

Thanet District Council Written summary of Oral Submissions Made at ISH2

Thanet District Council

Sea Link Development Consent Order – EN020026

February 2026

Introduction

- 1.1.1 Thanet District Council (TDC) was represented by Helen Johnson (Planning Officer) at the Issue Specific Hearing 2 (ISH2) which was a hybrid event with Helen Johnson attending remotely.
- 1.1.2 The document sets out the written summaries of the oral submissions made by TDC. The written summary follows the structure of the ISH2 agenda items, whilst it is acknowledged that the items at the hearings were not discussed in this order. The summary omits any agenda items where TDC did not provide an oral submission.

Written Summary of Oral Submissions

Item 3. Ecology and Biodiversity

- 1.1.3 **Nemo Link** - TDC confirmed that there are no conditions remaining to be discharged with regard to Nemo Link and our comments with regard to the implications of the previous cable works outlined in REP3-103 ExQ1P2 remain the same.
- 1.1.4 **Access to and use of Hoverport** – TDC advised that there were concerns regarding the structural integrity of the hoverport and whether the proposed matting (trackway) would provide sufficient structural support and this may be undermined by voids below the concrete slabs. TDC requests that ground-penetrating radar surveys are undertaken of the hoverport and that this should be secured through the REAC.
- 1.1.5 Further to the oral submission, TDC would like to clarify that the potential instability of the hoverport has the potential to have an adverse effect on ecology as per the context of the discussion of this item. TDC confirmed this will be reviewed and comments submitted at Deadline 4 as follows:
- 1.1.6 Pegwell Bay is a sensitive ecological area, designated as part of the Thanet Coast and Sandwich Bay Special Protection Area (SPA), Ramsar site, and Site of Special Scientific Interest (SSSI) and is a National Nature Reserve (NNR), where any release of contaminants could have significant adverse impacts on protected habitats, species, and water quality. The former hoverport site includes a concrete pad and skirt structure historically used for hovercraft operations. The pad incorporates colliery shale as fill material, which may contain residual contaminants, including hydrocarbons from former fuel storage tanks at the site. There is therefore a risk of residual pollution within the subsurface materials.
- 1.1.7 A concrete skirt surrounds the pad preventing further release of these materials. The proposed activities involve up to 40-tonne vehicles traversing the site, crossing the edge of the concrete skirt to access the bay. This could impose significant mechanical stress on the aging concrete structure, leading to cracking, fragmentation, or breakup at the edges. TDC has previously objected to the siting of a compound at the hoverport site to protect this ecologically significant area.
- 1.1.8 The primary concern is the risk of structural damage to the concrete skirt from heavy vehicle movements. Such damage could result in:

- Release of Contaminated Materials: Breaching the skirt may expose and mobilize colliery shale fill, allowing it to erode or be tracked into Pegwell Bay. The shale may contain fuel residues from historical tank storage, posing a pollution risk to marine sediments, water, and biota.
- Tracking of Contaminants: Vehicles exiting the pad onto the bay foreshore may transport potentially contaminated materials, exacerbating spread into the intertidal zone and potentially affecting protected species such as birds, invertebrates, and saltmarsh habitats.
- Cumulative Environmental Impact: Repeated vehicle movements may accelerate degradation, leading to ongoing releases rather than isolated incidents. This is particularly concerning given the site's proximity to internationally protected wetlands, where these risks are heightened by the site's coastal location, where tidal action could rapidly disperse any released materials, making containment challenging.

1.1.9 TDC objects to the proposed activity of siting and operating up to 40-tonne vehicles on the former hoverport site, particularly involving crossings over the concrete skirt into Pegwell Bay. The potential for environmental damage outweighs the operational benefits; and alternative access methods should be considered and prioritised.

1.1.10 Should the Examining Authority determine that some form of site access is unavoidable, TDC recommends the imposition of the following commitments to safeguard Pegwell Bay from contamination risks caused by structural damage. These commitments emphasize prevention, monitoring, and rapid response.

1.1.11 Controlled Access to the Bay:

Vehicles and machinery must not directly traverse the edge of the concrete skirt. Instead, access should be facilitated via engineered ramps or temporary bridging structures designed to distribute weight and prevent direct contact with the skirt. These structures must be constructed from non-contaminating materials (e.g., geotextile-reinforced matting) and approved by an independent structural engineer prior to use. The hoverport area and all access points must be pre-assessed via non-invasive surveys (e.g., ground-penetrating radar) to identify weak zones.

