

# Thanet District Council’s Response to the ExA’s First Written Questions at Deadline 3

## EN020026 – Sea Link Project

ExQ1	Question to:	Question:	
1. General and Cross-topic Questions (GEN)			Thanet District Council Response
1GEN1.	All Parties	<p><b>Artificial Intelligence</b></p> <p>The Planning Inspectorate has <a href="#">guidance</a> in relation to the use of artificial intelligence (AI). Have you used AI to create or alter any part of your documents, information or data? This does not include basic spell-check or grammar tools.</p> <p>If yes;</p> <ul style="list-style-type: none"><li>• detail what material you have submitted which has been created using AI;</li><li>• what systems or tools you used;</li><li>• what the source of the information the AI based its content on was; and</li><li>• what information or material the AI has been used to create or alter.</li></ul> <p>In addition, if you have used AI, you should do the following:</p> <ul style="list-style-type: none"><li>• clearly label where you have used AI in the body of the content that AI has created or altered, and clearly state that AI has been used in that content in any references to it elsewhere in your documentation</li><li>• tell us whether any images or video of people, property, objects or places have been created or altered using AI</li><li>• tell us whether any images or video using AI has changed, augmented, or removed parts of the original image or video, and identify which parts of the image or video has been changed (such as adding or removing buildings or infrastructure within an image)</li><li>• tell us the date that you used the AI</li><li>• declare your responsibility for the factual accuracy of the content</li><li>• declare your use of AI is responsible and lawful</li><li>• declare that you have appropriate permissions to disclose and share any personal information and that its use complies with data protection and copyright legislation</li></ul> <p>If you use AI for any future submissions into this examination, ensure it is accompanied by the information as requested above.</p>	<p>TDC has not used AI in order to create or alter any part of its documents, information or data.</p>

1GEN4.	Applicant	<p><b>Community benefit</b></p> <p>The ExA is aware of the document produced by the Government Department for Energy Security and Net Zero entitled “Community Funds for Transmission Infrastructure: Guidance”. This sets out the Government’s expectation for how communities that live near onshore electricity transmission infrastructure should benefit from the development of this infrastructure, with the use of community funds. This document also sets out the level of funding recommended, amongst more detail of the expected process.</p> <p>The Government through this document makes clear that it expects engagement with communities at an early stage. Explain any progress made by the applicant to engage with this process and current intention of how to progress with community fund/benefit in the future.</p>	Whilst the Applicant has engaged with TDC, limited information has been provided with regard to the Community Fund or benefits.
1GEN14	Applicant Local authorities	<p><b>Article 2 (Interpretation) “construction environmental management plan” (CEMP) and all other plans listed in Schedule 3 Requirement 6</b></p> <p>Explain whether it is the applicant’s intention to produce final detailed versions of plans to be certified by the Secretary of State, as described in article 2, or to produce outline plans to be certified by the Secretary of State with the final version being approved by the relevant planning authority as implied by the wording of Requirement 6 and Schedule 19?</p> <p>Explain who would be the relevant planning authorities for the approval of such documents and also for the discharge of Schedule 3 requirements in all locations and how this would work in practice with multiple host local authorities.</p> <p>Please note, PINS Advice Note on Drafting Development Consent Orders states that “For clarity, such requirements should generally be drafted to identify the relevant planning authority by name. This could be made clear in the definitions, for example when defining ‘the relevant planning authority’.”</p> <p>As there is an onshore CEMP and an offshore CEMP, article 2 should be updated to list both.</p>	TDC expects the final CEMP and other environmental management plans to be submitted to the relevant Local Planning Authorities for approval and these management plans must be in accordance with the outline environmental management plans rather than being ‘in general’ accordance. This approach was taken in the Five Estuaries Offshore Wind Farm Order 2025 granted on 17 December 2025.
1GEN26	Applicant Local authorities	<p><b>Article 9 Community Infrastructure Levy (CIL)</b></p> <p>Confirm whether CIL is chargeable within the relevant local authorities and therefore whether article 9 is necessary.</p>	TDC is not a CIL charging authority.
1GEN28	Applicant Local authorities	<p><b>Article 11(2), article 15(2) and (5)(b), article 17(1)(b), article 20(3) and (4), article 22(5), article 50(2) and article 55(1)</b></p> <p>Explain the reasons for the inclusion of the words “which consent shall not be unreasonably withheld or delayed” and define what is meant by this wording, particularly when article 11(3), article 15(9), article 17(2), article 20(9), article 22(8) and article 50(9) include a 35-day decision period.</p> <p>Provide justification for deemed consent in the absence of a decision. Local authorities to also provide comment.</p>	<p>TDC does not agree that deemed consent should be applied should TDC not determine the application to discharge a Requirement within the set period. It is expected that detailed information will be submitted that will require appropriate scrutiny and assessment from TDC often in consultation with others and the current wording disadvantages TDC in being able to undertake their statutory duty.</p> <p>A PPA may assist in providing TDC with the resources for expediting decisions on Requirements but this would require pre-application engagement from the Applicant prior to the submission of any application to discharge a Requirement.</p>

