

The Great Grid Upgrade

Sea Link

Sea Link

Volume 9: Examination Submissions

Document 9.87: Applicant's Comments on Responses to First Written Questions

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0. About this Document

0.1 Purpose of this Document

- 0.1.1 This document provides National Grid Electricity Transmission plc's (the Applicant's) comments on the responses submitted by Interested Parties (IPs) and Affected Persons (APs) to the **Examining Authority's First Written Questions (ExQ1) [PD-017]**. These comments relate to responses submitted at Deadline 3 and 3A.
- 0.1.2 The Applicant will provide full response to Nicholas Bridges relevant representation **[RR-3944]** and late deadline 3 Submission - Responses to ExQ1 **[REP3-132]** at Deadline 5.
- 0.1.3 The Applicant has reviewed the responses to questions directed to other parties (or jointly to other parties and the Applicant) and provides comments where it considers clarification, correction, or further context is necessary or helpful. The Applicant has not provided further comments on questions directed solely to the Applicant, as these are addressed in the Applicant's Responses to First Written Questions **[REP3-069]**; however, responses have sometimes been provided where other Interested Parties (IPs) and Affected Persons (APs) responded to questions directed solely to the Applicant.

Project Overview

- 0.1.4 National Grid Electricity Transmission plc (hereafter referred to as 'the Applicant') has submitted an application for development consent for the Sea Link Project, which proposes to reinforce the electricity transmission network between Suffolk and Kent. The Project comprises the construction and operation of a new high-voltage electricity transmission connection, including underground cables, converter stations, grid supply point substations, and associated infrastructure. It also includes the removal of sections of existing infrastructure and various ancillary works.
- 0.1.5 A full description of the Project is provided in Chapter 4 of the Environmental Statement: **Project Description [APP-072]**.

Structure of the Document

- 0.1.6 This document is structured to align with the numbering used in the **Examining Authority's First Written Questions (ExQ1) [PD-017]**. Chapters are numbered accordingly, beginning with '1'. Where appropriate, the Applicant has paraphrased or made minor stylistic or grammatical adjustments to the responses provided by other parties. These changes are not considered material; however, the Applicant directs readers to the original submissions for reference.
- 0.1.7 The following parties submitted responses to ExQ1:
- REP3-082 CPRE Kent
 - REP3-083 Dover District Council

- REP3-084 East Anglia ONE North Limited, East Anglia TWO Limited, ScottishPower Renewables (UK) Limited
- REP3-085 East Suffolk Council
- REP3-086 Eastern Inshore Fisheries and Conservation Authority
- REP3-087 Five Estuaries Offshore Wind Farm Ltd
- REP3-088 Friston Parish Council and Substation Action Save East Suffolk Limited Late Deadline 3 Submission
- REP3-089 Historic England
- REP3-090 Joint Nature Conservation Committee
- REP3-091 Kent County Council
- REP3-092 Kent Wildlife Trust
- REP3-093 London Gateway Port Limited
- REP3-094 Marine Management Organisation
- REP3-095 Network Rail Infrastructure Limited
- REP3-096 Port of London Authority
- REP3-097 Royal Society for the Protection of Birds
- REP3-098 Saxmundham Town Council
- REP3-099 Southern Gas Networks Plc
- REP3-100 Suffolk & Essex Coast & Heaths National Landscape Partnership
- REP3-101 Suffolk County Council
- REP3-102 Suffolk Energy Action Solutions Ltd (SEAS)
- REP3-103 Thanet District Council
- REP3-104 The Environment Agency
- REP3-105 The Environment Agency
- REP3-106 The Maritime and Coastguard Agency Cover Letter
- REP3-107 The Maritime and Coastguard Agency
- REP3-108 Deloitte LLP on behalf of BL Solar 12 (Helios Energy Park) Ltd Responses to ExQ1
- REP3-109 Isabella Sabi-Dawson Responses to ExQ1

0.1.8

Where the Examining Authority directed questions to parties who did not respond, this is noted in the relevant sections of the document.

