THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Sea Link Energy Cable

Appendix J3A to the Natural England Deadline 3A Submission

Natural England's Comments on Kent Landfall

For:

The construction and operation of Sea Link Energy Cable

Planning Inspectorate Reference EN020026

19th January 2026

Appendix J3 – Natural England's Advice on documentation related to Kent Landfall

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

Sea Link Pre-Deadline 1 Submission Documents

- [AS-007] 6.6 (B) Habitats Regulations Assessment Report.
- [AS-138] Additional Submission accepted at the discretion of the Examining Authority - Applicant's response to the ExA's s89(3) letter of 5 September 2025 - 9.19 Sea Link DCO notification of change to DCO application

Sea Link Deadline 1 Submission Documents

- [REP1-068] 6.4.4.2 (B) ES Figures Marine Benthic Ecology (Tracked)
- [REP1-072] 6.6 (C) Habitats Regulations Assessment Report (Tracked Changes).
- [REP1-103] 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked Changes).

Sea Link Deadline 1a Submission Documents

- [CR1-009] 2.5.3 Works Plans - Offshore (Version 2, change request)
- [CR1-014] 2.8.3 Statutory and Non Statutory Sites of Nature Conservation Geological and Landscape Importance - Offshore (Version 2, change request)
- [CR1-053] 9.76.3 (A) Change Request Consultation Report
- [CR1-055] 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement

Sea Link Deadline 2 Submission Documents

- [REP2-010] 6.6 (D) Habitats Regulations Assessment Report (Tracked)
- [REP2-012] 9.13 (B) Pegwell Bay Construction Method Technical Note (Tracked)

Sea Link Deadline 3 Submission Documents

- [REP3-029] 6.6 (E) Habitats Regulations Assessment Report (Tracked)

1. Introduction

Please see below the comments from Natural England regarding intertidal and benthic ecology relating to the Kent Landfall.

Natural England advises that this response should be read alongside Appendix D3 Marine Process to our Deadline 3 submission and Appendix E3a Benthic Ecological to our Deadline 3a response.

2. Detailed comments

Table 2: Natural England's Advice On: Kent Landfall - intertidal and benthic ecology relating to the Kent landfall

Document reviewed: AS-007 6.6 (B) Habitats Regulations Assessment Report.			
NE Ref	**Section**	**Key Concern and/or Update**	**Natural England's Advice to Resolve Issue**
1	N/A	Natural England notes that there is no link to a Horizontal Directional Drill (HDD) Management plan or a landfall management plan to assess impacts from a yet undefined number of vehicles moving across the intertidal mudflats which is supporting habitat for SPA birds and is likely to succession into saltmarsh habitat.	Natural England advises that in order to fully consider the potential impacts from cable installation and/or repair replacement of cables on intertidal habitats and protected species which rely on this habitat, vehicles transiting the intertidal should be considered in full.
2	3.7.1	Natural England notes that within Thanet Coast SAC there is continuous chalk, which is likely to be sub-cropping, and is likely to be damaged and/or lost during cable installation and operation activities.	Natural England advises that further assessment of not only impacts to this irreplaceable habitat, but also impacts which may arise from measures used to ensure that the cable remains buried
3	4.3.4	Natural England notes that assurances are made by the Applicant that a distance of 105-140m between the exit pits and the saltmarsh is sufficient to avoid damage. However, we also note that the working area is only 50m away from the saltmarsh. There is also no consideration of: • the coastal process impacts from having cofferdams in situ for 120 days. • saltmarsh accretion and the implications for operational activities should exit pits no longer be located outside saltmarsh habitats	Natural England advises that further consideration is required in relation to potential impacts from changes in coastal processes from the presence of infrastructure during installation and possibility of changes in extent of interest features over time.