1GEN29	Applicant Local authorities	<p><b>Article 11, article 14, article 15 and article 17 consistency of wording</b></p> <p>Article 11(3) states “beginning with the date on which the application was received” and article 14(5), article 15(9) and article 17(2) state “beginning with the date on which the application was made”. Explain the inconsistency in wording and provide reasoning for why the 35 days should begin with the date on which the application was received or made.</p> <p>Local authorities to also provide comment.</p> <p>Update the explanatory memorandum and other core documents accordingly.</p>	<p>The wording for these articles should state ‘beginning with the day immediately following that on which the application is received’. The DCO should then define received as an application that has been submitted with the completed documentation and fee paid to make it a valid application.</p>
1GEN43	Applicant	<p><b>Article 51</b></p> <p>In light of the number of ancient and veteran trees present within the order limits that are to be retained in accordance with REAC <a href="#">[CR1-043]</a> commitment A05, should article 51 include specific provision excluding these trees or a requirement for approval from the local planning authority for such works? In responding, either provide suitable alternative DCO wording to address this point or explain why such wording is not necessary, to control or prevent works to the trees.</p>	<p>TDC requests that any works to veteran trees, ancient trees or trees protected by a Tree Preservation Order must require consent prior to any works to these trees.</p>
1GEN47	Applicant/ local authorities	<p><b>Requirement 3 converter station design</b></p> <p>The ExA notes that the requirement does not allow the relevant planning authority to approve the design of the converter station, but restricts it to confirming that the details are in general accordance with the Key Design Principles set out in the Converter Station Design Principles. The ExA notes that this allows considerably greater flexibility than similar DCO requirements such as the ones for the Scottish Power Renewables consents for substations at Friston and in effect stops short of giving the relevant planning authorities the ability to control and approve the layout, scale and design. Explain why this approach provides sufficient control and why a similar approach to that set out in requirement 12 of the made East Anglia ONE North DCO is not required.</p> <p>The ExA notes that requirement 3 does not stipulate that the development must be carried out in accordance with the details submitted to the relevant planning authority. Explain whether this is an oversight or whether additional wording is required.</p> <p>The ExA notes that there is no requirement in the dDCO in relation to the submission and approval of the layout, scale or design of the substations in Kent and Suffolk, the River Fromus Bridge or the new pylons. Is this the applicant’s intention or is it an oversight? If intentional provide justification for this approach, in the light of the identified likely significant effects of the infrastructure on landscape and visual receptors. If it is an oversight, additional requirements are necessary and the ExA would expect these to provide robust controls over the designs and the carrying out of the development in accordance with approved drawings.</p> <p>Provide an explanation as to why Design Principles - Suffolk <a href="#">[APP-366]</a> and Design Principles - Kent <a href="#">[APP-367]</a> are not included as documents to be certified in Schedule 19 pursuant to article 60 of the dDCO.</p>	<p>TDC requires Requirement 3 to be re-worded to enable the LPA to approve the design of the converter station rather than confirmation of general accordance with the design principles. The Five Estuaries Offshore Wind Farm Order 2025 granted on 17 December 2025 also provides LPAs with the ability to control and approve the layout, scale and design and other matters/elements such as fencing and hard surfacing materials. It also requires the Applicant to submit the details to an independent design review panel before submitting the details to the LPAs. Given the anticipated major adverse impacts on landscape and visual amenity, TDC requests that a similar process is followed for the Sea Link project.</p> <p>Furthermore, the details of the converter station should be in accordance with the Design Principles – Kent rather than in ‘general accordance’ as this provides another layer of flexibility in addition to the flexibility already embedded within the design principles themselves.</p> <p>TDC supports the need for additional wording requiring that the development must be carried out in accordance with the details submitted to the relevant planning authority and requests this wording or similar is added to the dDCO.</p> <p>TDC supports the ExA’s concern that the details/design of the new pylons and substation have been excluded from requiring approval from the relevant LPAs. TDC requests that either Requirement 3 is updated to include these elements or a new Requirement(s) is added to the dDCO to secure approval of these details.</p> <p>The Design Principles – Kent must be a certified document.</p>

