

**Deadline 4 written evidence and submission:**  
**How the Applicant's "need" case has fallen away,**  
**and why it matters in s.104/NPS terms**

**SEA LINK: EN020026**  
**DEADLINE: 4 – 10 February 2026**

**SEAS IP: [REDACTED]**  
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**Introduction and overview**

1. At the start of Issue Specific Hearing 2 (ISH2), SEAS's counsel renewed SEAS' repeated call for the linked issues of: "need"; whether the Proposals are "critical" as claimed; and the National Policy requirement for an "economic and efficient approach", to be the subject of specific consideration at an ISH.
2. SEAS did so because:
  - (1) these are fundamental issues in terms of both various limbs of the s.104 statutory test, and the particular national policy tests, in EN-1 (and by extension EN-5) and more generally (e.g. the need for a "compelling case" in the public interest that runs through compulsory acquisition policy in general);
  - (2) the policy presumption of need (see EN-1) does not absolve the Secretary of State of the need to inquire into claimed need, not just because energy network infrastructure is necessarily location specific in a way that energy generation infrastructure is generally not, but because the statute and policy requires consideration of actual need, as opposed to assume need, not least in order that the Secretary of State can reach a view on "economy" and "efficiency", and if necessary choose between some uses of billpayers' money that are poor value, and others that are good value;
  - (3) although SEAS considers the answers to be drawn from the evidence are clear, the evidence itself has some complexity to it (albeit in large part due to the Applicant's attempts to rely on a "need" case that has fallen away, and also to blur the picture).
3. SEAS has already provided robust and detailed written evidence on the points, across its relevant representation **[RR-5210]**, its written representation **[REP1-281]**, its rebuttal to the Applicant's response to its relevant representation **[REP2-112]**, its response to the ExA's Q1 IGEN5 **[REP3-102]**, its submissions on the Applicant's Deadline 2 response to SEAS' written representations **[REP3-125]** and most recently its rebuttal to 1GEN49 **[REP3-144]**.

4. SEAS has done so in the face of attempts by the Applicant to confuse matters, and in the process has not only demolished the Applicant's "need" case, including that such need as remains could be met cheaply and with minimal environmental harm, but also demonstrated the fatal flaws in the Appellant's reliance on NESO's Clean Power 2030 Report and its identification of "Sea Link" as "critical" (see in particular **[REP3-144]** for that).
5. SEAS has demonstrated that the Applicant's original (principal) needs case has collapsed down to a Sizewell Group worst case shortfall not of the c.2,000MW first claimed, but of only 352MW in the late 2030s even if LionLink is assumed, which shortfall could and should be met by inexpensive reinforcement of existing infrastructure at a cost estimated at a fraction of the c.£2billion or so these Proposals will cost, and a similar fraction of the environmental harm.
6. SEAS has also demonstrated that NESO's identification of Sea Link as "critical" in Clean Power 2030 was based on factors that have also fallen away.
7. Putting aside all the environmental harms from these Proposals, they cannot be justified economically.
8. But when the lack of specific need for these Proposals is factored in, SEAS cannot see how they Proposals could possibly pass or satisfy, by way of example:
  - (1) the EN-1 policy test for e.g. development in an AONB, where by EN-1 5.10.32 the Secretary of State may grant development consent (only) in '*exceptional circumstances*' where development is '*demonstrated to be in the public interest*' and the Secretary of State has considered, *inter alia* '*the need for the development, including in terms of national considerations and the implications of consenting or not consenting it upon the local economy*' and '*the cost of, and scope of, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3*';
  - (2) the need for a "compelling case" for compulsory acquisition;
  - (3) the need to demonstrate IROPI in the event of harm to the integrity of a European site;
  - (4) the EN-1 policy requirement that the Proposals be "economic and efficient"; or even,
  - (5) the EN-1 policy that requires the "benefits" of the Proposals to be weighed against harm, for example less than substantial harm to the significance of a designated heritage asset (5.9.32). A consideration of "benefits" is incomplete without assessment of whether the Proposals are truly needed;

(6) also, the EN-1 flood risk exception test (EN-1 5.8.11) which requires it to be demonstrated that: \*

*“...the project would provide wider sustainability benefits to the community <sup>216</sup> that outweigh flood risk”*

