. 	
N/A		2. Natural England Higher Level environmental scheme missing from planning maps, construction traffic route over River Stour into scheme. 	
N/A		3. Large areas of collapsed banks along the entire length of the River Stour from beaver activity, Environment Agency reference number 02397949. 	

Reference	Matter	Points Raised	Applicant’s Comments
N/A		4. Nemo Link, – caused soil slump and river flooding. Field removed from agriculture flooded from construction vehicle compaction. Temporary bridge in background caused soil slump still not fully repaired. 	

3.11 TJ Haworth-Culf [REP1-290]

Table 3.11 TJ Haworth-Culf [REP1-290]

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	Trying not to repeat everything that has already been said but we do want it on record that all at etc echo all of the representations that you have heard and that that you will hear – you have heard and will hear from the true experts, the local people that know and love their area.	The Applicant thanks Ms Haworth for their representation. The Applicant confirms Ms Haworth has an interest in plots in Suffolk: 5/3 - Class 3. Compulsory Acquisition of Rights – Underground Cable System 5/6 - Class 8. Temporary Use for Construction, Mitigation, Maintenance, and Dismantling of Redundant Infrastructure 5/5 - Class 3. Compulsory Acquisition of Rights - Underground Cable System
N/A	N/A	My family are impacted, and my family are frightened – it cannot be measured or put into the right words that convey our terror! No amount of protection designation that would normally be enough to protect our area when a normal planning application is submitted seems to matter or carry any weight – national landscape,higher level stewardship, SSSI, nature reserves and heritage protection,normal planning law has been thrown out of the window.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.25.6 [REP1-113] .
N/A	N/A	We are real people, with real lives, and are feeling the real impacts.	The Applicant acknowledges these concerns and will engage with the landowner on this matter.
N/A	N/A	There are other brownfield sites, there are other better solutions – you have heard from many people what can be done but we continue to hear the excuses. The power should be where the power is needed. London – why must we, the area for farming, food production and tourism be demolished in the name of net zero and unproven schemes?	In developing the Proposed Project, the Applicant assessed a variety of potential areas for new infrastructure, including brownfield sites. However, the brownfield sites within the areas of search were considered too small to accommodate the required infrastructure.

Reference	Matter	Points Raised	Applicant's Comments
			The evolution of the Proposed Project and the rationale underlying the selection of Saxmundham as the preferred location for its converter station is described in Corridor Preliminary Routeing and Substation Siting study [APP-368]. This process was the subject of extensive public consultations as set out in the Consultation Report [APP-301]. The reasoning behind the connection location for the Proposed Project has been addressed within Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] and Application Document 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project [APP-045]. The Applicant’s duties and obligations involve balancing the need to be economic and efficient, whilst also having regard to preserving amenity, which includes the natural environment, cultural heritage, landscape and visual quality. A significant number of studies and consultations were undertaken in the development of the project as detailed in the following documents: Application Document 7.2 Strategic Options Report Backcheck Report [APP-320]: Explains why the Proposed Project is needed and the strategic options considered. Application Document 7.3 Design Development Report [APP-321]: Explains how the design process was conducted and how the design evolved from the selection of the preferred strategic proposal to the Proposed Project as applied for. Application Document 8.1 Corridor Preliminary and Routeing and Siting Study (October 2022) [APP-368]: Explains how the routeing and siting of the Proposed Project was undertaken and the reasons for the selection of the emerging preferences, which were consulted upon during non-statutory consultation. Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369]: Explains how the preferred options were selected and how the design of the Proposed Project evolved from non-statutory consultation to the Proposed Project as consulted upon at statutory consultation. These documents set out the many factors considered in identifying site options and selection of a preferred option.
N/A	N/A	We have been through under the bus,we feel trodden on, we feel beaten to the core and all these things created in the name of	The Applicant acknowledges these concerns and will engage with the landowner on this matter.

