

The Planning Inspectorate  
Temple Quay House  
Bristol  
BS1 6PN

**Our ref:** XA/2025/100350/03-L01  
**Your ref:** EN020026  
**Date:** 18 December 2025

To whom it may concern

**ENVIRONMENT AGENCY RESPONSE TO DOCUMENTS SUBMITTED AT  
DEADLINE 1 PART 2.**

**SEA LINK, EAST ANGLIA AND KENT**

This response constitutes part 2 of the Environment Agency's Deadline 2 response, following on from our response letter XA/2025/100350/02-L01 (dated 09 December 2025). We apologize for the lateness of this response, and will endeavor to ensure it will not happen again in the future.

We are now able to provide our response to the following issues:

- EA033
- EA034
- EA035
- EA040
- EA041
- EA043
- EA044
- EA045
- EA046
- EA065
- EA069
- EA070
- EA089

Our response follows our review of the Deadline 1 submissions, specifically the Applicant's Late Deadline 1 Submission - 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA - Accepted at the discretion of the Examining Authority [\[REP1-111\]](#) and the other application documents that have been updated since submission.

We have responded to the outstanding issues raised within our Relevant Representation [[RR-1586](#)] (dated 23 June 2025, ref. XA/2025/100350/01-L01) in turn below.

A summary of our position is provided within [Appendix A](#) to this letter.

Yours faithfully

**Morgan Haringman**  
**Planning Specialist**

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### **EA033 Water Resources**

We are satisfied and consider this issue resolved.

We were concerned that the 7.5.3 Outline Onshore Construction Environment Management Plan [[APP-340](#)] did not include any planning provision for water supply.

We seek confidence that sustainable and practical water supply options have been evaluated by the project. Exact volumes are not necessarily required at this stage.

This region is classified as seriously water stressed. The Essex and Suffolk [Water Resources Management Plan](#) (WRMP) sets out that the company may not be able to supply all new non-domestic demands. In a reasonable worst-case scenario, further evaluation of the catchment abstraction licensing strategy would show that groundwater is closed to new abstraction. Furthermore, surface water abstraction is effectively restricted to the winter. The Applicant should be aware that this may mean that temporary storage could be needed to buffer times of unavailability, or licence trades may need to be sought.

The Applicant has confirmed that no surface water or groundwater abstraction is intended and we are satisfied that the option to tanker water has been evaluated proportionately. We are pleased to see this evaluation is included in traffic movements. However, it is at the Applicant's risk if this is not enough contingency planning, should the local authority deem the numbers of heavy goods vehicles on local roads to be unacceptable.

### **EA034 Water Resources**

We are satisfied and consider this issue resolved.

We were concerned that the impacts on watercourses omitted the abstraction of surface water and groundwater for dewatering, or consumptive uses of water.

The Applicant has stated that water for construction activities would be delivered on site via tankers, and abstraction from local watercourses or groundwater sources are not proposed.

### **EA035 Water Resources**

We are satisfied and consider this issue resolved.

We were concerned that not all groundwater receptors had been considered in assessments regarding the potential for groundwater abstraction.

Commitment GH09 of the Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [\[APP-341\]](#) states that a Hydrogeological Risk Assessment will be undertaken during detailed design stage. We are content that this will cover any risks posed by unexpected dewatering.

#### **EA040 Water Quality**

We do not consider this issue resolved.

We previously raised that in the unplanned event of a fire at a substation or converter station, fire suppressing agent/firewater may enter the site drainage system and subsequently the water environment.

When checking the submitted documents, only 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project (Clean) [\[REP1A-003\]](#) does not contain any references to firewater or isolation valves.

It should be secured in the relevant documentation that a shut off valve will be placed on the attenuation pond outfall, and will be automated (set in the off position when fire suppression systems are activated). We seek clarification from the Applicant that the automatic shutoff valves will also include a manual override, in case the automation fails. This important equipment must be monitored and maintained to prevent equipment failure. Therefore, we request that the automatic shutoff valves are committed to have a specific maintenance programme, with clearly defined frequency of checks. This will guarantee these remain operational at all times, ensuring that they perform in the event of a fire.