*<sup>216</sup> These would include benefits (including need) for the infrastructure set out in Part 3.*

\* This was pointed out on ISH day 2 by Michael Bedford KC for Suffolk CC

9. These tests are amongst others (and SEAS does not forget or overlook the overarching tests within s.104 itself).
10. The need for the ExA to thoroughly examine and report to the Secretary of State on the linked issues of “need”, and “critical” *per* the NESO Clean Power 2030 Report and whether the Proposals are “economic and efficient” seems to us to run through so many of the tests that Secretary of State must ultimately apply.
11. It is not the purpose of this document to repeat the detail of what SEAS has already said.
12. Instead, the intention is to present the simple building blocks of SEAS’ analysis and signpost the ExA to the detail of that analysis.
13. At the same time, SEAS also takes the opportunity to add to its analysis the greater and up to date understanding it now has of costings required to meet the actual need, not just for the Suffolk “end” of the Proposals, but also for the Kent “end”.
14. In Appendix A below, SEAS shows how both the modest worse case “need” the Applicant’s own case claims concerning the Suffolk Sizewell Line and any issue around the network boundary transfer limit for Kent across the SC2 boundary can and should be met without the cost and harm of Sea Link: by reconductoring the existing 55km Sizewell to Bramford double circuits (which simply needs to be done on a lifecycle maintenance basis within the relevant timescale) and provision of a new 29km single OHL circuit alongside the (existing) Canterbury North to Kemsley line. Both solutions can be effected without Sea Link’s harmful impacts to the environment (both in the narrow and the broad sense, including its harmful socio-economic and human health and wellbeing impacts) and at a cost of less than one tenth of the likely cost of Sea Link (based on 2025 Institution of Engineering Technology (IET) data).
15. This does not mean that SEAS necessarily accepts the Applicant’s (much reduced) need case, but SEAS shows that if the ExA accepts it, it can be addressed in any event.

16. SEAS notes that with the attacks from certain parts of the political spectrum on the costs of the drive towards net zero, it is more important than ever that projects demonstrate value for money.

17. This document now works through the various different claims of “criticality” and “need” the Applicant makes for these Proposals, demonstrating why none of them stand up, and that such need as exists could be met for a fraction of the fiscal and environmental cost. The structure is:

- The Applicant’s claim that Sea Link is “critical”, based on NG ESO statements, now continued by NESO.
- The Applicant’s claims for Sea Link “need” based on “Sizewell Group” “need” in a worst case scenario.
- The Applicant’s claim that Sea Link is required to enable the export of electricity from Kent to Suffolk, at times of high interconnector inflows into Kent
- The Applicant’s claims the Proposals are needed to deal with a (restricted) ability to export power generated in the seas off East Anglia, and in East Anglia, to elsewhere in the UK and in particular that there is an export requirement of 9.7GW across the EC5 network boundary, which currently cannot be met.

18. These are taken in turn.

**The Applicant’s claim that Sea Link is “critical”, based on NG ESO statements, now continued by NESO**

19. For this, the Applicant relies on things said by what was National Grid ESO and has recently become the National ESO.

20. The history here, is that from about 2018 onwards, the NG ESO Network Option Assessment reports and then NG ESO’s “Pathway to 2030”, and also NG ESO’s “East Anglia Network Study” mention the possible need for a new network connection between East Anglia & Kent (given the identifier “SCD1”).

21. NESO’s Clean Power 2030 Report (“NESO 2030”) adopts that stance and refers to Sea Link (again given the identifier “SCD1”) as one of “three strategic and critical network reinforcements” required in East Anglia. Thus, the “strategic criticality” on which the Applicant relies. However, a simple read of NESO 2030 and its Appendices reveals this claim is based on historical matters that have fallen away.

22. NESO 2030, at Annex 2, page 8, refers to “three key schemes” in East Anglia, namely:

- The first and second are the two legs of “Norwich to Tilbury (AENC & ATNC)” (not directly relevant to this examination)
- The third is “SeaLink HVDC from Suffolk to Kent (SCD1)“

23. The same page 8 of Annex 2 of NESO 2030 then says this about Sea Link:

*‘Facilitates transfer of clean power through and out of Suffolk’*

and

*‘Required for connection of Five Estuaries OWF and firm connection of Rampion Extension’*

(<https://www.neso.energy/document/346796/download>),

24. Thus, there is a statement about something Sea Link “facilitates”, which is hardly the language of critical necessity, and there is a statement about two things it is said Sea Link is “required for”, which is at least the language of necessity, those two things being the “connection” of the Five Estuaries offshore wind farm and the “firm connection” of Rampion Extension (another offshore wind farm).