1. General and Cross-topic Questions (GEN)

1.1 General

Table 1.1 General

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN1.	All Parties	<p>Artificial Intelligence</p> <p>The Planning Inspectorate has guidance 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"> • detail what material you have submitted which has been created using AI; • what systems or tools you used; • what the source of the information the AI based its content on was; and • what information or material the AI has been used to create or alter. <p>In addition, if you have used AI, you should do the following:</p> <ul style="list-style-type: none"> • 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 • tell us whether any images or video of people, property, objects or places have been created or altered using AI • 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) • tell us the date that you used the AI • declare your responsibility for the factual accuracy of the content 	<p>Applicant</p> <p>Thanet District Council</p> <p>TDC has not used AI in order to create or alter any part of its documents, information or data.</p> <hr/> <p>CPRE</p> <p>Noted - CPRE Kent may make limited use of AI for the purposes such as document research/summaries and supporting drafting checks such as spelling and grammar. All opinions and views expressed however represent the independent judgement of CPRE Kent for which we take sole responsibility for the factual accuracy.</p> <hr/> <p>Historic England</p> <p>Historic England can confirm that AI has not been used to create or alter any part of our submissions.</p> <hr/> <p>Suffolk Energy Action Solutions (SEAS)</p> <p>Consolidated AI Disclosure and Declaration of Responsibility:</p> <p>In response to ExQ1 1GEN1, SEAS has in some instances used AI (ChatGPT, Google Gemini, Microsoft CoPilot) as secondary supporting tools to assist in the summarisation of the extensive Examination Library documents and the structural organisation of our submissions. This applies to a varying extent to all SEAS submissions provided to date, including RRs (RR-5210 and AS-038), WRs (REP1-271 to 282), and Rebuttals (REP2-111 to 125).</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant has no comments to make on these responses.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<ul style="list-style-type: none"> • declare your use of AI is responsible and lawful • declare that you have appropriate permissions to disclose and share any personal information and that its use complies with data protection and copyright legislation <p>If you use AI for any future submissions into this examination, ensure it is accompanied by the information as requested above.</p>	<p>All submissions have been authored, reviewed, and fact-checked by human members of the SEAS team, and should therefore be viewed as expert/informed representations and judged on their substantive merits. In accordance with the 6 September 2024 PINS guidance, SEAS takes full responsibility for the factual accuracy of these submissions.</p> <p>In the interest of procedural fairness and ensuring the fair and impartial decision-making mentioned in the September 2024 PINS Guidance, SEAS respectfully requests that the ExA requires the Applicant to provide an equivalent Rule 1GEN1 disclosure for all technical and environmental submissions to date.</p> <hr/> <p><u>East Suffolk Council</u></p> <p>ESC can confirm that it has not used Artificial Intelligence to create or alter any part of its documents, information or data.</p>	
1GEN4.	Applicant	<p>Community benefit</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>	<p><u>CPRE</u></p> <p>CPRE Kent welcomes the fact that the new guidance regarding community funding brings with it much-needed clarity around what has historically been a very grey area. The guidance does however now confirm it's a clear expectation of Government that applicants should absolutely be providing community funding/benefits on applications such as this and as a matter of course. Further, it confirms that funding or provision of community benefits should be shaped through early and meaningful engagement.</p> <p>In this respect and from what CPRE Kent understand from speaking with local community representatives, the applicant has not progressed this in any significant manner. To us, this is a complete missed opportunity, though one that is typical of the dismissive approach that the applicant has taken generally to the concerns and needs of the local communities. We therefore welcome this question and look forward to the applicant setting out a clear and transparent approach to community funding.</p>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><u>Thanet District Council</u></p> <p>Whilst the Applicant has engaged with TDC, limited information has been provided with regard to the Community Fund or benefits.</p>	
1GEN5.	Applicant	<p>Need</p> <p>The ExA acknowledges that there would be no requirement to apply the National Energy System Operator (NESO) energy transmission design principles to this scheme. However, if they did apply, would the proposed scheme be in accordance with them? If yes, explain how. If the proposed development is not in accordance with the NESO energy transmission design principles explain why this is considered acceptable.</p>	<p><u>CPRE</u></p> <p>CPRE Kent does not consider the proposed scheme would accord with the NESO Electricity Transmission Design Principles, were they to apply. This is because the applicant has not demonstrated the strategic, environmentally led, option-testing iterative approach towards design as envisaged by the design principles. Instead, they have taken one single design/option only approach to Kent and have just stuck with it despite the clear concerns being raised.</p> <hr/> <p><u>SEAS</u></p> <p>In Question 1GEN5 the Examining Authority asks the Applicant whether or not the Proposed Project would comply with NESO's forthcoming Energy Transmission Design Principles, and if not, how it would be acceptable <i>not</i> to comply.</p> <p>1.1 SEAS considers that the Sea Link project has ignored strategic principles in the development of this unnecessary infrastructure, and we welcome the opportunity to revisit this fundamental element of the DCO Application given by this question – in the hope that it will be helpful to the ExA. We set out briefly below a range of issues at all three levels of the ETDP where Sea Link would fail to meet the criteria.</p> <p>2 ETDP Strategic Principles</p> <p>2.1 Tables SP3 and SP2 include the following overarching strategic requirements:</p> <p>2.1.1 (SP3) <i>Promote economic, efficient and co-ordinated infrastructure designs and technologies, and support effective project delivery, improving lifetime efficiencies wherever feasible.</i></p> <p>2.1.2 (SP3) <i>Use innovative technology and approaches, where appropriate, to further efficiency and co-ordination, and to hasten the achievement of the Government's decarbonisation targets.</i></p> <p>2.1.3 (SP2) <i>Protect or seek to avoid landscapes, environments and amenities of cultural and community importance, and actively reflect the views of communities and stakeholders wherever practicable</i></p>	<p>Matters of need, site selection and options appraisal are set out in detail in previous submissions into the Examination, and in Application Document 8.3 Strategic Options Report (October 2023) [APP-370], Application Document 8.1 Corridor Preliminary Routing and Substation Siting Study (October 2022) [APP-368], and in Application Document 8.2 Options Selection and Design Evolution Report (October 2023) [APP-369]. The Applicant has no further comments to make.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>2.2 SEAS have shown throughout the examination and in consultation that on the one hand, the current reinforcement proposal is not needed on the evidence provided for it, and on the other, that if there were such a need there are more innovative and economic means to achieve it. The current proposal fails to show any evidence of real innovation, such as a more radical, offshore, co-ordinated solution; and the actual need that exists at present and for the next five years at least can be more simply met by upgrading existing lines to more modern, innovative and cheaper technology - see section 3 below.