Reference	Matter	Points Raised	Applicant's Comments
		climate and resilience are simply being destroyed -in -the -name - of -climate change – you couldn’t make it up!	
N/A	N/A	We had so called ‘surveys’ that if we questioned if or when they happened (16 x CCTV), we ‘politely’ put under pressure to be quiet. Heart breaking.	The Applicant acknowledges these concerns and will engage with the landowner on this matter.
N/A	N/A	We have turtle doves, we have newts, bitterns, owls, skylarks, swifts,and so much more.	The ecological interest of the Suffolk Coast has been a key feature informing the development of the project. Due to its ecological importance, there will be no open trenching or surface construction works within RSPB North Warren Nature Reserve, Sandlings Special Protection Area or Leiston-Aldeburgh SSSI. Instead, this section of route will be installed using trenchless methods. Moreover, a 60dB disturbance threshold for bird interest has been agreed with Natural England, noise reduction techniques have been incorporated into the project to minimise the area exposed to noise above these levels, and works that are forecast to result in noise exceeding this threshold within the SPA have been programmed to avoid the nightjar and woodlark nesting season. Detailed hydrogeological investigations have been undertaken to establish that the drill will not affect surface water levels in the RSPB reserve due to its depth, and the cables will be too deep to affect its future management. The assessment of effects is set out in Application Document 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity [APP-049] and Application Document 6.6 Habitats Regulations Assessment Report [APP-290] and the Applicant is cognisant of the concerns raised in these comments, with extensive surveys, including ground investigation works, informing decision-making. The Proposed Project incorporates measures to minimise the impacts of construction work. This is set out in Application Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [APP-341] and Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [APP-342]. Detailed plans which must be substantially in accordance with these outline management plans will be brought forward post consent as secured by Requirement 6 of Schedule 3 of Application Document 3.1 draft Development Consent Order [AS-087]
N/A	N/A	We have ancient lilac hedges and woodlands, we have marsh harriers, birds of prey and wildlife which has already been displaced from Sizewell C but mostly we wonder why we bothered to try and make a difference.	See above response.
N/A	N/A	*Property sales have fallen through or being put off, which puts extra financial burden onto people and the thought of our and their peace and quiet being disrupted can’t be put into words (evidence was sent to the land agent – who have also been treated appallingly)	The Applicant can confirm they are complying with the Compensation Code and will assess any claims made for losses associated with this Proposed Project in line with that code.
N/A	N/A	Conditions/mitigations must be set in stone and only allowed to increase in values, if minded approving this monstrosity of a project.	The Applicant can confirm they are complying with the Compensation Code and will assess any claims made for losses associated with this Proposed Project in line with that code.

Reference	Matter	Points Raised	Applicant's Comments
N/A	N/A	This must include and mean the use of complete HDD throughout Aldeburgh and way beyond – not just for the wildlife but for the 12 holiday accommodations and other holiday lets that were purchased and are rented because of the complete and utter nature, the privacy, the wildlife, the peace and tranquillity.	The ES has fully assessed the impact of the Proposed Project on the environment, along with socio-economic impacts, ensuring that measures are taken to minimise and reduce any adverse effects. The assessments have helped inform the evolving design to ensure that the Proposed Project has had regard for sensitive environmental receptors. Further details on the assessment and proposed mitigation are contained in the relevant technical chapters of the ES. The Applicant’s approach to route selection, outlined in the documents mentioned in the above sections, along with Application Document 6.2.1.3 Part 1 Introduction Chapter 3 Main Alternatives Considered [APP-044] is considered to be thorough and robustly justified. Careful attention has been paid in the design and construction programme/methods for the Proposed Project to the possibility of habitat severance. The commitment to a construction methodology is contained in Application Document 7.5.3.2 CEMP Appendix B Register of Environmental Actions and Commitments (REAC) [APP-342] which is secured through Requirement 6 of Schedule 3 of the draft DCO (Application Document 3.1) [APP-007]. Furthermore, following construction, the cable route will be fully reinstated subject to the powers in the DCO. As stated above, the sensitivity of the area is acknowledged and the routeing and siting of the Suffolk Onshore Scheme has taken into consideration designations, including the Suffolk Coast & Heaths AONB and Suffolk Heritage Coast. The effects arising from the Suffolk Onshore Scheme on the AONB (and Heritage Coast) are outlined within Application Document 6.2.2.1 Part 2 Suffolk Chapter 1 Landscape and Visual [APP-048]. Application Document 6.3.2.1.C ES Appendix 2.1.C Landscape Designation and Landscape Character Assessment [APP-145] sets out an assessment of landscape effects for construction, operation and maintenance on the Suffolk Coast and Heaths AONB, including potential effects from lighting and on tranquillity. This includes an assessment on Natural Beauty Indicators identified within the Suffolk Coast and Heaths AONB and Special Qualities Indicators published by Suffolk and Essex Coast and Heaths National Landscape Partnership . The Applicant’s duty is to balance the need to be economic and efficient, whilst also having regard to preserving amenity, which includes the natural environment, cultural heritage, landscape and visual quality. This duty underlies decision-making process at every stage of project progress. The Applicant recognises that the potential for future environmental changes associated with the Proposed Project during construction, operation and decommissioning are currently a source of concern for local tourism.