		Local authorities to provide comments on these matters.	
1GEN49	Applicant	<p><b>Requirement 7 construction hours</b>  Requirement 7 allows for onshore construction work between 07:00 and 17:00 on Saturdays, Sundays and Bank Holidays as part of the core working hours (other than the more restrictive days/hours for Work No.1A and Work No. 1B). There has been concern raised through multiple representations from both Kent and Suffolk regarding the proposed weekend and bank holiday construction working hours proposed. Suffolk County Council (SCC) [RR-5209], for example, stated that: “The potential for construction activities to take place seven days a week and on Bank Holidays would provide host communities with no respite from the impacts of the development activities associated with the Sea Link proposals, including disruption to local roads and Public Rights of Way used for recreational activity at times when they are most frequently used. In turn, this is likely to affect local tourism”. This takes into account additional restrictions for onshore piling works and HGV deliveries, as set out in Requirement 7.</p> <p>The ExA is not currently satisfied that the extent of working hours and days as proposed is reasonable and is aware that, as an example, East Angla 1 DCO requirement 23 limits onshore construction work so that it must only take place between 07:00 hours and 19:00 hours Monday to Friday and 07:00 hours and 13:00 hours on Saturdays, with no activity on Sundays or Bank Holidays, subject to some defined exceptions and emergencies.</p> <p>If the working hours for this proposed development was limited to between 07:00 hours and 19:00 hours Monday to Friday, and 07:00 hours and 13:00 hours on Saturdays, other than some defined exceptions or emergencies, what would this mean for the construction programme length and delivery overall for the proposed development?</p>	TDC welcomes the ExAs support in reducing the extensive construction working hours for the reasons already made in various Representations as noted. TDC supports the revised construction hours proposed by the ExA.
1GEN52	Applicant	<p><b>Requirement 9 reinstatement schemes</b>  The ExA notes that requirement 9(2) disapplies the requirement to restore land to a condition suitable for its former use, to land above or within 10 metres of underground cables. This could have wide ranging implications for the likely significant effects, including for agricultural land and soils. Provide an explanation for the need for requirement 9(2). If it is necessary, provide an explanation of its implications for the assessment and mitigation of likely significant effects.</p>	TDC shares the ExAs concerns with regards to excluding land within 10m of the underground cable from being restored to a condition suitable to its previous use.
1GEN70	Local planning authorities Local highway authorities	<p><b>Alternatives to CA or temporary possession (TP)</b>  Are any of the Councils in their roles as the local planning authority and the highway authority aware of:</p> <ul style="list-style-type: none"> <li>any reasonable alternatives to the CA or the TP which is sought by the applicant?</li> <li>any areas of land or rights that the applicant is seeking the powers to acquire that you consider would not be needed?</li> </ul>	At this point in time, based on the Technical Note provided, TDC is unclear as to the method likely to be employed and the associated use. It is noted that the defined access routes, the locations and widths of which will be determined following a pre-construction intertidal habitat survey. As such, it is unclear the extent of use of the hoverport site and without this clarity TDC is unable to comment on any reasonable alternatives.