</p> <p>3 ETDP Network Design Principles</p> <p>3.1 The overarching principle S1 of Network Development is: <i>'Proposals for new substations, substations extensions and converter stations should meet the technical needs in a cost-effective way whilst considering environmental and community effects,'</i> in line with s9.1 of the Electricity Act 1989's duty to <i>'...develop and maintain an efficient, co-ordinated and economical system of electricity distribution...'</i> SEAS has shown in earlier Representations (for example REP1-281, paras 46-51) that there is no needs case for the Proposed Project that would not be met more efficiently and economically by a reconducting & upgrade of the Sizewell to Bramford Double Circuit OHL - at a vastly lower cost. The present cost estimate for Sealink is £1.18bn², which would likely rise to around £2bn by completion; and the cost of the OHL upgrade being a maximum of £100m, there can be no doubt that the proposed project would fail this criterion. The vastly greater environmental and community impacts compared to those of the line upgrade would add to the failure to comply.</p> <p>3.2 Table O1 of the ETDP (offshore design) suggests that design should include consideration of <i>'...shared primary and auxiliary infrastructure onshore and offshore..'</i>, and has a number of 'Landfall considerations' that would not be met by the proposed project. We consider three of them that Sea Link's submission fails to meet.</p> <p>3.2.1 <i>Environmentally sensitive or protected areas, both on- and off-shore:</i> the physical characteristics of the coastline and area in the direct vicinity of the proposed landfall include for example an SSSI, an RSPB Reserve, and current evidence of coastline receding several metres each year due to climate change and tidal impacts;</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>3.2.2 <i>The design process must also account for potential impacts on communities, environment and economic efficiency:</i> In this case the proposed landfall site ignores or trivialises the presence of communities and/or sensitive environment in the vicinity which will undoubtedly be badly affected during construction and maintenance. The settlements of Saxmundham, Benhall, Sternfield and Aldeburgh will all face impacts that have not been properly accounted for.</p> <p>3.2.3 <i>Offshore coordination (both spatial and electrical) should be considered as a potential way of achieving further efficiencies...and where no risks arise...it should be taken forward:</i> the cumulative impacts foisted onto the communities and environment of East Suffolk by the proposed project, and the overwhelming presence of other infrastructure (eg Sizewell C, SPR's East Anglia 1N and East Anglia 2) are a clear demonstration that the economic and environmental efficiencies of offshore coordination have not been properly considered.</p> <p>4 ETDP Project Development Principles</p> <p>4.1 These detailed principles give clear examples that the ETDP criteria would not be met, and it can be shown that other sites potentially available to developers would have been closer to compliance. Our principal areas for criticism are within the issues of landfall impact, access, and landscape, all sensitive to the choice of site. We make only brief reference to each issue, but would expand on these points in an ISH.</p> <p>4.2 Table U1 of the project development principles raises significant considerations that have been ignored in the landfall selection of the proposed project, for example:</p> <p>4.2.1 <i>'..Disturbances during construction and repair (noise, visual, air quality, environmental, soil, drainage, archaeology); Opportunities to route along existing disturbed corridors such as roads or existing infrastructure to reduce new impacts, being mindful of physical resilience implications and access requirements during construction and operation';</i> The selection of landfall actually underneath North Warren RSPB Reserve, with all the potential impact on migratory birdlife, is clear evidence that the proposed project would not meet the balance required in the design parameters.</p> <p>4.2.2 <i>'Ground conditions including risk of contamination and ground stability.'</i> RSPB North</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>Warren is relatively recently silted marshland with uncertain geological stability, and quite unsuitable.</p> <p>4.3 Table S4 of the project development principles sets out a number of criteria which the proposed project would not meet, and for simplicity we set these out in tabular form, showing the reference, the design consideration, the failed areas, and a potential alternative site at the former RAF Leiston that would be more likely to pass the ETDP tests. The table is set out below.</p> <p>5 Conclusion</p> <p>The ExA's question 1GEN5 is purely hypothetical, but we hope that our comments on the potential failure of the NGET submission to meet the criteria that will soon govern future NSIP developments will assist the ExA to review actual flaws in the Applicant's submission. Our case remains that:</p> <ul style="list-style-type: none"> - There is no current needs case to support a development at this scale or at this time, since the required reinforcement in Suffolk can be more simply and economically achieved with an OHL upgrade; - If there were a need, the case for the proposed site is flawed and incomplete, as the current Change Request for works to Benhall Bridge amply demonstrates; - If there were a need, it could be met with less environmental, ecological, socioeconomic and community damage on a different site and with greater co-ordination with other active or proposed NSIPs. 	
1GEN7.	Applicant	<p>Errata within the REAC</p> <p>The measures listed under the heading of shipping and navigation in the REAC [CR1-043] in several cases are identified incorrectly in terms of the potential changes and effects in column (3). For example SN21 and SN22 do not relate to the Sunk. Review column (3) and provided an updated version of the REAC</p>	<p><u>London Gateway Port Limited (LGPL)</u></p> <p>LGPL looks forward to reviewing the updated Register of Environment Actions and Commitments in due course.</p> <p>LGPL also has concerns that a number of the commitments listed in the Shipping and Navigation section of the REAC are described (in column (7) as being secured under the Outline Offshore Construction Environment Management Plan (CEMP) [APP-339], but there is no relevant provision in the CEMP in relation to the point raised in the commitment. For example, SN31 relates to the routing of the project cable no closer than 151m to the Sunk W1 buoy but there is nothing on this point in the CEMP. SN30 relates to cable burial</p>	<p>This is noted by the Applicant. Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] will be updated and submitted at a future deadline.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>depth and protection and the need for this to be taken into account in design and construction. Section 1.11.32 of the CEMP indicates that this may be dealt with in the Navigational Installation Plan (NIP) but provides little other detail. In reviewing the updated REAC, the Applicant should also review and verify the references in column (7) for all the potential effects listed within the Shipping and Navigation section.</p> <p>LGPL also notes the measures / mitigation proposed will need to be updated to recognise LGPL's dredge depths at the Sunk Pilot Boarding Area, North East Spit and Long Sand Head (i.e. 22 or 12.5 metres below Chart Datum (CD) respectively with the necessary 0.5 metre tolerance for over-dredging) and generally in light of negotiations with stakeholders in respect of protective provisions and the terms of the deemed marine licence.</p>	