With regard to firewater disposal, for advice, our preference is the removal of any contained firewater offsite. If any contained water is proposed to be released, it may be subject to a water discharge activity permit and should be discussed further with the Environment Agency. Information is available at: [Discharges to surface water and groundwater: environmental permits - GOV.UK](#)

#### **EA041 Water Quality**

We do not consider this issue resolved.

We were concerned that the disposal of contaminated construction and concreting water, as-well as rainfall runoffs from the batching plant area, may introduce contaminants into the receiving water environment.

The Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked) - Accepted at the discretion of the Examining Authority [[REP1-103](#)] and the 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [[APP-341](#)] do not contain relevant mitigation measures for concrete washout water for using concrete during construction. There is only reference to “Avoid scabbling (roughening of concrete surfaces) if possible”. Concrete can be a risk to water quality, as it is a known source of hazardous substances, particularly during the curing phase.

To resolve this issue, we'd require specific commitments/measures within the outline CEMP including:

- A commitment to identify areas where concrete works are proposed, and specify whether any of these will be cast in-situ, or precast and delivered.
- A commitment that for in-situ concrete pours, there will be detailed provision for timing, weather conditions, and runoff control.
  - These construction works should be minimised during heavy precipitation events, and carried out during dry months where practicable.
- A commitment to detail containment measures for concrete washout (such as lined washout pits, bunded areas).

We believe that by providing the above commitments in the outline CEMP, the Applicant can ensure flexibility in the project's design. Simultaneously, this will provide us with confidence that impacts to the environment will be mitigated in due course.

#### **EA042 Water Quality**

We are satisfied and consider this issue resolved.

We were initially concerned for the potential use of herbicides to remove vegetation from the temporary culvert location near watercourses.

The Applicant has now added mitigation commitment W29 in Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked) - Accepted at the discretion of the Examining Authority [[REP1-103](#)], which resolves our concerns.

#### **EA043 Water Quality**

We do not consider this issue resolved.

We were concerned that dewatering of both rainfall runoffs and potentially elevated groundwater at the construction site.

We note that in Document 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [\[APP-341\]](#), GH07 already states that any temporary dewatering activities during construction will be undertaken in accordance with EA guidance, and if required, an Abstraction Licence and Environmental Permit (for the discharge). If discharge at the site is required, the Applicant should confirm that a water discharge activity permit will be sought within GH07. The wording should be amended to include this.

In 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [\[APP-341\]](#), it mentions in W02 that silt fences may be used for open cut watercourse crossings and installation of vehicle crossing points. This is not in relation to other construction activities and dewatering. We require this mitigation to be expanded to cover other activities. GG15 says that silt traps as a general project commitment, but specific consideration must be given to managing any discharges. Please also see EA045.

The draft DCO should be updated to include the Environment Agency as a named consultee for requirement 6, specifically (o) Construction Drainage Management Plan and (q) Operational Drainage Management Plan.

#### **EA044 Water Quality**

We are satisfied and consider this issue resolved.

We were initially concerned that material storage and dust suppression locations would be too close to waterbodies.

In Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked) - Accepted at the discretion of the Examining Authority [\[REP1-103\]](#), GH05 and GG14 have been updated to ensure these activities are at-least 10m away from a watercourse.

#### **EA045 Water Quality**

We do not consider this issue resolved.

We were concerned that the pumping (over pumping) process may allow silty water to enter the water course downstream.

In 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice [[APP-341](#)], it mentions in W02 that silt fences may be used for open cut watercourse crossings and installation of vehicle crossing points. This is not in relation to other construction activities and dewatering. We require this mitigation to be expanded to cover other activities. GG15 says that silt traps as a general project commitment, but specific consideration must be given to managing any discharges. Please also see EA043 for more details.