4	4.3.41	Natural England notes that it is stated that there will be no cable protection, but within other documents cable protection both temporary and permanent is proposed at the exit pit locations	Natural England advises that the HRA is updated to reflect the contents of the name plans.
5	4.4.2	Natural England notes that there is no consideration in the HRA of disturbance impacts to the SPA from vehicle movement within the intertidal on which the SPA features rely.	Natural England advises that further consideration of disturbance impacts on SPA birds from vehicle movement within the intertidal area is required.
6	5.3.8	Natural England highlights that whilst NEMO has completed construction there are residual impacts that are greater than predicted which provide context on site condition to inform assessments	Natural England advises that ongoing impacts which continue to affect site condition need to be considered to provide context for determining the significance of further impacts on features.
7	7.3.10	Natural England advises that until further consideration of potential changes to coastal processes are considered from the placement of infrastructure, Natural England advises that we are currently unable to support the conclusions on smothering of intertidal habitats.	Natural England advises that further consider of potential changes in coastal process is required. Please Appendix E3a at Deadline 3a for further benthic advice.
8	7.3.12	We draw the ExA and Applicant's attention to East Anglia One Offshore cable installation under Martlesham Creek in the Deben SPA where there was a bentonite frac-out which spread across the intertidal areas which did not rapidly disperse, impacting on benthic infaunal communities. This area was unable to support SPA birds to the same extent for several years. Therefore, we highlight that bentonite frac-out also has impacts pathways to SPA features. Our position is supported by section 3.4.3 of the landfall construction method statement [REP2-012].	Natural England advises that further consideration is given to the likely duration of bentonite remaining on the seabed and the implications for the wider ecosystem.

9	7.3.68	Natural England notes that there is no consideration of vehicle movements in the HRA for cable installation and operation activities.	Natural England advises that in order to consider the potential impacts from cable installation and/or repair replacement of cables on intertidal habitats and protected species which rely on this habitat, vehicles transiting the intertidal should be considered in full and how potential changes to habitat features over the lifetime of the project will be impacted.
10	7.3.68	Natural England doesn't currently agree with conclusion on the significance of temporary disturbance.	Natural England signposts to comments included within Appendix D3 on marine process at Deadline 3 and Appendix E3a on Benthic impacts provided at Deadline 3a.
11	7.4.3	Natural England notes that the depth of cable installation for HDD is likely to be 15-18m. Natural England queries at this depth whether the required HDD installation distance will be achieved.	Natural England would welcome further assurance being provided that the depth of installation will not hinder achieving the HDD distance required.

Table 3: Natural England's Advice On: Kent Landfall- intertidal and benthic ecology relating to the Kent landfall

Document reviewed: REP1-072 6.6 (C) Habitats Regulations Assessment Report (Tracked Changes)			
NE Ref	**Section**	**Key Concern and/or Update**	**Natural England's Advice to Resolve Issue**
1	N/A	Natural England highlights that whilst this document supersedes AS-007 the comments provided in Tabel 1 above still remain valid in addition to those provided here.	Please address the comments in Table 2 as well as those presented in Table 1 above.
2	N/A	Natural England welcomes the Applicant's amendments to the HRA (REP1-071) to include a more detailed consideration of the potential for hydrological impacts associated with HDD cable installation. It has been confirmed by our specialists that the evidence shows that there isn't a risk posed	N/A

		by works impacting water levels supporting dune slacks. Evidence from the Applicant shows that there will be no dewatering at HDD exit points and the distance between the locations of the exit points and the nearest dune slack habitat (approx. 600m) are sufficient to conclude that there is no pathway for impact upon hydrology of dune slack habitats of Sandwich Bay SAC.	
3	Table 2.3	We are satisfied with the Applicant's response which confirms that in the event that equipment should become stuck no excavation to recover stuck equipment would be undertaken along the Kent HDD route beneath areas of saltmarsh or shallow lagoon.	N/A
4	Table 3.1	Natural England welcomes the recognition that the fresh and salt marshes are interest features of the Ramsar	Natural England draws the ExA attention to the importance of the saltmarsh environment.
5	4.3.42	Natural England notes that there is only consideration of supporting habitat change/loss for Annex I terns and not Red Throated Divers.	Natural England advises that impacts to supporting habitat and changes to prey availability should be considered for all protected site features.
6	3.47	Natural England notes that the use of 360m^2 of concrete mattresses is included for landfall works. But there is no consideration of duration of placement and direct and indirect impacts from their use.	Natural England advises that further assessment of the direct and indirect impacts from the use of concrete mattresses is required, including consideration of any scouring
7	4.4.2	Natural England highlights that habitat loss, indirect impacts through changes to ground water levels and actual depth of HDD is confused.	Natural England advises that further clarity on the potential impacts at all locations and features where HDD is proposed is provided.