1.2 Design, Parameters and other Details of the Proposed Development

1.2.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

1.3 Development Consent Order (DCO) ([CR1-027] unless otherwise stated)

Table 1.2 Development Consent Order (DCO) ([CR1-027] unless otherwise stated)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN11.	Applicant	<p>DCO requirements comparison for Sea Link and SPR scenarios for Friston substation</p> <p>The ExA notes several differences between the requirements within the Sea Link DCO and the made order for Scottish Power Renewables (SPR) at Friston substation. Compare, in detail, in a side-by-side comparison the requirements and schedules of documents to be certified for Sea Link and the SPR made order that relate to Friston Substation. Explain any differences.</p>	<p><u>Applicant</u></p> <p><u>Friston Parish Council & SASES</u></p> <p>FPC and SASES thank examining authority for asking this question. They would point out that in order to ensure the existing mitigation for the National Grid connection hub/substation is maintained, the content of outline documents that are certified and secured in the EA2 and EA1N is carried forward into the Sealink project. As the ExA is aware of the detail of many of these documents is currently being agreed under a discharge of requirements process which is proving very onerous. In the interests of efficiency every effort</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			should be made to avoid “reinventing the wheel” in respect of the mitigation already determined for the National Grid connection hub/substation	
1GEN14.	Applicant Local authorities	<p>Article 2 (Interpretation) “construction environmental management plan” (CEMP) and all other plans listed in Schedule 3 Requirement 6</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>	<p>Applicant</p> <p>East Suffolk Council</p> <p>ESC understands that final detailed versions of plans listed in Schedule 3 Requirement 6 would be approved by “the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy”, as per the wording of Requirement 6(1) of the draft Development Consent Order (‘dDCO’) [CR1-027]. Nevertheless, ESC welcomes the Examining Authority seeking clarity around the Applicant’s proposed approach, particularly regarding who the discharging authority would be for approval of the plans and for discharge of all requirements in Schedule 3. ESC agrees that, in accordance with PINS Advice Note on Drafting Development Consent Orders, it is essential that “relevant planning authority” is robustly defined, or the discharging authority (or authorities) is identified by name in each Requirement. This would remove any ambiguity and prevent confusion post-consent (should the project be granted development consent).</p> <p>ESC is currently discharging requirements of The Sizewell C (Nuclear Generating Station) Order 2022, The East Anglia ONE North Offshore Wind Farm Order 2022, and The East Anglia TWO Offshore Wind Farm Order 2022. The Sizewell C DCO Requirements identify the discharging authority and consultees by name. For East Anglia ONE North and East Anglia TWO, the term “relevant planning authority” is used within the DCO Requirements, defined as “the district planning authority for the area in which the land to which the relevant provision of this Order applies is situated”. The East Anglia ONE North and East Anglia TWO DCO Requirements also refer to “relevant highway authority”, “relevant lead local flood authority”, and “relevant local highway authority”. ESC considers that both approaches are working well. ESC appreciates that the Sea Link DCO is complicated</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant’s submissions are summarised in Application Document 9.89 Applicant’s Written Summaries of Oral Submissions to Issue Specific Hearing 2 and Application Document 9.90 Applicant’s Response to January Hearing Action Points CAH1 ISH2.</p> <p>In addition, the Applicant has reflected on the approach in DCO Requirements 5 and 6, and has included an updated version of those Requirements within the draft of Schedule 3 submitted as part of the Deadline 4 submission.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>by the project's Order Limits spanning multiple host authorities, with potentially county and district authorities having different remits in Suffolk and Kent. Therefore, whilst it may make the wording of requirements less concise, ESC considers that naming the discharging authorities for the Suffolk and Kent schemes in each requirement would be the optimal way to avoid ambiguity or confusion, noting concerns raised by SCC in Paragraph 15.34 of its LIR [REP1-130] that imprecise drafting of the Bramford to Twinstead DCO has already caused confusion post-consent.</p> <p>The Sea Link dDCO [CR1-027] defines "relevant planning authority" as "the local planning authority for the area to which the provision relates". For Suffolk, this would be ESC. For the Suffolk Onshore Scheme, ESC is therefore the discharging authority for all of the requirements listed in Schedule 3 of the dDCO, excluding:</p> <ul style="list-style-type: none"> • Requirement 5, for which the discharging authority is the "relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy"; • Requirement 6, for which the discharging authority is the "relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy"; • Requirement 7(3), for which the "relevant highway authority" (SCC for Suffolk) is the discharging authority; and • Requirement 12, for which the "relevant highway authority" (SCC for Suffolk) is the discharging authority (although ESC notes that 12(1) appears to mistakenly refer to "the local highway authority", which is not defined in the dDCO). <p>ESC considers that Requirement 5 and Requirement 6 are too ambiguous and vague, leaving who the appropriate discharging authority is for matters relating to any given plan, scheme or strategy open for debate. This could lead to confusion and subsequently delays post-consent. ESC therefore considers that the discharging authority should be identified by name for each of the plans listed in Requirement 5(2) and Requirement 6(1). For the Suffolk Onshore Scheme, ESC considers that it would be the appropriate</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>discharging authority for all of the plans listed in Requirement 6(1), excluding those only concerning the Kent Onshore Scheme, as well as the Construction Traffic Management and Travel Plan – Suffolk, the Public Rights of Way (PRoW) Management Plan – Suffolk, Material and Waste Management Plan, Construction Drainage Management Plan, Flood Management Plan (FMP), and the Operational Drainage Management Plan.</p> <p>ESC queries how the Onshore CEMP, Material and Waste Management Plan, Construction Drainage Management Plan, Flood Management Plan (FMP), and the Operational Drainage Management Plan would be approved, given that these are relevant to both the Kent and Suffolk local authorities.</p> <p>ESC is identified as the discharging authority for Requirement 14 (Archaeology). ESC considers that for Suffolk, SCC should be the discharging authority as archaeology falls within SCC's remit. This is the situation for Sizewell C, East Anglia ONE North, and East Anglia TWO DCOs. This is supported by SCC in Paragraph 15.65 of its LIR [REP1-130].</p> <p>ESC also wishes to note that Requirement 10(2) identifies the "relevant local planning authority" as the discharging authority. ESC considers that this is an error as this term is not defined in the dDCO, and this should instead read "relevant planning authority".</p>	
			<p><u>Suffolk County Council</u></p> <p>SCC considers the applicant should produce, for each management plan, an outline plan to be certified by the Secretary of State, with the final version being approved by the relevant discharging body. There is enough time in the Examination for an outline plan to be produced and examined.</p> <p>Per the Advice Note cited by the ExA, SCC considers each discharging body should be clearly named in the requirement.</p>	<p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's submissions are summarised in Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 and Application Document 9.90 Applicant's Response to January Hearing Action Points CAH1 ISH2.</p>
			<p><u>Thanet District Council</u></p> <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.</p>	<p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's submissions are summarised in Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 and Application Document 9.90 Applicant's Response to January Hearing Action Points CAH1 ISH2.</p>