The draft DCO should be updated to include the Environment Agency as a named consultee for requirement 6, specifically (o) Construction Drainage Management Plan and (q) Operational Drainage Management Plan.

### **EA046 Water Quality**

We do not consider this issue resolved.

We were concerned that there would be potential impacts to water quality for the WFD watercourses Hundred River and River Fromus, especially during the construction and decommissioning phases. We requested regular water quality monitoring to be carried out both during and after the construction and decommissioning phases.

We welcome the addition of W26 in Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked) - Accepted at the discretion of the Examining Authority [[REP1-103](#)]. However, a commitment to monitoring, including taking water samples, should be included in all phases of the project – construction, operation and decommissioning.

Currently there is a lack of detail, and it should be made clear that site walkovers and visual monitoring alone are not a suitable method of monitoring. A monitoring plan should provide details of frequency, quantity, location and method of monitoring. These locations should include monitoring upstream and downstream of any proposed surface water outfalls and water crossings. Methods may include in-situ handheld devices or samples sent off to laboratories. Monitoring should start prior to construction, so that the water quality of any possibly affected areas are known, and a baseline is established.

To resolve this issue, we require the outline CEMP to commit to providing this further detail within the full CEMP. Regarding the decommissioning phase, the draft DCO should be updated to include the Environment Agency as a named consultee for requirement 13.

We note that there is no outline Operational Environment Management Plan (OEMP), nor a requirement for an OEMP to come forward. We require further discussions with the Applicant on how monitoring would be secured during operation.

### **EA065 Flood Risk**

We do not consider this issue resolved.

We were concerned that the sequential approach within Flood Zone 3 was not being clearly applied to avoid Flood Zone 3b.

It is still unclear what approach to the sequential test the Applicant is proposing. In line with PPG Paragraph: 079 Reference ID: 7-079-20220825, some developments may contain different elements of vulnerability, and the highest vulnerability category should be used, unless the development is considered in its component parts.

If the Applicant is proposing to split their proposal into component parts (e.g., 1 No. temporary drainage outfall and 1 No. permanent infiltration outfall pipe (buried) and outfall are water compatible), then they would need to provide clarity on what vulnerability is proposed for each component.

However, if the applicant is merely stating that these components are essential infrastructure that have water-compatible uses, these should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

We agree that the pylons works would be deemed “essential infrastructure” and so is appropriate for flood zone 3, as long as the exception test is passed. The pylons once constructed should not impede flow as they are to be “open” structures, so therefore should not increase flood risk elsewhere. Additionally, if the pylons are to be placed within the tidal floodplain only, then floodplain compensation won’t be required. However, if new pylons are to be constructed within the fluvial floodplain, then the Applicant should consider if and what flood compensation may be required. Please see EA069 and EA089 for more details on the River Stour floodplain.

### **EA069 Flood Risk**

We do not consider this issue resolved.



We have identified that the River Stour floodplain within the boundary of the scheme is fluvially-influenced in areas, as well as having areas of tidal/fluvial crossover, and solely tidal influence. Of particular concern is the right bank floodplain of the River Stour between grid references 630950, 162775 and 632100, 162300 and additionally at grid reference 632650, 159900 as these areas fall within the defended fluvial floodplain, and parts of these areas are within the functional floodplain.

We would not be requiring compensation for works in tidal areas or areas which have tidal/fluvial cross-over. However, floodplain compensation is required for any areas of development in fluvial areas, to manage the flood risk associated with the River Stour floodplain. This will ensure that the permanent and temporary elements of the scheme are not displacing fluvial flood storage.

Given the proposed temporary nature of the bridge (we assume 5-years given the length of the construction phase), associated temporary works, and the large size of the Stour floodplain, we will ensure compensation requirements are proportionate and reasonable.