Reference	Matter	Points Raised	Applicant's Comments
			The Applicant has undertaken a comprehensive and robust EIA, through which no residual significant effects have been identified for socio-economics, recreation and tourism following the application of appropriate mitigation. Section 10.9 of Application Document 6.2.2.10 Part 2 Suffolk Chapter 10 Socio- economics, Recreation and Tourism [APP-057] assesses the potential effects of the Proposed Project on private and community assets, recreation and tourism. The assessment identified no significant effects on visitor attraction receptors. The Applicant recognises that there is potential for noise, air quality, visual and traffic effects arising from construction of the Suffolk Onshore Scheme to impact on the amenity of residents, businesses, development sites, and users of open spaces and community facilities within 500 m of the Order Limits. Amenity impacts on these receptors are assessed in Application Document 6.2.2.11 Part 2 Suffolk Chapter 11 Health and Wellbeing [APP-058]. No significant adverse effects are identified with regards to human health and wellbeing. In summary, there will be no significant effect on tourism assets arising from construction of the Suffolk Onshore Scheme and therefore no additional mitigation will be required.
N/A	N/A	If SPR can set that bar, then there is no excuse for other projects. The impacts of those who come here, to relax and enjoy the utter peaceful atmosphere and culture must not be interrupted or impeded on by noise, light or any other effects. The land might one day, years from now heal but the heartbreak will impact lives for ever.	Please refer to the previous response to this point as logged in Application Document 9.34.3 Applicant's Responses to Relevant Representations from Affected Landowners in paragraph 4.25.4 (REP1-113) .
N/A	N/A	The reputational damage of Nemo cannot ever be repeated. Please refer to https://theisleofthanetnews.com/2023/12/08/kent-wildlife-trust-urges-national-grid-to-rethink-sea-link-over-concerns-of-impact-on-nature/ .	The HDD exit point for the Proposed Project in the marine environment will be in the intertidal zone, at a location between 105 and 140 m seaward of the lower boundary of the saltmarsh, completely avoiding the salt marsh habitat (the HDD will be between 15 and 20 m below ground level and therefore 15-20 m below the saltmarsh) so that no habitat loss of saltmarsh, or disturbance, to this sensitive habitat shall occur. The HDD exit point in the intertidal is within the mudflats where a number of short-term and small in extent construction activities will occur, as described in Application Document 6.2.1.4 Part 1 Introduction. Chapter 4 Description of the Proposed Project [APP-045]. Further information on landfall construction activities within Pegwell Bay is also provided in Application Document 9.13 Pegwell Bay Construction Method Technical Note.
N/A	N/A	Local farmers impacted are already struggling, we are witnessing more and more vital farmland being lost forever and that voices are going unheard.	Application Document 6.2.2.6 (B) Part 2 Suffolk Chapter 6 Agriculture and Soils (PDA-019) present the assessment of the likely significant agriculture and soils effects that could result from the Proposed Project, including impacts associated with temporary and permanent land take. It also sets out how policy generally seeks to minimise agriculture and soils effects from development and to avoid significant adverse effects. This applies particularly to the protection of best and most versatile (BMV) land,