Limit vehicle movements to designated structurally sound pathways within the apron, avoiding proximity to the bay edge by at least 5 meters unless bridged.

All entry/exit points must incorporate wheel-wash facilities (non-toxic to marine environment and aquatic organisms) or decontamination zones to prevent tracking of materials from the pad into the bay. Vehicles should be inspected and cleaned before and after bay access.

1.1.12 Ongoing Monitoring for Pollutant Release:

A monitoring program must be established, including baseline surveys of the concrete skirt integrity, subsurface materials, and bay sediments prior to commencement.

Regular inspections (at least monthly, or more frequently during operational periods) should assess the skirt for cracks, erosion, or damage using

non-destructive techniques such as ground-penetrating radar or visual drone surveys.

Environmental monitoring should include sampling of bay water, sediments, and biota for contaminants at predefined locations, with trigger levels for action based on Environment Agency guidelines.

Monitoring data must be submitted to relevant regulators (e.g. Environment Agency, Natural England).

1.1.13 Emergency Preparedness and Reporting:

An emergency response plan must be in place, detailing the agreed actions and containment measures in the event of skirt damage or material release.

Any detected contamination must trigger the emergency response plan and consultation with regulators. Where required, prompt remediation must be carried out, followed by habitat restoration in line with SSSI management plans.

Incidents of damage to the bay or associated habitats must be reported to regulators immediately, including details of the cause, extent, and proposed remedial actions to be taken. Verification reporting to the agreed remedial actions taken must be provided to the regulators.

- 1.1.14 **Impact on breeding birds and vegetation cutting** – with regard to Natural England’s request for a full restriction covering the whole breeding bird season on tree height reduction works within the Sandwich Bay to Hackling Marshes SSSI, TDC confirmed that we have no further comments during the hearing and would review this position in writing at Deadline 4. Upon further review of the matter, TDC supports the request made by Natural England for a full restriction of the breeding bird season given the sensitivity of the site and importance to bird species.

Item 4. Ornithology

- 1.1.15 **Noise** - TDC did not make an oral submission for this item but would like to seek clarity on noise matters in relation to Pegwell Bay and marine ornithology. The Applicant indicated that the noise assessment in the Marine Ornithology chapter of the ES has not assessed the worst-case scenario based on the limits of deviation. The noise assessment has only assessed the impact based on the preferred location of the works. Moving these works would potentially have a greater impact on sensitive breeding bird areas around the mouth of the River Stour.

Item 7. Marine Animals

- 1.1.16 TDC did not make an oral submission for this item but would like to seek clarity as to the works to be undertaken during high tide and low tide as the Applicant advised there would be limited works at high tide and therefore there would be no impact on the marine mammals. However, document 9.13 (B) Pegwell Bay Construction Method Technical Note (Clean) [REP2-011] confirms that works will be undertaken

at high tide. Therefore TDC requests clarification on the works at Pegwell Bay and the potential effects on marine animals.

Item 9. Landscape and visual

- 1.1.17 **Visual Impact** - TDC advised that the Council consider viewpoints 3, 4, 5, 6 and 11 should also be assessed as major adverse at year 1 and 15. Currently only viewpoint 4 is considered to result in a major adverse at years 1 and 15. This position has been submitted with the Local Impact Report and draft Statement of Common Ground.
- 1.1.18 In terms of further mitigation, TDC considers that given the size, scale and form of the buildings proposed together with the landscape and the topography, there is nothing more that can be done to mitigate the visual impact. The NPS recognises that there is likely to be residual harm as a result of developments, such as this, and this is recognised by the Applicant in that mitigation of visual impacts has limitations. However, it is clear that the applicant has undervalued the visual impact of the proposed development on these viewpoints.
- 1.1.19 **Landscape Character Assessment** – The key landscape character area is the Stour Marshes in which the Applicant has assessed that there would be no residual significant adverse effect at year 15. However, TDC confirmed that the impact would be significant adverse for the full duration of the project given the aforementioned location, the scale and the characteristics of the landscape as it stands. Therefore this is considered to be a major adverse effect for the whole operational period that would be significant.
- 1.1.20 TDC confirmed viewpoint 4 provides a good representation of the landscape character of the Stour Marshes although all viewpoints provide a good indication of the current landscape characteristics of the Stour Marshes.
- 1.1.21 **Additional Planting** – The Applicant was asked whether additional planting further away from the converter station and substation could further mitigate the landscape and visual impacts. The Applicant confirmed that the Stour Marshes is not a landscape that is defined by wooded or heavily planted areas. Therefore, further planting would be contrary to the characteristics of the marsh landscape.
- 1.1.22 TDC did not comment at the time but would like to query how additional planting in the landscape would result in such harm to the landscape that it is not possible to be provided to mitigate the impact of the proposed development. Yet, the applicant is content on siting a nationally significant infrastructure project in the landscaping and concluding that it would have no significant effect on the landscape character of the Stour Marshes. Clearly, the proposed development would result in a significant change to the landscape character of the Stour Marshes and whilst additional planting within the wider area may not reinforce the characteristics of the marsh landscape it should be considered if it helps mitigate the impact of the proposed development.