Compensation for temporary works should be balanced against the commitment to fully reinstate the land to its pre-construction condition upon removal.

We note that Commitment W06 ([REP1-102](#)) states *“No construction materials should be stored within Flood Zone 3 and areas of high and medium risk of flooding from surface water, where this cannot be avoided, for example in the River Stour floodplain adequate mitigation measures will be applied.*

*For example, model outputs would inform the placement of soil during construction and soil stockpiles would be aligned in the direction of flow to avoid impeding flood flow routes.”*

We require a clear commitment to re-instate land to pre-construction levels within 5 years of commencing construction. Currently, the Applicant only commits to this for temporary haul roads.

We accept that it may not be possible to provide all the details of stockpiles at this stage. Further detail regarding the stockpiles would be needed for us to be fully satisfied from a flood risk perspective, but it is acknowledged that this will be dealt with via the Flood Risk Activity Permit (FRAP) process. At FRAP stage, we'd require the details relating to the location, length of time in place, quantity of material and method for storing the material.

Please note, this issue interlinks with EA089.

## **EA070 Flood Risk**

We do not consider this issue resolved.

We were concerned that details were omitted regarding temporary attenuation ponds and outfalls within floodplain. There were no details regarding their construction method, and the expected changes in ground level in order to construct these temporary features.

The Applicant has stated in Document Late Deadline 1 Submission - 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA - Accepted at the discretion of the Examining Authority [[REP1-111](#)] section 2.4.7 that attenuation ponds will be 0.5m below existing ground level, but no detail has been provided regarding the "bundling" element. Therefore, we cannot determine the level of risk. We would expect to see more detail of these features, and we want to see clarification regarding whether these temporary attenuation features are to be located within the floodplain.

Further detail regarding the attenuation ponds outfalls would be needed for us to be fully satisfied from a flood risk perspective, but it is acknowledged that this may be dealt with at FRAP stage.

To resolve this issue, we require clarity as to whether the temporary attenuation ponds will be located in the fluvial floodplain. If they are to be located in fluvial floodplain, then we'd require a commitment that floodplain storage compensation will be undertaken.

We accept that it may not be possible to provide all the details of stockpiles at this stage. Further detail regarding the stockpiles would be needed for us to be fully satisfied from a flood risk perspective, but it is acknowledged that this will be dealt with via the FRAP process. At FRAP stage, we'd require the details relating to the location, length of time in place, quantity of material and method for storing the material.

Regarding floodplain compensation for the River Stour, please see EA069.

## **EA089 Flood Risk**

We do not consider this issue resolved.

Previously there was an omission of details regarding mitigation for storage of materials within the River Stour floodplain.

We have identified that the River Stour floodplain within the boundary of the scheme is fluvially-influenced in areas, as well as having areas of tidal/fluvial crossover, and solely tidal influence. Of particular concern is the right bank floodplain of the River Stour between grid references 630950, 162775 and 632100, 162300 and additionally at grid reference 632650, 159900 as these areas fall within the defended fluvial floodplain, and parts of these areas are within the functional floodplain.

We would not be requiring compensation for works in tidal areas or areas which have tidal/fluvial cross-over. However, floodplain compensation is required for any areas of development in fluvial areas, to manage the flood risk associated with the River Stour floodplain. This will ensure that the permanent and temporary elements of the scheme are not displacing fluvial flood storage, and increasing flood risk elsewhere.

Given the proposed temporary nature of the bridge (we assume 5-years given the length of the construction phase), associated temporary works, and the large size of the Stour floodplain, we will ensure compensation requirements are proportionate and reasonable.

Compensation for temporary works should be balanced against the commitment to fully reinstate the land to its pre-construction condition upon removal.