25. However, matters have moved on, so now, at the time of this examination, both of those assumed connection requirements have fallen away, as the NESO TEC register shows. As at 16/1/2026, the NESO TEC register showed the following:

- Five Estuaries OWF is consented to connect to the East Anglia Connection Node near Lawford, Essex (as is North Falls OWF).
- Rampion Extension is not coming to Suffolk; it is connecting to Bolney 400kv substation near the south coast of Sussex.

Also (as SEAS has noted previously) Nautilus is to be connected at the Isle of Grain (if it is to take place at all).

26. SEAS considers it clear cut that the now “disappeared” connections to Sizewell (shown in Clean Power 2030), like Nautilus, (also no longer at Sizewell/Friston) have been used by the Applicant to unreasonably restrict its analysis of alternative solutions to determine whether Sea Link is truly the only practical, deliverable and economic solution to such need as exists (see below). Given that e.g. Nautilus at least had already been announced as not connecting at Sizewell months before the DCO application was made, and had its connection point formally moved before the DCO application was made, it is difficult to view the Applicant’s approach as anything other than not only unfounded, but unjustifiably unfounded.

27. In any event, it is clear that the NESO 2030 basis for the assertion that Sea Link is critical has fallen away.

28. As regards the other statement regarding Sea Link in Annex 2 to NESO 2030, that it “Facilitates transfer of clean power through and out of Suffolk”, SEAS has previously demonstrated why the Applicant’s claims that Sea Link is needed to transfer power through and out of Suffolk do not stand up, and this is also addressed below.

**The Applicant’s claims for Sea Link “need” based on “Sizewell Group” “need” in a worst case scenario**

29. From before this DCO Application, and explicitly in the DCO Application itself, the Applicant has maintained that Sea Link is required to resolve a network transmission “worst case” deficit of c.2,000MW from the “Sizewell Group” in c.2040 (or whenever Sizewell C’s two reactors are operational). But we know today that deficit is only 352MW, at most (not c.2GW as has been repeatedly and wrongly stated).
30. SEAS has shown why this is incorrect through careful analysis presented, *inter alia*, in its written representation **[REP1-281]**. SEAS respectfully refers the ExA to that.
31. As SEAS’ analysis there shows, even if LionLink is included (debatable), on the Applicant’s own figures, the worst-case deficit is 352MW, which can be remedied quickly, easily and at low cost by a relatively simple reconductoring of the Sizewell to Bramford double OHL, which will need to be done, in any event, well before Sizewell C becomes operational approaching 2040.
32. This can be achieved without any of the adverse environmental, traffic, noise or socio-economic implications of the Sea Link proposal.
33. SEAS has previously estimated a cost of some £60m based on Bramley to Melksham, and SEAS has since updated and stress-tested its calculations, which has seen them increase, but remain at a fraction of Sea Link. See Appendix A below.
34. Moreover, Alice Delahunty, President at National Grid Electricity Transmission, said in relation to the Bramley to Melksham reconductoring: “*The need to build new network infrastructure is widely acknowledged, but upgrade projects to existing power lines such as this are an equally important part of how we are making sure the grid is fit for the future.*” So, why not in Suffolk?
35. The worst-case single circuit failure deficit only arises towards 2040, when both Sizewell C’s reactors are operational and assuming that LionLink, a non-consented interconnector, that delivers limited meaningful network reinforcement, is connected to Friston. If LionLink connects elsewhere (which it can and should do, as Hiorn recommended), then there is a healthy surplus on the Sizewell line way beyond 2040 and **NO** deficit.

36. How can it be deemed appropriate, in terms of the EN-1 “economy” and “efficiency” test, for UK billpayers to finance the construction of a £2bn+ regulated asset, whose principal beneficiary is an arbitrage interconnector, owned and run by a NGET group company, in circumstances where the “need” such as it is could be met for a fraction of the cost and environmental harm? Let alone can a “compelling case” for compulsory acquisition be made out. And the various other tests.