Item 10 - Design

- 1.1.23 Design was not explicitly discussed within the ISH2 but was included within the discussion on the item 21 – dDCO. TDC has provided further detailed comments within that section below.

Item 12. Public Rights of Way

- 1.1.24 TDC would like to add to the oral representation that there are numerous PRowS which will be disrupted during the five-year construction period both within the Order Limits and within proximity which will negatively impact the users of the PRow discouraging use of these routes. The project during the construction phase will adversely impact PRow users, due to construction traffic, new pylons, PRow crossings and temporary diversions and once operational the experience of the users of the PRow and other routes will be significantly altered by the presence of the converter, substation and additional pylons.

Item 14. Noise and Vibration

- 1.1.25 **Section 61 application** – TDC confirmed at the hearing that it would be helpful if we were consulted when the noise and vibration management plan is carried out, so that we can review the conclusions and determine whether a section 61 application is required. The contractor construction Noise Impact Assessment (NIA) which will inform the Construction Noise and Vibration Management Plan (NMP) should be submitted and agreed by the Local Authority. The NIA should be undertaken by a suitably qualified acoustician and significant impacts, as determined by the ABC methodology in BS5228 shall oblige the contractor to apply for a s61 consent from the Local Authority particularly if the NIA is being undertaken on the basis of 'best practical means'. This should be included in the commitment ID NV03 in the REAC.
- 1.1.26 Background noise levels – TDC confirmed that five decibels (dB) below background noise levels has been requested due to the proximity of the Great Oaks Small School, which is the nearest sensitive receptor and is a special needs school, so we were keen to see five DB below background target level in this instance.
- 1.1.27 TDC was asked if 34dB would be an acceptable level and it was confirmed the five dB below the background noise level is still the requirement from TDC but it is accepted that 34dB is exceptionally low.

Item 15. Socio-economics and tourism

- 1.1.28 **Effects and potential reputational impact on the tourism industry** - TDC note the applicant has undertaken their own review of the NSIPs and their potential effects on tourism and visitor activity. However, we consider the comparison with Sizewell C does not really reflect the position of the Sea Link Project, as it is located on the primary road network in Thanet which is one of the main routes into and out of Thanet and is also the main route for tourist destinations. Therefore, this has the potential to deter visitors and create a negative perception of Thanet as a tourist

destination, particularly when combined with additional construction traffic, which might be actual or perceived. TDC has prepared and published the Thanet Visitor Survey 2025, in which overcrowding, traffic and parking issues were raised as concerns within that survey.

- 1.1.29 **Effects of construction traffic on tourism** - TDC made our position clear on this matter within our Local Impact Report and our comments within the Statement of Common Ground. TDC agrees with the points made by Suffolk County Council with regard to the lack of respite with a construction period of seven days a week over a number of years. It is really important that the local community can enjoy this area and use it for recreation during this period. Consequently, a key concern is that there has been no assessment of the impact of construction traffic on tourism on Sundays and Bank Holidays. Thanet has peak periods within our network and the economy being heavily reliant on tourism means that at certain times, particularly bank holidays and weekends, outside the traditional peak periods, congestion reaches a quite extraordinary level.
- 1.1.30 Thanet acknowledges that the Applicant has suggested that the working on Sundays and Bank Holidays is likely to be more sporadic and not every Sunday and Bank Holiday but the concern would be that there would be no control over that. It would require the reliance on goodwill from the Applicant that they would only work on Sundays and Bank Holidays if absolutely necessary but the councils would have no control over work on Sundays or Bank Holidays if that wasn't restricted in some way.
- 1.1.31 **Tourism accommodation capacity** – TDC would like to raise a concern that the tourism capacity analysis from the Applicant lacks the detail to sufficiently inform the potential impact of the proposed development as it did not include the type or cost of rooms available for potential construction workers.
- 1.1.32 **Skills and Employment Plan** – TDC would welcome a skills and employment plan but request the inclusion of a local education strategy and engagement with local education providers. It would be a good opportunity to capture these potential benefits and the site would provide considerable educational opportunities beyond the employment elements. TDC would welcome the Applicant considering the inclusion of a local education strategy.