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			<p><u>Dover District Council</u> This question appears to be for the applicant to respond to however DDC welcomes the clarity the answers to this question will bring regarding which Local Planning Authorities will be responsible for discharging requirements.</p>	<p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's comments are summarised in the following Deadline 4 submissions: Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 and Application Document 9.90 Applicant's Response to January Hearing Action Points CAH1 ISH2.</p>
1GEN26.	Applicant Local authorities	<p>Article 9 Community Infrastructure Levy (CIL) Confirm whether CIL is chargeable within the relevant local authorities and therefore whether article 9 is necessary.</p>	<p><u>Applicant</u></p> <p><u>East Suffolk Council</u> ESC can confirm that the Community Infrastructure Levy (CIL) is chargeable within the East Suffolk District.</p> <p><u>Suffolk County Council</u> In Suffolk, the authorised development would in the district of East Suffolk. CIL is chargeable within that district, and more information can be found on East Suffolk Council's website.</p> <p><u>Thanet District Council</u> TDC is not a CIL charging authority.</p> <p><u>Dover District Council</u> DDC does not use CIL</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
1GEN28.	Applicant Local authorities	<p>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) 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. Provide justification for deemed consent in the absence of a decision. Local authorities to also provide comment.</p>	<p><u>Applicant</u></p> <p><u>East Suffolk Council</u> ESC strongly objects to the provision in Article 54(1)(2) of the draft DCO [CR1-027] for the Applicant to have deemed consent where the relevant authority does not determine an application within the period set out in Article 54(1)(1). This is not in keeping with other consented NSIP projects within the East Suffolk district, nor does it build a positive relationship in the spirit of collaborative working between the host authority and a consented project promoter. As discussed in response to Question 1GEN14, ESC is currently discharging requirements of The Sizewell C (Nuclear Generating Station) Order 2022, The East Anglia ONE North Offshore Wind Farm Order 2022, and The East Anglia TWO Offshore Wind Farm Order 2022. These DCOs do not include</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant notes the comments of East Suffolk Council in response to the ExA's Question 1GEN28.</p> <p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's submissions are summarised in Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 submitted at Deadline 4.</p> <p>The Applicant considers that as a matter of principle the use of deeming provisions is a well-established and well precedented part of drafting a DCO. The drafting is precedented in the National Grid (Bramford to Twinstead Reinforcement) Development Consent Order 2024 and the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024.</p>

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			<p>deemed consent and instead extend the provision of an appeal process to instances of applications not being determined within the specified time period. It is also worth noting that the original draft DCOs submitted into the Sizewell C and East Anglia ONE North and East Anglia TWO examinations did not include deemed consent; the provision of an appeals process in the event of applications not being determined within the prescribed time periods has always been the standard approach taken by applicants of projects in East Suffolk, demonstrating that Sea Link's proposed approach is very much an outlier.</p> <p>ESC considers Article 54(1)(2) to be unreasonable. An appeal mechanism is more appropriate. Whilst ESC will always endeavour to determine applications within the time periods specified in the DCO, a blanket 35-day period fails to account for wider context, including the number of other DCOs for which ESC and other local authorities, including Suffolk County Council (SCC), are discharging requirements. DCO Requirements are a key mechanism for controlling the development, ensuring that the appropriate mitigation is secured and implemented. DCOs are generally consented without detailed design. It is the discharge of requirements that consent the detailed design and determine how nationally significant infrastructure is experienced on the ground. Their importance cannot be overstated. It is therefore essential that the discharge of requirement process provides discharging authorities with sufficient freedom to undergo a robust determination process, rather than being pressurised into delivering sub-par results within severely constrained timescales, irrespective of current workloads.</p> <p>For context:</p> <ul style="list-style-type: none"> • Article 85 of The Sizewell C (Nuclear Generating Station) Order 2022 prescribes a decision period of: <ul style="list-style-type: none"> ○ 8 weeks (i.e. 56 days) where the discharging authority must consult with any other body (excluding ESC/SCC); or ○ 6 weeks (i.e. 42 days) where the discharging authority has no duty to consult with any other body. • Article 38 of The East Anglia ONE North Offshore Wind Farm Order 2022 and The 	<p>The SPR East Anglia One North and Two Development Consent Orders also include provision for deemed consent</p> <p>As set out in Table 13.1 of Application Document 9.35.1 Applicant's Comments on Local Impact Report from Suffolk County Council [REP2-026] there is an 'urgent' and 'critical' national need for the Proposed Project.</p> <p>When drafting the DCO, the Applicant took a proportionate approach to including the deeming provision. The Applicant considers that the use of deeming provisions is required to give certainty over timescales for the discharge of requirements and provisions for the Proposed Project.</p> <p><i>Procedure regarding certain approvals</i></p> <p>In these circumstances the Applicant envisages that there may well be situations where a more straightforward or routine approval is sought from the relevant authority and where it would therefore be reasonable to expect a decision to be proactively taken without delay by the authority at the earliest opportunity – notwithstanding the ultimate fall-back position of a deemed consent mechanism.</p> <p>The Applicant does not believe that the inclusion of such provisions would prevent the establishment of this collaborative approach between the Applicant and East Suffolk as a host authority.</p> <p>The Applicant is of the view that a 35-day period is sufficient to allow for a robust assessment of an application and the use of a period of 56 days would inevitably delay the discharge of Requirements. The Applicant has made submissions as to resource, including the use of PPAs, to support the local authorities.</p> <p>Schedule 4 (discharge of requirements) sets out the appeal process in relation to such matters and where an appeal can be made to the Secretary of State to discharge matters including the requirements in Schedule 3 (requirements) and other consents or approvals required under the Order.</p> <p>The Applicant notes that the wording already allows for a longer determination period to be agreed with the Applicant if appropriate. As such the ability to work flexibly and in a cooperative manner is already incorporated within the draft DCO. The wording of the draft DCO would not restrict the discharging authority's ability to apply a pragmatic, flexible approach. There is sufficient safeguard within the drafting as the draft Order makes clear that, in each case, the deemed approvals provisions will only have effect where the</p>