We note that Commitment W06 ([REP1-102](#)) states *“No construction materials should be stored within Flood Zone 3 and areas of high and medium risk of flooding from surface water, where this cannot be avoided, for example in the River Stour floodplain adequate mitigation measures will be applied.*

*For example, model outputs would inform the placement of soil during construction and soil stockpiles would be aligned in the direction of flow to avoid impeding flood flow routes.”*

We require a clear commitment to re-instate land to pre-construction levels within 5 years of commencing construction. Currently, the Applicant only commits to this for temporary haul roads.

We accept that it may not be possible to provide all the details of stockpiles at this stage. Further detail regarding the stockpiles would be needed for us to be fully satisfied from a flood risk perspective, but it is acknowledged that this will be dealt with via the FRAP process. At FRAP stage, we'd require the details relating to the location, length of time in place, quantity of material and method for storing the material.

Please note, this issue interlinks with EA069.



## **APPENDIX A – Summary of EA Position**

| <b>Subject</b> | <b>Relevant Rep Reference</b> | <b>Deadline 1</b> |
|----------------|-------------------------------|-------------------|
| Biodiversity   | EA001                         | Not Resolved      |
| Biodiversity   | EA002                         | Not Resolved      |
| Biodiversity   | EA003                         | Issue Resolved    |
|                |                               | Issue Resolved    |
| Biodiversity   | EA004                         | Not Resolved      |
| Biodiversity   | EA005                         | Issue Resolved    |
| Biodiversity   | EA006                         | Issue Resolved    |
|                |                               | Issue Resolved    |
| Biodiversity   | EA007                         | Issue Resolved    |
| Biodiversity   | EA008                         | Issue Resolved    |
| Fisheries      | EA009                         | Not Resolved      |
| Fisheries      | EA010                         | Not Resolved      |
|                |                               | Not Resolved      |
| Fisheries      | EA011                         | Issue Resolved    |
|                |                               | Issue Resolved    |
| Fisheries      | EA012                         | Not Resolved      |
|                |                               | Not Resolved      |
| Fisheries      | EA013                         | Not Resolved      |
|                |                               | Not Resolved      |
|                |                               | Not Resolved      |
| Fisheries      | EA014                         | Issue Resolved    |
| Fisheries      | EA015                         | Issue Resolved    |
| Fisheries      | EA016                         | Issue Resolved    |
| Fisheries      | EA017                         | Issue Resolved    |
| Fisheries      | EA018                         | Issue Resolved    |
| Fisheries      | EA019                         | Not Resolved      |
| Fisheries      | EA020                         | Issue Resolved    |
| Fisheries      | EA021                         | Issue Resolved    |
| Fisheries      | EA022                         | Issue Resolved    |
|                |                               | Issue Resolved    |
| Fisheries      | EA023                         | Issue Resolved    |
| Fisheries      | EA024                         | Issue Resolved    |
| Geomorphology  | EA025                         | Issue Resolved    |
|                |                               | Issue Resolved    |
|                |                               | Issue Resolved    |
| Geomorphology  | EA026                         | Issue Resolved    |
| Geomorphology  | EA027                         | Issue Resolved    |
| Geomorphology  | EA028                         | Issue Resolved    |