Item 20. Cumulative Effects

- 1.1.33 **Intra Project Effects** – As per TDC's response to ExQ1, a concern is raised that the Applicant is unable to understand and identify a level of impact assessment to an effect and therefore it is unclear as to how they have determined whether or not an effect is significant and whether this is a negligible, slight, minor or major adverse effect. Consequently, an effect may not be considered significant by the Applicant when it is. TDC is also concerned that the Applicant considers the assessment of cumulative effects not to be robust (as stated within the ISH2) and as such would like to seek clarification as to whether a robust and appropriate cumulative assessment has been undertaken.
- 1.1.34 **Inter Projects Effects** – In addition, TDC have raised significant concerns regarding the list of cumulative sites which omits a number of sites that TDC consider should be included particularly in regard to the traffic and transport impacts

on the A229. It is understood the applicant is reviewing this information in light of our comments in the Statement of Common Ground.

Item 21. The draft Development Consent Order

- 1.1.35 **“unreasonably withheld or delayed” and the 35 day decision period** – TDC’s position remains the same as set out in the response to ExQ1 and the Statement of Common Ground. TDC supports the points made by East Suffolk Council and concern around the ability for district councils to discharge a large number of applications which may arrive in one go and are likely to require considerable engagement and consultation with other agencies and bodies that would potentially delay that beyond 35 days. There are often cases where consultees ask for a longer period than the standard eight weeks so a 35 days period is unlikely to be achievable.
- 1.1.36 In turn, this then has implications on determining if an application to discharge a requirement was unreasonably withheld or delayed. Without definition of what constitutes unreasonableness if it is difficult to understand the necessity of this wording. TDC supports the comments made by East Suffolk District Council and Suffolk County Council and notes that there are existing mechanisms to deal with unreasonableness such as through the appeals process.
- 1.1.37 **Requirement 3 Converter Station Design** – TDC has concerns regarding the vagueness of the Design Principles Document. Firstly, the reference to ‘general accordance’ provides an additional layer of flexibility when the design process, which is already based on a number of design principles, should already enable sufficient flexibility within the design process. Therefore, Requirement 3 should require the details to be in accordance with the Key Design Principles as set out in Document 7.12.2 Design Principles – Kent.
- 1.1.38 Secondly, the design principles document consistently refers to technical details and documents that “could” be provided rather than “will” be provided which adds to that uncertainty in terms of ensuring that we do get a development which meets the good design principles. This is reflected in the provision (or not) of the concrete platform.
- 1.1.39 At Page 48 of the Design Principles – Kent, it originally stated that the concrete platform “will” be used but now states “may” be used. This assumes further engineering investigations are ongoing meaning that either the concrete base may not be needed and an alternative measure is provided, whatever that may be. Therefore, it is unclear whether the final design to be submitted will indeed accord with the Design Principles if the proposed design fundamentals are continuing to change during the examination stage of the proposed development.
- 1.1.40 In addition to the above, TDC would like to raise the issue with the Design Approach Document – Kent [REP1A-031] which currently proposes four design options based on the design principles. This demonstrates a significant amount of flexibility already inherent in the design principles. Furthermore, these design options are very different and it makes assessment of the landscape and visual impact more difficult particularly with the considerable variations available within the design parameters. Therefore, the Design Principles are too vague and allow a significant variation in design possibilities. TDC notes that a preferred contractor has been selected to deliver the converter and substation and therefore there is an

opportunity to narrow down the parameters of the design principles or at the very least present a preferred final design option.

- 1.1.41 Thirdly, the wording of Requirement 3 should refer to all above ground built-form including the converter station, substation and pylons. There is currently no mechanism to secure the design and appearance of the substation and pylons. Whilst it is acknowledged there is limited scope in the design of these features of the NSIP due the functionality of the infrastructure, there will be some elements where good design choices can be made in terms of layout, positioning materials, screening etc. that TDC should have the ability to control and enforce. For example, the applicant confirms they have only a few options with regard to the pylon design and the heights. Whilst the maximum height is set out in the dDCO, details of the height of the pylons and the final design should be approved by TDC to ensure compliance with the DCO.
- 1.1.42 TDC also requests that the final design of the above ground built-form should be developed in consultation with a Design Review Panel recognising that the applicant has engaged with the Design Review Panel and that this should form part of Requirement 3.