



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

Sea Link Energy Cable

Appendix F3 to the Natural England Deadline 3 Submission

Natural England's comments on Marine Mammals

For:

The construction and operation of Sea Link Energy Cable

Planning Inspectorate Reference EN020026

9th January 2026

Appendix F3 – Natural England’s Advice on documentation related to Marine Mammals

In formulating these comments, the following documents have been considered in relation to the impacts of the Sea Link Energy Cable on marine mammals:

- [AS-007] 6.6 (B) Habitats Regulations Assessment Report. **This document has been superseded by REP1-071**
- [AS-025] 6.2.4.4 (B) Part 4 Marine Chapter 4 Marine Mammals (Tracked Change) - Applicants response to Section 51 Advice issued on 23 April 2025 - Accepted at the discretion of the Examining Authority. **This document has been superseded by AS-050**
- [AS-050] 6.2.4.4 (C) Part 4 Marine Chapter 4 Marine Mammals (Tracked). **This document has been superseded by AS-096**
- [AS-054] 6.4.4.4 (B) ES Figures Marine Mammals (Tracked). **This document has been superseded by REP1-012**
- [AS-096] Additional Submission accepted at the discretion of the Examining Authority – Applicant’s response to the ExA’s s89(3) letter 8 July 2025 & 5 August 2025 – 6.2.4.4 (D) Part 4 Marine Chapter 4 Marine Mammals (Tracked Changes). **This document has been superseded by REP1-056**
- [REP1-004] 6.3.4.4.A (B) ES Appendix 4.4.A Pegwell Bay Seal Survey Report (Tracked)
- [REP1-012] 6.4.4.4 (C) ES Figures Marine Mammals (Tracked)
- [REP1-014] 6.4.4.4.A (B) ES Figures Marine Pegwell Bay Seal Survey Report (Tracked)
- [REP1-016] 6.4.4.11 (B) ES Figures Marine Inter-Project Cumulative Effects (Tracked)
- [REP1-018] 6.4.4.11.A (B) ES Figures Marine Description of Other Projects (Tracked)
- [REP1-026] 7.5.11 (B) Outline Marine Mammal Mitigation Plan (Tracked)
- [REP1-072] 6.6 (C) Habitats Regulations Assessment Report (Tracked Changes). **This document has been superseded by REP2-010**
- [REP1-122] 9.49 Seals and Airborne Sound Disturbance Technical Note (Clean)

1. Introduction

Natural England advises that the majority of the issues raised in our Relevant Representations in relation to Marine Mammals remain unresolved/unchanged pending review of documents submitted at Deadline 2. Our comments in relation to the above reviewed documents can be found below.

2. Detailed Comments

Document reviewed: 7.5.11 Outline Marine Mammal Mitigation Plan (MMMP) [REP1-026]			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	General	<p>The purpose of the MMMP is to serve as a concise, user-friendly protocol outlining the specific mitigation measures that must be implemented in the field for activities that may impact marine mammals. To maintain clarity and focus, sections on legislation, project details unrelated to the MMMP, and general marine mammal descriptions should not be included in this document, as they are more appropriately placed in the Marine Mammal EIA chapter or other supporting materials. Instead, the MMMP should concentrate on clearly presenting mitigation measures, operational procedures, observer responsibilities, and reporting requirements. The MMMP represents the practical outcome of the assessments conducted during the EIA process.</p>	Restructure the MMMP so it is more concise and user-friendly.
2	1.8.3	It is not clear what mitigation measures should be implemented by the Environment Advisor/ Manager.	More clarity needed.
4	1.9.4	We note that Offshore Passive Acoustic Monitoring (PAM) will be used in the hours of darkness or reducing visibility and aimed to detect only harbour porpoise vocalisation. This is not sufficient as other marine mammals (seals and other cetaceans) may be present in the area.	Further information is required regarding how the mitigation zone will be monitored effectively during the hours of darkness or limited visibility.
5	1.10.3.	The default mitigation zone for the unexploded ordnance (UXO) clearance is 1km (or the predicted Permanent Threshold Shift (PTS) range, whichever is	This comment is just to note at the moment and should be considered for the UXO specific MMMP.

		<p>greater) thus the Applicant cannot increase the mitigation zone from 500m to 1km and consider that as additional mitigation. Also, the default clearance method should be low order deflagration. Any residual effects can then be addressed with additional mitigation.</p>	<p>Please ensure the updated UXO Joint Position Statement and guidance from Jan 2025 is taken into account, to inform the UXO MMMP:</p> <p><u>Marine environment: unexploded ordnance clearance Joint Position Statement - GOV.UK</u></p>
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