8	7.4.13	Natural England notes that there is no link to a Horizontal Directional Drill (HDD) Management plan or a landfall management plan to assess impacts from a yet undefined number of vehicles moving across the intertidal mudflats which is supporting habitats for SPA birds and is likely to succession into saltmarsh habitat a feature of the Ramsar.	Natural England advises that the HRA is informed by an outline HDD/landfall construction management plan at the time of consent.

Table 4: Natural England's Advice On: Kent Landfall - intertidal and benthic ecology relating to the Kent landfall

Document reviewed: REP2-010 6.6 (D) Habitats Regulations Assessment Report (Tracked) and REP3-029 6.6 (E) Habitats Regulations Assessment Report (Tracked)			
NE Ref	**Section**	**Key Concern and/or Update**	**Natural England's Advice to Resolve Issue**
1	N/A	Natural England has no comment on the updates made to the HRA in relation the intertidal ecology at Deadline 2 [REP2-010] our comments in Table 1 and 2 remain relevant.	N/A
2	N/A	Natural England notes that the updated HRA at Deadline 3 [REP3-029] includes updates setting out the favourable condition status of the designated sites and features. And addresses RSPB concerns in relation to recognising potential impact pathways to Annex I Marsh Harrier.	Natural England has no comments to make in relation to the updates from an intertidal ecology perspective.

Table 5: Natural England's Advice On: Kent Landfall - intertidal and benthic ecology relating to the Kent landfall

Document reviewed: REP1-103 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked Changes).			
NE Ref	**Section**	**Key Concern and/or Update**	**Natural England's Advice to Resolve Issue**

1	B61	Natural England notes that the commitment to remove bentonite where necessary within saltmarsh feature doesn't include 'by only using handheld equipment'.	Natural England advises that this commitment should be updated to ensure there will be no vehicle access onto the saltmarsh.
2	B66, [AS-138], [CR1-055]	Natural England notes that the Change Request to extend the use of/egress from the redundant Hoverport to avoid impacts to saltmarsh vegetation from known changes in the extent of this habitat. Table 1 of document AS-138 states that this change was prompted following surveys which suggest that the frontal edge of the saltmarsh extends outwards into the intertidal mudflats further than previously anticipated. This can be seen on aerial photographs which suggest that **access from the south-west corner of the hoverport should be avoided due to the presence of fragmented saltmarsh vegetation.** The proposed changes to the order limits will allow access on to the intertidal zone from the south/south-east of the hoverport site directly onto unvegetated mudflat.	Natural England advises that a commitment is made to avoid access on to the south-west corner of the hoverport. Natural England also queries what the contingency will be if the extent of vegetation changes both temporally and spatially? Will impacts to saltmarsh habitats still be avoided?
3	B67	Natural England highlights that the commitments included to reduce impacts to intertidal habitats and supporting habitats is not sufficient.	Natural England advises that further mitigation measures should be considered to reduce the impacts to intertidal habitats and compaction of sediment; such as only using low ground pressure vehicles, limiting the number and type of vehicles, reducing speeds, number of trips per day, potential use of an aluminium trackway, having an Ecological Cleark of Works (ECoW) to do a real time review of impacts and change access routes where required to lessen the intensity of the impact in any one area.