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			<p>East Anglia TWO Offshore Wind Farm Order 2022 prescribe a decision period of:</p> <ul style="list-style-type: none"> ○ 56 days where no further information is requested; or ○ 42 days where further information has been supplied by the undertaker. <p>ESC therefore considers the Applicant's proposed 35-day decision period to be unacceptably short, and a longer period of 56 days is requested to allow ESC to robustly assess requirement discharge applications.</p> <p>Additionally, as the DCO is currently drafted, there is nothing to prevent the Applicant from bombarding an authority with multiple applications at the same time, rendering them unable to assess them with any rigour, resulting in the Applicant receiving deemed consent with no control over the mitigation measures to be implemented to protect the local community. ESC considers that such a scenario would be entirely unreasonable and unacceptable, given the importance of proper consideration of the detailed design, and the DCO should provide adequate protections against such a situation arising. The post-consent phase is most successful where there is a positive, productive working relationship between the Applicant and local authorities; deemed consent could seriously inhibit establishment of this collaborative approach. Furthermore, ESC wishes to note that, in its experience, a degree of flexibility in the discharge of requirement process can prove beneficial to the Applicant. In some cases, ESC has expediated the discharge of requirement process for some applications in response to requests from applicants, for example to prevent complications for construction that could extend disruption for the local community. Whilst this has at times resulted in other applications being deprioritised and subsequently going over time, this has been agreed through a flexible and collaborative approach between ESC and the applicant. If the Sea Link DCO were to apply deemed consent in the absence of a decision within the specified time periods, this would likely restrict the discharging authority's ability to apply a pragmatic, flexible approach.</p> <p>In summary, ESC therefore requests that Article 54(1)(2) of the draft DCO is removed, and Article 54(4)(1) to is amended to extend the appeals process to instances where the relevant authority does not determine an application within the time</p>	<p>application for consent, agreement and/or approval includes a clear statement that consent etc. must be provided within 35 days or else the consenting authority is deemed to have granted consent. This ensures that the consenting authority is placed on notice that the deemed approvals provisions will apply.</p> <p>The Lake Lothing (Lowestoft) Third Crossing DCO that was granted in 2020, and is located within the administrative boundary of East Suffolk and Suffolk Councils included deemed provisions with a shorter (28 day) period, than the Proposed Project.</p>

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			<p>periods set out in Article 54(1)(1). The Secretary of State has granted multiple DCOs in the Suffolk area. In none of these has the Secretary of State seen fit to impose deemed consenting provisions on the relevant planning authorities. There are good reasons to follow that precedent and not break new ground as the Applicant now seeks which could mean a lack of proper scrutiny of the detailed design of this scheme where such scrutiny is vital given the size of the scheme and its interaction with a number of other nationally significant infrastructure projects.</p>	
			<p>Suffolk County Council</p> <p>“which consent shall not be unreasonably withheld or delayed.”</p> <p>SCC explained its position on the inclusion of these words in paragraphs 15.13 and 15.14 of their LIR [REP1-130] in which they state –</p> <p>“15.13 SCC will be receiving considerable numbers of requests for approval and will ensure that they are dealt with as quickly as possible. With the deeming provisions included there is no need to also say that the approvals must not be “unreasonably withheld or delayed” and so these words should be removed from article 11(2).</p> <p>15.14 SCC request that the same amendment is made to the following articles: 14(4) (power to alter layout, etc. of streets), 15(2), 15(5)(b) (temporary closure of streets and public rights of way and permissive paths), 17(1)(b) (access to works), 20(3), 20(4)(a) (discharge of water), 22(5) (authority to survey and investigate the land), 50(2) (traffic regulation), 55(1) (procedure regarding certain approvals etc.)”.</p> <p>SCC maintains its position in respect of this wording. Owing to the inclusion of the deeming provision, the words mentioned above are superfluous, particularly “or delayed.” Since a decision must, in any event, be made within 35 days, SCC does not understand how it could be “unreasonably ... delayed”, not least since the applicant has proposed that time limit and must therefore consider it reasonable.</p> <p>SCC notes that Fenwick Solar Project Limited, the applicant for the Fenwick Solar Farm (a DCO application which is currently at determination stage) amended article 45(2) (procedure in relation to certain approvals) during the examination as follows –</p>	<p>The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's are summarised in Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 submitted at Deadline 4.</p> <p>The Applicant does not agree with the suggestion that the inclusion of deeming provisions in the draft DCO negates the need for the draft DCO to also state that approvals must not be unreasonably withheld or delayed.</p> <p>The Applicant notes that the use of the words <i>'which consent shall not be unreasonably withheld or delayed'</i> is intended for a limited set of circumstances where a routine approval is sought from the relevant authority and where it would therefore be reasonable to expect a decision to be proactively taken without delay by the authority at the earliest opportunity.</p> <p>The Applicant's view is that a 35-day period is sufficient to allow for a robust assessment of the issues, cognisant of the Applicant's other submissions including in respect of PPA resource and ongoing engagement with the local authorities so that applications are discussed in advance of the formal determination period.</p>