**The Applicant’s claim that Sea Link is required to enable the export of electricity from Kent to Suffolk, at times of high interconnector inflows into Kent**

37. We know from **APP-320**, East Anglia has a forecast of a significant future surplus of energy available over that required in East Anglia, including Suffolk. Not least dispatchable (“baseload”) power from one current and two future nuclear power stations. So, the idea East Anglia would require the *import* of energy delivered via Sea Link from Kent, deriving from flows into Kent, is a simple fiction, with no realistic basis to support the claim.

**The Applicant’s claims the Proposals are needed to deal with a (restricted) ability to export power generated in the seas off East Anglia, and in East Anglia, to elsewhere in the UK and in particular that there is an export requirement of 9.7GW across the EC5 network boundary, which currently cannot be met.**

38. This claim has an echo of the other statement made by NESO 2030 regarding Sea Link, noted above.

39. However, as the ExA will, by now, be aware, the Bramford to Twinstead double OHL upgrade was consented, is currently being built and is scheduled to be completed in 2026. So, as the Hiorn Report to SCC said, there will be an export capacity over the EC5 boundary of over 20GW, well in excess of the required 9.7GW. Even on a worst case, i.e. single circuit fault basis, the export surplus from EC5 would be well over 12GW.

40. The Hiorn Report also notes that the major driver for network reinforcement in the Sizewell Generation Group was the impact of (then) two potential interconnectors (ie Nautilus and LionLink).

41. The Hiorn Report *specifically* recommended that:

42. “Given that the connection at this location (Sizewell/Friston) is a major contributor to future investment requirement, the ESO should give further consideration to optimum connection points, with the potential to move (Lionlink) further South (potentially Tilbury or Bradwell)”,

which has always been a SEAS contention.

43. So, export from/across the EC5 boundary is no longer an issue.

## **Conclusions**

44. It is obvious that the very minimal worst case 2040 “Sizewell” deficit the Applicant’s case has now reduced to can be readily delivered by other simpler, much cheaper, quicker, less destructive and intrusive means. Similarly for Kent. See Appendix A for both.

45. There is no substantive need case to support the Application, and it cannot, on any reasonable view, pass the EN-1 economic and efficient test, let alone show the “compelling” case for compulsory acquisition, or the various other tests (including the AONB test, as well as the general test for nationally designated landscapes, which clearly includes this Suffolk Heritage Coast, as noted by HM the King in **AP-458**).

46. SEAS does consider these conclusions indisputable based on the evidence, and the fact that the Applicant continues to insist the Proposals are critically needed, in the face of the actual evidence, is not only mere assertion, but also deeply revealing of the fatal weakness in the Applicant’s case.

## **APPENDIX A**

### **RECONDUCTORING - THE LOW COST LOW HARM ALTERNATIVE TO SEA LINK**

All the key network reinforcement the Applicant claims Sea Link is needed to deliver, can be addressed as followed, with a fraction of the environmental harm and at a fraction of the cost:

1. **For Sizewell to Bramford:** both double OHL circuits could be reconducted. This fully resolves the Applicant’s claimed residual worst-case deficit of 352MW (and in fact provides additional future spare capacity). Based on the IET Report “A comparison of Electricity Transmission Technologies: Costs and Characteristics” dated April 2025, reconductoring two 55 km double circuits would cost in the order of £132m. SEAS believe this overstates the true incremental cost, as both these circuits are due to be reconducted anyway (on a lifecycle basis) **before** the delivery of both the Sizewell C reactors towards 2040. SEAS presents the worst-case cost.
2. **For the Canterbury North to Kemsley line** (i.e. west of Canterbury), the forecast transfer deficit of about 6516 MW across the SC2 boundary can be met

by the addition of a new second 29km OHL circuit alongside the existing circuit. Based on the same 2025 IET report, this is estimated to cost in the order of £93m.

So, the network issues the Applicant claims require Sea Link, can be delivered by a simpler, quicker and less environmentally damaging solution that could cost only in the order of £225m, versus the likely cost for SeaLink of at least £2+bn.