ExQ1	Question to:	Question:	
<b>2. Landscape and Visual</b>			<b>Thanet District Council Response</b>
1LVIA1.	Applicant Local authorities	<p><b>Landscape vision</b></p> <p>Local authorities: In view of the major adverse likely significant effects, do you consider that there is a clear vision for the landscape for the whole project? If not, make suggestions for how the landscape vision should be developed.</p> <p>Applicant: Provide an explanation of how the recommendations of the Design Review Panel have influenced the landscape vision?</p>	TDC are reviewing this question alongside the other Local Authorities to ensure an appropriate and consistent response is provided. It is anticipated that a full response will be provided at Deadline 4.
1LVIA4	Applicant	<p><b>Lighting</b></p> <p>The ExA notes the rural and unlit context of the substations and converter stations in Suffolk and Kent and that there is very limited detail in relation to operational lighting in the application documents. Provide additional detail in terms of the height and type of any lighting installations and light contour plans. Provide a night-time assessment of the effects of operational lighting on landscape character or visual amenity. This should include the cumulative effects with other significant light sources, such as Thanet Earth and Richborough Energy Park in Kent. If the applicant considers that an assessment is not required, provide a detailed explanation of your reasoning.</p> <p>Has consideration been given to allowing relevant planning authorities to approve details of operational lighting schemes? If not, why not? Local authorities may also like to comment.</p>	TDC shares the concerns raised by the ExA with regard to lighting which has not been adequately assessed in terms of landscape and visual impacts. Therefore, TDC requests that details of operation lighting must be submitted to the relevant LPAs for approval.

ExQ1	Question to:	Question:	
<b>3. Ecology</b>			<b>Thanet District Council Response</b>
1ECOL5.	Kent Wildlife Trust Natural England Local authorities	<p><b>Biodiversity net gain measures – Kent landfall</b></p> <p>Noting that National Grid Ventures is a separate legal entity to the applicant, can Kent Wildlife Trust (KWT) explain whether there are any measures that could be taken to reduce the residual impact of the National Grid Ventures Nemo Link works at the landfall site or to enhance this land.</p> <p>Local authorities to also provide comment.</p>	The key residual impacts from the Nemo Link result from the inability to undertake HDD and therefore open trenching of the cable was required and bund required through the Pegwell Country Park. Therefore, it is imperative that the cable can be installed through HDD.
1ECOL6.	Applicant Kent Wildlife Trust Natural England	<p><b>Former hoverport (Kent) – species surveys</b></p> <p>The applicant's responses to selected RR responses <a href="#">[REP2-022]</a> notes that terrestrial invertebrate surveys (such as for the fiery clearwing moth and Sussex Emerald) were not undertaken at the hoverport site due to lack of access agreement but the open tarmac and hardstanding areas through the site are sufficient for vehicles to access the intertidal area without vegetation clearance. No detailed botanical surveys or reptile surveys have been undertaken at the site,</p>	TDC would welcome consultation on the proposed access route through this very sensitive area. However, TDC remains concerned with the use of the Hoverport. The former hoverport closed to passengers in 1982 and following various other uses has been disused since 1995. It has since been reclaimed by nature and forms a key habitat within Pegwell Bay supporting a number of species including rare species of invertebrates.



	Thanet District Council	<p>presumably also due to access arrangements. The site has been identified as hosting invasive, non-native (INNS) plant species and being potential reptile habitat. Can the applicant:</p> <ul style="list-style-type: none"> <li>• Provide an annotated aerial photograph showing an indicative vegetation-free construction traffic route.</li> <li>• Explain whether any works would be required to reinforce the access route.</li> <li>• Confirm how, in the absence of surveys for reptiles, effects on reptiles can be ruled out and any special measures that might be required to avoid effects on reptiles from construction traffic.</li> <li>• Explain whether as a mitigation or enhancement measure, INNS could be managed at the site as part of the Sea Link proposals.</li> </ul> <p>Explain whether NE, KWT or Thanet District Council (TDC) would be consulted on the access route. These organisations may wish to comment on the need for consultation on a route.</p>	
1ECOL17	Applicant Local authorities	<p><b>Tree pruning</b></p> <p>Paragraph 1.2.11 of the Arboricultural Impact Assessment [<a href="#">APP-294</a>] states that clearance pruning would be required for the site access. Confirm how the deterioration of ancient and veteran trees would be avoided if substantial pruning is required? The local authorities may wish to comment on this matter.</p>	<p>TDC requests that further detail is provided as to the potential extent of pruning required to the Ancient Tree (T612K) and Veteran Tree (T614K) to install and maintain the permanent monitoring access which is close to both trees? with the canopy of T614K shown to completely overhang the permanent monitoring access.</p> <p>In addition, TDC notes that the Order Limits contain a group Tree Preservation Order (TH/TPO/10 (1984)) at the junction (K-RJ6) between Sandwich Road and Ebbsfleet Lane which forms part of the access route to K-BM01. Despite discussions with the Applicant in the SoCG, it remains unclear why part of this TPO has been included in the Order Limits when these trees have been committed to being retained within Application Document 2.12 Trees and Important Hedgerows to be Removed or Managed Plans [APP-036]. Currently trees T292K, T293K, T296K and T300K have been identified in the group TPO as being within the Order Limits.</p>