4	B68	It is the view of Natural England that AEoI on SPA/Ramsar or significant impacts to SSSI can't be excluded. Further commitments are required.	Natural England advises that further commitments are required to mitigate impacts. And that the final Landfall Construction Method Statement should be agreed in consultation with NE prior to construction.
5	B69	Natural England advises that no evidence has been presented that 50m is sufficient to ensure that significant impacts to saltmarsh features can be avoided.	Natural England advises that further evidence should be presented to demonstrated that impacts can be avoided not just for installation, but also during the operational phase.
6	B70	Natural England highlights that whilst this commitment is designed to protect saltmarsh there is no consideration of compaction of the intertidal mudflats which from experience from other projects is likely to hinder naturally transition to Annex I saltmarsh.	As above in terms of consider further mechanism to reduce/mitigate impacts.
7	MPE02	Natural England advises that 1.5m burial is sufficient to allow for seabed lowering at this location. Please note that if the surrounding seabed lowers greater that 1.5m this cable protection is likely to become an elevated area/pinnacle with surrounding scouring.	Natural England advises that further information on coastal processes is required to support this mitigation measure.
8	MPE04	Natural England queries why rock is proposed at the exit pits and no other forms of protection.	Natural England advises that further justification is needed in relation to the need for cable protection at the exit pit locations. And where this proven to be justified, further justification is required as to why only rock protection has been considered. Natural England advises that where required other cable protection options which are more readily removable should be considered.

Table 6: Natural England's Advice On: Kent Landfall - intertidal and benthic ecology relating to the Kent landfall

Document reviewed: REP2-012 9.13 (B) Pegwell Bay Construction Method Technical Note (Clean)			
NE Ref	**Section**	**Key Concern and/or Update**	**Natural England's Advice to Resolve Issue**
1	N/A	Natural England welcomes the submission of the outline Landfall Construction Method Statement. Whilst we advise that this document requires further updates to provide a level of comfort to the Secretary State to inform project determination. We also advise that once the final project parameters are known that the final LCMS is agreed with the regulators in consultation with the relevant SNCB.	Natural England advises that a requirement/condition is included within the DCO/dML to ensure that the final LCMS is agreed with the regulators in consultation with the relevant SNCB prior to construction.
2	2.2.5	Natural England notes that the transit route across the intertidal is to be agreed prior to construction. However, we highlight that from experience on other projects that repeated access along a route is likely to cause rutting and compaction of sediment, which in the longer term is likely to hinder the accretion of saltmarsh into this area and change infaunal communities of which SPA species rely.	To resolve this Natural England advises that further mitigation measures should be considered to reduce the impacts to intertidal habitats and compaction of sediment; such as only using low ground pressure vehicles, limiting the number and type of vehicles, reducing speeds, number of trips per day, potential use of an aluminium trackway, having an ECoW to do a real time review of impacts and change access routes where required to lessen the intensity of the impact in any one area.
3	2.2.6	Natural England queries the necessity of some equipment for landfall activities including tractors and hovercraft. We advise that a tractor is likely to significantly compact sediment and cause rutting if not modified. And that hovercrafts are particularly disturbing to SPA birds and their use in other SPA's is heavily controlled. We also query why so many 4WD vehicles are required.	Natural England advises that further consideration is given to reducing impacts to designated site features.

		Natural England advises that whilst we note that the Applicant has based the vehicle access on Walney OWF installation, which is a good foundation, but highlight that this is a different site with different considerations and that more is known about ongoing impacts since the Walney installation. **Natural England advises that AEoI can't be excluded based on what is currently included within the method statement.**	
4	2.2.7	Natural England advises that where bog mats and some types of trackway have been driven over within the intertidal, they have been pushed into the sediment, often unevenly, resulting in compaction of the sediment and creation of a vacuum which makes removal challenging and more damaging to the intertidal habitats. Therefore, Natural England is not supportive of the unrestricted use of them as proposed here. Natural England also notes that small bailey bridges with low impact were used by Hornsea Project 2 to cross Hornsea Project 1 cables in similar habitats.	Natural England advises that either transit of the intertidal is fully established, agreed and assessed as part of the consenting process or a separate pre-construction marine licence will be required for the transit and use of equipment not fully assessed as part of the consenting phase.
5	2.3.3	Natural England notes that detail on the cofferdam parameters are not fully provided elsewhere in the Application documents, are provided here. Noting that installation will take a total of 28 days to install 4 x cofferdams (30m x 5m) if done sequentially. However, this doesn't take account of breaks between installation. Or	Natural England advises that further consideration of potential impacts of these large cofferdams being in situ for 120days is required.