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			<p>“(2) Where paragraph (1) applies to any consent, agreement or approval, such consent, agreement or approval must not be unreasonably withheld or delayed”.</p> <p>The change was made at Deadline 1 of that examination on the basis “this drafting is superfluous given there is a deemed approval provision in this Article”. (See the applicant’s Schedule of Changes to the draft Development Consent Order [REP1-046]). SCC agrees with this reasoning.</p> <p>Furthermore, it will be noted that the Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 (SI 2009/2265) states in certain provisions – model provisions 14(3) and (4) (discharge of water), 16(4) (authority to survey and investigate land) and 34(3) (railway and navigation undertakings) – that consent (or approval) “shall not be unreasonably withheld” but it does not state consent must not be “unreasonably delayed”.</p> <p>While SCC considers all the text mentioned above should be omitted, at the very least, the words “or delayed” should be.</p> <p>Deemed consent in the absence of a decision</p> <p>SCC acknowledges that deeming provisions are an established part of the DCO regime and considers they are acceptable provided two safeguards are in place.</p> <p>The first safeguard is that the undertaker, when making the application for consent, must inform the determining authority that the deeming provision applies to that application. This safeguard is included in the draft Order [CR1-029].</p> <p>The second safeguard is that SCC has a reasonable amount of time to determine the application. While SCC will ensure that any application for consent will be dealt with as quickly as possible – and it has a proven track-record of doing so – it will be remembered that SCC will be receiving, at the same time, a considerable number of requests for approval across several nationally significant infrastructure projects which have already been consented (i.e. East Anglia ONE North Offshore Wind Farm Order 2022 (SI 2022/432), East Anglia TWO Offshore Wind Farm Order 2022 (SI 2022/433), Sizewell C (Nuclear Generating Station) Order 2022 (SI 2022/853), Sunnica Energy Farm Order 2024 (SI 2024/802), and National Grid (Bramford to Twinstead Reinforcement) Order 2024 (SI 2024 / 958).</p>	

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			<p>Forthcoming DCO applications for which SCC will be a host authority include National Grid Electricity Transmission's Norwich to Tilbury application and National Grid Interconnector Holdings Limited's LionLink Interconnector application).</p> <p>A 35-day decision-making period in this context is unrealistic and potentially detrimental to the effective consideration of applications.</p> <p>As mentioned in SCC's LIR [REP1-130] (paragraphs 15.15 to 15.19 and 15.72 to 15.74) SCC considers 56 days would will ensure that any application for consent will be dealt with as quickly as possible – and it has a proven track-record of doing so – it will be remembered that SCC will be receiving, at the same time, a considerable number of requests for approval across several nationally significant infrastructure projects which have already been consented (i.e. East Anglia ONE North Offshore Wind Farm Order 2022 (SI 2022/432), East Anglia TWO Offshore Wind Farm Order 2022 (SI 2022/433), Sizewell C (Nuclear Generating Station) Order 2022 (SI 2022/853), Sunnica Energy Farm Order 2024 (SI 2024/802), and National Grid (Bramford to Twinstead Reinforcement) Order 2024 (SI 2024 / 958).</p> <p>Forthcoming DCO applications for which SCC will be a host authority include National Grid Electricity Transmission's Norwich to Tilbury application and National Grid Interconnector Holdings Limited's LionLink Interconnector application).</p> <p>A 35-day decision-making period in this context is unrealistic and potentially detrimental to the effective consideration of applications.</p> <p>As mentioned in SCC's LIR [REP1-130] (paragraphs 15.15 to 15.19 and 15.72 to 15.74) SCC considers 56 days would the undertaker) beginning with the date on which the application was received ..." would provide the second safeguard mentioned above.</p>	
			<p><u>Thanet District Council</u></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>The Applicant has begun discussion with TDC over a further Planning Performance Agreement in relation to the discharge of requirements, and anticipates further discussion to agree terms in the near future.</p> <p>Notwithstanding that the Applicant is currently engaged in discussions with TDC over a Planning Performance Agreement, as a practical matter the Applicant will always seek to liaise with host authorities ahead of the discharge of conditions.</p>