ExQ1	Question to:	Question:	
<b>4. Cultural Heritage</b>			<b>Thanet District Council Response</b>
1CH11.	Applicant Local Planning Authorities Historic England	<b>Stakeholder involvement in the converter station design</b> Within its deadline 1 submission, HE <a href="#">[REP1-199]</a> stated it has concern that dDCO <a href="#">[CR1-027]</a> Schedule 3 requirement 3 (Converter Station Design) as drafted makes no explicit provision for stakeholder engagement on the issue of the design beyond the County Council. Given the proximity of heritage assets to the proposed large- scale converter stations, such as Richborough Roman Fort, the ExA asks the applicant to consider amending the wording so that this requirement makes it is necessary for the local planning authorities to consult also with HE on the design details of the converter stations. HE and LPAs – Are there any comments on the inclusion of HE for consultation as part of this requirement?	TDC would welcome the opportunity to consult HE on the design of the converter station as well as the substation and new pylons. However, this would only be possible if TDC is given the full 56 days to discharge the Requirements and not 35 days.
<b>9. Air Quality</b>			<b>Thanet District Council Response</b>
1AQ6.	East Suffolk Council, Thanet District Council, Dover District Council	<b>REAC commitment AQ11</b> Are the councils satisfied with the applicant's proposal to use stage 4 non-road mobile machinery (NRMM) as a minimum and stage 5 'where possible'.	The air quality assessment is understood to have considered construction phase emissions using Stage IV NRMM emission standards and indicates that, given the very low background pollutant concentrations in the area, construction impacts are not significant. On this basis, a requirement for Stage IV as a minimum, with Stage V used where practicable, is considered proportionate.
1AQ8.	East Suffolk Council Natural England Thanet District Council, Dover District Council	<b>Outline air quality management plan (oAQMP)</b> Do the councils or NE have any comment on the proposed air quality monitoring equipment or the proposed air quality monitoring locations set out in the oAQMP <a href="#">[AS-129]</a> and <a href="#">[APP-347]</a> . It is noted that the applicant 'recommends' rather than 'proposes' use of zephyr monitors for dust monitoring. In Suffolk the monitoring location is noted to be south of the HDD compound which is likely to pick up effects on human receptors but not on the ecological designated sites to the north east (the prevailing wind direction).	<p>TDC has reviewed the applicant's oAQMP and supports the use of air quality monitoring during the construction phase of the development. TDC agree that baseline monitoring three months before commencement and use of real-time indicative monitoring (zephyr monitors) should be undertaken. TDC is pleased the applicant has included Great Oaks School as a monitoring location as requested, despite only having a very small &lt;1% proportion of HGVs using Jutes lane.</p> <p>TDC requests remote access to zephyr real time dust monitoring data as construction dust effects are typically short-term, localised and highly variable and are most appropriately managed through effective on-site mitigation and rapid response to dust-generating activities or adverse meteorological conditions. This will enable TDC to respond to any complaints quickly and check compliance with the oAQMP.</p> <p>Zephyr's are indicative monitors capable of: identifying elevated dust episodes and is consistent with IAQM guidance, which recognises that indicative sensors may be used to support construction dust management.</p>