		that 2 cofferdams can be in situ at the same time. The worse case that is presented is 120 days for cofferdams to be in situ, which depending on the time of year can significantly impact coastal processes, causing scouring of the seabed and impact intertidal habitats.	
6	2.3.3	Natural England notes that lighting of the cofferdams is proposed, as is a working area around them resulting in a disturbance area of 21,600m2 of intertidal habitat.	Natural England advises that further assessment of disturbance impacts to Annex I birds (foraging, roosting and nesting) and foraging bat species is required in relation to both temporary habitat loss and impacts from lighting and installation works.
7	Table 2.1	Natural England notes that there are no considerations of scouring, changes to sediment distribution, and changes to tidal hydrodynamics across the saltmarsh from the presence of cofferdams. We highlight that saltmarsh habitats are sensitive too all of these changes in coastal processes.	Natural England advises that the Applicant should undertake a further assessment and update named docs/plans accordingly.
8	3.3.1	Natural England notes that rollers (Gravity based or piled) will be placed on the intertidal at a spacing of 12m. However, it is not clear how many this will be and how they will be transported and installed.	Natural England advises that a more detailed assessment is required and where possible these should be transported by sea to the intertidal on a barge which can bottom out with ramps so that installation equipment can access intertidal direct from there.
9	3.4.3	Natural England notes that it is stated that drilling fluid is dense and may stay on the seabed where tidal action is weak. This aligns with our advice provided on the HRA [AS-007].	Natural England advises that further consideration is given to the likely duration of WCS of bentonite remaining on the seabed and the implications for the wider ecosystem.
10	3.4.7	Whilst Natural England agrees that bentonite is inert, we highlight that it can smother habitats where there is frac-out.	Natural England advises that further consideration of smothering of saltmarsh vegetation is required and that a HDD management plan is required as

			provided for North Falls Offshore windfarm [REP8-011].
11	Table 3.1	Natural England notes that a Jack Up Barge is proposed to be used for the construction a cofferdam. But this would have an impact of 50m^2 per Jack Up. Experience from other wind farms is that depressions last longer than the predicted 2 years, but this is not the case if the barge used bottoms out.	Natural England advises that the supporting vessel which minimises impacts to the marine environment is used.
12	Table 3.1	Natural England notes that 20 tonne bags of ballistic are proposed to be used. However, it is not clear in what capacity they will be used? How will ballistic be stopped from entering the marine environment, and if it does what the contingency would be.	Natural England advises that further information is required on the intended use of ballistic bags and impacts assessments undertaken accordingly.
13	Table 5.1	It is not clear how many trips across the intertidal is realistically required for each vehicle. Natural England advises that 40 movements is likely to result in significant impacts to the intertidal mudflats.	Natural England advises that further consideration is given to minimising abrasion impacts from vehicle transits across the intertidal as much as possible.
14	Section 7	Natural England notes that no consideration has been given to the Operation and Maintenance phase and the potential for Saltmarsh accretion to have occurred.	Natural England advises that a commitment is made to only undertake cable repairs/replacement activities where it can be demonstrated that there will be no significant impacts to intertidal saltmarsh at the exit pit or along intertidal transit route. Where this is not possible a separate marine licence and updated assessment of impacts will be required.
15		Natural England notes that HDD has been assessed as the Worst Case Scenario. However, the other non-trenchless techniques listed come	Natural England advises that the final Landfall Construction Method Statement should be agreed with regulators in consultation with relevant SNCB

		with there own impacts which will require further assessment if they are to be used.	within which it must demonstrate that the potential impacts are no greater than predicted and any divergence will need a further assessment prior to construction and where necessary further permissions sought.