|                 |       |                |
|-----------------|-------|----------------|
| Geomorphology   | EA029 | Issue Resolved |
| Geomorphology   | EA030 | Issue Resolved |
| Geomorphology   | EA031 | Issue Resolved |
| Geomorphology   | EA032 | Not Resolved   |
| Water Resources | EA033 | Not Resolved   |
|                 |       | Not Resolved   |
| Water Resources | EA034 | Not Resolved   |
|                 |       | Not Resolved   |
| Water Resources | EA035 | Not Resolved   |
| Marine          | EA036 | Issue Resolved |
|                 |       | Issue Resolved |
| Marine          | EA037 | Issue Resolved |
| Marine          | EA038 | Issue Resolved |
| Marine          | EA039 | Issue Resolved |
|                 |       | Issue Resolved |
| Water Quality   | EA040 | Not Resolved   |
|                 |       | Not Resolved   |
|                 |       | Not Resolved   |
| Water Quality   | EA041 | Not Resolved   |
|                 |       | Not Resolved   |
|                 |       | Not Resolved   |
| Water Quality   | EA042 | Issue Resolved |
| Water Quality   | EA043 | Not Resolved   |
| Water Quality   | EA044 | Not Resolved   |
|                 |       | Not Resolved   |
| Water Quality   | EA045 | Not Resolved   |
| Water Quality   | EA046 | Not Resolved   |
|                 |       | Not Resolved   |
|                 |       | Not Resolved   |
| Water Quality   | EA047 | Issue Resolved |
| Waste           | EA048 | Not Resolved   |
|                 |       | Not Resolved   |
|                 |       | Not Resolved   |
| Waste           | EA049 | Not Resolved   |
| GWCL            | EA050 | Issue Resolved |
|                 |       | Issue Resolved |
|                 |       | Issue Resolved |
| GWCL            | EA051 | Issue Resolved |
| GWCL            | EA052 | Issue Resolved |
|                 |       | Issue Resolved |
|                 |       | Issue Resolved |
| GWCL            | EA053 | Not Resolved   |
|                 |       | Not Resolved   |

|            |       |                |
|------------|-------|----------------|
| GWCL       | EA054 | Not Resolved   |
|            |       | Not Resolved   |
|            |       | Not Resolved   |
| GWCL       | EA055 | Issue Resolved |
| GWCL       | EA056 | Issue Resolved |
|            |       | Issue Resolved |
| GWCL       | EA057 | Issue Resolved |
|            |       | Issue Resolved |
| GWCL       | EA058 | Issue Resolved |
|            |       | Issue Resolved |
| GWCL       | EA059 | Issue Resolved |
| GWCL       | EA060 | Not Resolved   |
| GWCL       | EA061 | Issue Resolved |
| GWCL       | EA062 | Issue Resolved |
| GWCL       | EA063 | Issue Resolved |
| Flood Risk | EA064 | Not Resolved   |
|            |       | Not Resolved   |
|            |       | Not Resolved   |
| Flood Risk | EA065 | Not Resolved   |
| Flood Risk | EA066 | Not Resolved   |
| Flood Risk | EA067 | Issue Resolved |
| Flood Risk | EA068 | Not Resolved   |
| Flood Risk | EA069 | Not Resolved   |
| Flood Risk | EA070 | Not Resolved   |
|            |       | Not Resolved   |
| Flood Risk | EA071 | Issue Resolved |
| Flood Risk | EA072 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA073 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA074 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA075 | Not Resolved   |
| Flood Risk | EA076 | Not Resolved   |
| Flood Risk | EA077 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA078 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA079 | Not Resolved   |
|            |       | Not Resolved   |
| Flood Risk | EA080 | Issue Resolved |
|            |       | Issue Resolved |
| Flood Risk | EA081 | Not Resolved   |
| Flood Risk | EA082 | Issue Resolved |

|                 |       |                |
|-----------------|-------|----------------|
| Flood Risk      | EA083 | Not Resolved   |
| Flood Risk      | EA084 | Issue Resolved |
| Flood Risk      | EA085 | Issue Resolved |
| Flood Risk      | EA086 | Issue Resolved |
| Flood Risk      | EA087 | Issue Resolved |
| Flood Risk      | EA088 | Not Resolved   |
| Flood Risk      | EA089 | Not Resolved   |
| Flood Modelling | EA090 | Issue Resolved |
|                 |       | Issue Resolved |
| Flood Modelling | EA091 | Not Resolved   |
|                 |       | Not Resolved   |
| Flood Modelling | EA092 | Issue Resolved |
| Flood Modelling | EA093 | Issue Resolved |
| Flood Modelling | EA094 | Issue Resolved |
|                 |       | Issue Resolved |
| Flood Modelling | EA095 | Issue Resolved |
| Flood Modelling | EA096 | Issue Resolved |