ExQ1	Question to:	Question:	
10. Noise and Vibration			Thanet District Council Response
1NV8.	Dover District Council East Suffolk Council Thanet District Council	<b>S61 consents</b> Confirm whether the current wording in section 4.4 of the Construction Noise and Vibration Management Plans <a href="#">[AS-131]</a> and <a href="#">[AS-133]</a> gives sufficient certainty that the applicant's contractor would make use of the s61 process and whether any additional check or approval is required by the local authorities, including in relation to provision NV01 of the REAC <a href="#">[CR1-043]</a> .	Section 4.4 does not give TDC sufficient certainty that the contractor will use the Section 61 process and leaves a lot of discretion with the contractor to appraise significance and BPM. The contractor should ensure an assessment is undertaken by a suitably qualified acoustic consultant and submitted to TDC EHO to determine whether a s61 consent is required. Where any work is carried on outside core hours, a s61 application is required; core hours being proposed are: Monday – Friday: 7.00am–7.00pm; and Saturday, Sundays and Bank Holidays: 7.00am–5.00pm. All OOH works must be covered by an approved s61.
1NV9.	East Suffolk Council Thanet District Council Dover District Council	<b>Construction noise and vibration management plan (CNVMP)</b> Paragraph 1.3.8 of <a href="#">[AS-131]</a> and <a href="#">[AS-133]</a> states that “If rapid action is required to solve a noise or vibration problem and that action may contravene something written in the CNVMP, typically it is preferable to undertake the mitigating action at the earliest opportunity. The CNVMP can then be revised in reasonable time after the event.” Are the local authorities satisfied with this approach or is there a need for strict application of control measures?	Yes, TDC is satisfied with this approach, provided it is properly framed and controlled. A rigid, literal application of a CNVMP in all circumstances is neither realistic nor desirable where immediate mitigation is needed to prevent harm. In real-world construction, unexpected noise/vibration events do occur. Delaying mitigation because it technically conflicts with the CNVMP would be contrary to the purpose of the plan and could expose residents to avoidable harm.  However, TDC would request tightening wording so that TDC is notified of material deviations within 24hrs and that the deviations are temporary and proportionate and that repeated deviations trigger a formal CNVMP revision.
1NV11.	Dover District Council East Suffolk Council Thanet District Council	<b>Change of noise indices</b> The ExA's s89(3) letter dated 5 September 2025 <a href="#">[PD-008]</a> queried the applicant's use of LAeq10hour in the applicant's construction noise assessment. The applicant reverted the assessment metrics from LAeq10hour to LAeqT, providing updated noise and vibration chapters <a href="#">[AS-109]</a> and <a href="#">[AS-111]</a> . Do the local authorities have any comments on the applicant's amended assessment?	Table 9.8 reflects BS5228 guidance in relation to 'T'. TDC supports the use of these reference periods
1NV17.	Thanet District Council	<b>Noise complaints</b> Confirm whether any noise complaints were handled by TDC during previous cable installation works in Pegwell Bay. If complaints were received, provide a summary of the complaints and any remedial measures that were employed.	No complaints in relation to noise or nuisance were received



ExQ1	Question to:	Question:	
<b>11.Socio-economics, recreation and tourism</b>			<b>Thanet District Council Response</b>
1SERT2	Applicant All County and District Councils	<p><b>Construction worker spending</b></p> <p>What would be the difference between the spending locally of construction workers, staying locally in accommodation like hotels for example, compared to tourists staying the same areas?</p>	<p>The Thanet Visitor Survey 2025 confirmed that visitors spend an average of £34.08 for a day visit and average of 96.66 per day for staying visits with an average length of stay being 3.8 days and a total trip spend of £367.31. Construction workers are less likely to spend £96.66 per day as money will be spent on subsistence compared to tourists who are likely to be more willing to spend money on attractions and more expensive and luxury items during their stay.</p>
1SERT7	Applicant County and District Councils	<p><b>Employment and skills plan</b></p> <p><b>Applicant</b> - It is acknowledged that the ES for Suffolk <a href="#">[REP1A-005]</a> and Kent <a href="#">[REP1A-007]</a> has concluded that there would not be any likely significant adverse effects in relation to construction employment. However, NPS EN-1 at paragraph 5.13.12 states that the:</p> <p>“Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.”</p> <p>Considering the wording of this paragraph of the NPS, explain why the applicant considers that a Skills and Employment Plan is not necessary, especially given the scale of the proposal.</p> <p><b>Councils</b> – Provide your views on the need for an employment and skills plan, and if it could be of practical benefit over and above commitments currently made by the applicant.</p>	<p>TDC would welcome the provision of an Employment and Skills Plan particularly as the local direct benefits to Thanet District are currently limited whilst the local community has the burden of accommodating this significant infrastructure. An Employment and Skills Plan is particularly important in Thanet which is one of the most deprived areas in England with regard to access to employment according to the Indices of Deprivation.</p>