Reference	Matter	Points Raised	Applicant's Comments
			defined as comprising Grades 1, 2, and 3a agricultural land, and soil ecosystem services. In addition, an Outline Soil Management Plan has been produced [APP-356] to ensure the effective management, protection, and reinstatement of soil resources. The plan outlines the necessary measures to minimise soil degradation and promote sustainable land use in accordance with best practice and regulatory requirements.
N/A	N/A	The bluebells and ancient hedges, trees must be valued – pilgrims walk etc – they deserve your complete protection. Methods must be proven to work so that there are not threats to the coralline crag, the aquifers and pollution.	See above response on wildlife and the RSPB Reserve.
N/A	N/A	£900 is not acceptable as compensation – the ongoing stress is affecting our lives, our health, our sleep and it is hard to cope beyond words. The threats of compulsory purchase etc are so overwhelming, landowners are frightened to death to speak out. There is no compassion and no understanding.	The Applicant acknowledges these concerns and will engage with the landowner on this matter.
N/A	N/A	This energy project has taken a profound toll on our mental health. We are living with constant, debilitating anxiety that follows us from morning until night. The uncertainty and pressure have shattered our peace of minds, leaving us emotionally drained and overwhelmed. The debilitating worry, crippling stress, persistent dread along with the chronic worry is difficult to convey, the brave faces that we put on are evaporating and we spend sleepless nights wrestling with fear and intrusive thoughts, we are unable to find rest or find relief. Each day feels heavier than the last, and the psychological strain has begun to affect every part of our lives. What was once routine now feels impossible under the weight of this relentless stress to the 4 generations of family that live here and we fear that even going for a simple dog walk will be impossible, being cut off from the South and North via cables projects. Aldeburgh and the whole area must have a substantial pot of money to fund proper and long PR initiatives to promote and get people to come back to the area. Trip advisor is a powerful tool, and people are put off now from coming because of the traffic issues, the noise and because what they fell in love with doesn't exist anymore or won't exist ever again.	The Applicant notes these concerns and is committed to working with the landowner to apply accommodation works to mitigate disruption where possible. The Applicant's Land Agent is in contact with this landowner and will compile a list of actions the Main Works Contractor will need to enact in order to help mitigate the effect of the Proposed Project on the landowner.
N/A	N/A	Already the catastrophic effects from Sizewell C are being felt, the wind farms coming ashore across the countryside will only increase the rapid decline in our beautiful, tranquil and unspoilt area of the country.	Other energy projects referenced by the stakeholder are separate from the Proposed Project, being promoted by different developers and working to different timescales for delivery. The Applicant is committed to coordinating consenting and delivery with other projects where opportunities are available, including the co-location of

Reference	Matter	Points Raised	Applicant's Comments
			infrastructure where it can be demonstrated that this will support reductions in cumulative impacts. Cumulative effects have been carefully considered in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] . This document discusses combined effects with EA1N, EA2, Sizewell C, Lionlink and a range of other projects.
N/A	N/A	Proper compensation must be evaluated and given – how can a cost be put on the impacts that we have felt for years and will do for years to come. Even the thought of repeated JR’s for landowners are terrifying, that the stress will just be prolonged and because of them that this area will just get more dumped here.	The Applicant can confirm they are complying with the Compensation Code and will assess any claims made for losses associated with this project in line with that code.
N/A	N/A	Inspectors, please do not allow your decision, which should be to not approve this project, for many reasons, to be simply overruled or overturned by Government. Please be brave, we know you will be thorough and please out a stop to this awful project and any others that may follow when there are better alternatives.	The Applicant notes this comment.

3.12 William Notcutt Estates Limited [REP1-291]

Table 3.12 William Notcutt Estates Limited [REP1-291]

Reference	Matter	Points Raised	Applicant's Comments
N/A	Access Road	I have been constructively engaged by DM on behalf of NG in discussing the potential implications of the Access Road over our land, and whilst dialogue has been positive, it remains inconclusive.	The Applicant thanks William Notcutt Estates Ltd for their engagement to date and will endeavour to resolve the outstanding points of concern.
N/A	Property Management Agreement	Insufficient detail has been provided specifically about the Property Management Agreement that would relate to land to be leased by NG from us, as well as more generally terms not yet agreed for the purchase and lease.	Plot 1/11 in Suffolk is identified as Class 1- Compulsory Acquisition of land. The Applicant notes this concern in relation to Suffolk plot number 1/11 and will continue to engage with the landowner on this matter. For clarity the application seeks to acquire the freehold of the land in order to ensure it can deliver the required mitigation. A management agreement does not form part of the DCO application and is not a requirement of the application.
N/A	Objection	Accordingly i need to reserve my position to raise objections to the project, specifically the access arrangements, until such a time as agreement is reached.	The Applicant acknowledges the objection raised and will continue to liaise with the landowner to address and resolve any outstanding queries regarding access.

References

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