ExQ1	Question to:	Question:	
14.Cumulative effects (intra-project)			Thanet District Council Response
1CEIntra2	Suffolk County Council, Kent County Council, East Suffolk Council, Thanet District Council	<p><b>Significant intra-project cumulative impacts and mitigation (ISH1)</b></p> <p>Can the councils comment on the applicant's response to AP8 regarding identification of significant effects <a href="#">[REP1-124]</a> and AP9 with respect to the applicant's approach to mitigation of identified cumulative intra-project significant effects <a href="#">[REP1A-037]</a>?</p>	<p>AP8:</p> <p>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires at Regulation 5 (2) that 'The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development...'. Therefore, the assessment of significant effects must be undertaken in an appropriate manner in which effects are considered to be negligible, minor, moderate or major adverse or beneficial and those which are moderate or major adverse or beneficial effects are then significant. Given the other topics in the ES have been assessed using a similar method to establish significant effects it is expected that this would be carried through to the cumulative assessment to assist with identifying the significant cumulative effects.</p> <p>The guidance on Cumulative Effects Assessments states 'In preparing the assessment, applicants should remember that a main purpose of the Environmental Statement is to enable the examination necessary to inform decisions on the NSIP application.' Therefore, assigning appropriate levels of impacts will aid the ExA and others in assessing the effects and application. The alternative is to consider that all significant adverse cumulative effects result in a major adverse effect.</p> <p>AP9:</p> <p>TDC is concerned that the Applicant is unable or unwilling to reduce significant cumulative effects where it requires further detail and/or mitigation for a specific effect that whilst not significant individually would be significant when considered cumulatively. Therefore, it is not known at the application stage as to whether a significant cumulative effect could be appropriately mitigated. It is welcomed that the residual effect remains the same to ensure a worst-case scenario but where there is an opportunity to reduce an effect the Applicant should investigate this further or at least provide a commitment to reduce the effect.</p>

ExQ1	Question to:	Question:	
<b>15. Physical environment</b>			<b>Thanet District Council Response</b>
1PE2.	Kent Wildlife Trust Natural England Local authorities	<p><b>Pegwell Bay – previous cable installation works</b></p> <p>Confirm whether any residual adverse effects from previous cable installation works within the intertidal area have been identified at Pegwell Bay (exclude reference to the saltmarsh and lagoon, which RRs have previously highlighted). <a href="#">[REP1A-011]</a> ES Part 4, Chapter 11 Inter-Project Cumulative Effects and the need for further mitigation.</p>	<p>In addition to those matters previously raised in the relevant representations submitted to the ExA, the TDC Coastal team have identified residual adverse effects observed following the cable installation of the Thanet Offshore Windfarm (2009/2010). The excavation and subsequent fill of mixed excavated material (as a different muddy/soiled un-compacted surface) resulted in ground instability and different vegetation establishing. An area of land on the mudflats/saltmarsh was fenced off for public safety, with the landward fencing still present (land east of the Petrol station on Sandwich road, to the north of the proposed cable route for the project):</p>  <p>In regard to the residual impact on the physical environment or ecology, the Council does not hold any data or further information about the effects of the cabled installation work.</p>
<b>22. Shipping and Navigation</b>			<b>Thanet District Council Response</b>
1SN19.	Applicant Port of Ramsgate	<p><b>Navigational Risk Assessment</b></p> <p>Port of Ramsgate to provide comments on the NRA <a href="#">[REP1-064]</a> including in relation to potential future impacts on commercial ferries.</p> <p>Applicant to engage with the MCA in relation to their suggested additional risk mitigation measures <a href="#">[REP1-162]</a> in relation to ensuring that the risk to shipping and safe navigation is As Low As Reasonably Practicable (ALARP).</p>	<p>The Port of Ramsgate has been liaising with the Applicant on the Project. It is considered that the Project is unlikely to reduce the UKC (Under Keel Clearance) significantly so will not impede any vessels approaching the port as per our open port duty.</p>
<b>23. Shipping and Navigation</b>			<b>Thanet District Council Response</b>

1CC1.	Applicant, Suffolk County Council, Kent County Council, East Suffolk Council, Thanet District Council	<p><b>R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council judgment</b></p> <p><b>Applicant</b> - The Climate Change assessment [<a href="#">APP-085</a>] states that it is not possible to calculate the likely upstream and downstream direct or indirect effects and any resultant increases or decreases in greenhouse gases. Can the applicant justify their position and provide specific examples of other NSIP which have taken this approach?</p> <p><b>Councils</b> – Do you agree with the applicant’s position and approach? If not, why not?</p>	TDC agree with the Applicant’s position and confirm that due consideration has appropriately been given in respect to the implication of the Finch judgement.
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