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			<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> <p><u>Dover District Council</u></p> <p>The Council consider the intended definition of the wording is unclear and suggest the 35 day decision period is specifically referred to, with provision made to allow mutual agreement to extend this period where matters require resolution.</p>	<p>For the reasons set out above the Applicant considers that the use of deeming provisions is a well precedented and established element of drafting DCOs, and that in the context of the Proposed Project the requested deeming provisions are appropriate and proportionate.</p> <p>The Applicant's view is that the 35 day period is already sufficiently clear within the current wording of the draft DCO. The Applicant also notes that the Requirement as worded already includes a provision to mutually agree an extended period it appropriate: 'or such other period agreed by the street authority and the undertaker'.</p>
1GEN29.	Applicant Local authorities	<p>Article 11, article 14, article 15 and article 17 consistency of wording</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. Update the explanatory memorandum and other core documents accordingly.</p>	<p><u>Applicant</u></p> <p><u>East Suffolk Council</u></p> <p>ESC considers that the wording of Article 11(3), Article 14(5), Article 15(9), and Article 17(2) should be made consistent. ESC also wishes to reiterate its objections to the proposed blanket 35-day discharge of requirement decision period, as discussed in its response to 1GEN28 above. This decision period is inconsistent with those currently being implemented by Sizewell C and SPR's East Anglia ONE North and East Anglia TWO projects and would place unreasonable demands on discharging authorities.</p> <p><u>Suffolk County Council</u></p> <p>SCC assumes the inconsistency is an error and that, on each occasion, the 35 days should begin with the day on which SCC received the application.</p> <p>It would make no sense for an order to include an inconsistency of this nature as it risks causing confusion for all affected parties. Internal consistency is therefore essential.</p> <p>Paragraph 4.18.5 of the Explanatory Memorandum [CR1-029] states article 14 (power to alter layout, etc. of streets) is based on the National Grid (Bramford to Twinstead Reinforcement) Development Consent Order 2024. Paragraphs 4.19.2 and 4.21.2 say the same about articles 15 (temporary closure of streets and public rights of way and permissive paths) and 17 (access to works). In the equivalent provisions of the Bramford Order, the 35-day deadline begins "with the date on which the application was received". Since SCC will be dealing with applications for both the Bramford</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>As confirmed in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069], the Applicant amended the wording in article 14(5), article 15(9) and article 17(2) to read 'beginning with the date on which the application was received' in order to ensure consistency across the draft Order.</p> <p>As confirmed in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069], the Applicant amended the wording in article 14(5), article 15(9) and article 17(2) to read 'beginning with the date on which the application was received' in order to ensure consistency across the draft Order.</p> <p>For the reasons set out above the Applicant considers that a 35 day period is reasonable and proportionate in the circumstances of the Proposed Project.</p>

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			<p>and instant projects, it makes sense for the calculation of the commencement of deadlines to be the same for both.</p> <p>For the reasons set out in SCC's LIR [REP1-130] (see paragraphs 15.15 to 15.19 and 15.72 to 15.74), SCC does not consider 35 days is enough time to determine these applications and that 56 days should be provided. In that context, if the 35 days began on the day on which the application was made, SCC would have even less time to determine it, which would make an already challenging situation even worse.</p>	
			<p><u>Thanet District Council</u></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>	<p>The Applicant does not consider that this proposed wording is necessary, as the consistent use of '<i>beginning with the date on which the application was received</i>' offers the required clarity and certainty.</p> <p>Schedule 4 of Application Document 3.1 (F) draft Development Consent Order [REP3-006] is express as to the obligation on the undertaker to pay a fee (see paragraph 3 of that schedule).</p> <p>Paragraph 2 of that schedule also provides for the process where further information is required.</p> <p>Hence both matters are already addressed in Schedule 4.</p>
			<p><u>Dover District Council</u></p> <p>The Council has no comment on this but would support the use of consistent language throughout to provide clarity.</p>	<p>The Applicant considers that the revised wording set out above achieves this consistency.</p>
1GEN39.	Applicant Statutory undertakers	<p>Article 44</p> <p>Explain the implications for the inclusion of paragraphs (2) to (4) and signpost to similar paragraphs within made orders.</p> <p>Update the explanatory memorandum and other core documents accordingly.</p> <p>Statutory undertakers to also provide comment.</p>	<p><u>Applicant</u></p> <p><u>ScottishPower Renewables</u></p> <p>EA1NL and EA2L note that article 44 sits together with protective provisions for the relevant statutory undertaker. EA1NL and EA2L reiterate that the development of appropriate protective provisions to manage the interface between their assets and Sea Link will be imperative. The interface between EA1N and EA2 and Sea Link is reasonably complex and will require bespoke protective provisions. To that end, SPR is preparing a draft suite of protective provisions which will be provided to NGET.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

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			<p><u>Southern Gas Networks Plc (SGN)</u></p> <p>2.1 As acknowledged by the Applicant itself, Article 44 departs from the model DCO provisions by adding paragraphs (2)–(4), which purport to apply sections 271–274 of the Town and Country Planning Act (“TCPA”) 1990 (and associated consequential/compensation provisions). The effect of this, amongst other things, is that the Undertaker (as defined in the draft Order) could use TCPA powers to extinguish rights or affect or reposition SGN’s apparatus which falls outside of the draft Order limits.</p> <p>2.2 It is not clear why the Applicant has included these provisions, and we do not agree with the explanation provided to date in the Explanatory Memorandum. As such, we cannot see any justification for introducing powers to extinguish rights over apparatus which falls outside the draft Order limits.</p> <p>2.3 The Explanatory Memorandum states that these paragraphs allow for the notification process in the TCPA 1990 to apply. However, the actual TCPA provisions go further than a pure notification process, and weaken SGN’s protections in the proposed Protective Provisions (“PPs”) which we are negotiating on their behalf. As worded currently, only Article 44(1) is made subject to Schedule 15 of the draft Order and, by reference, to the PPs.</p> <p>2.4 Inclusion of paragraphs (2) to (4) would therefore have the effect of subverting the PPs, with two different processes for dealing with rights and apparatus running in parallel. Any interference with SGN’s apparatus (including off-route diversions and impacts of all works carried out pursuant to the Order) should be governed by the PPs—not by a parallel TCPA route.</p> <p>2.5 For example, the PPs require that alternative apparatus is constructed and brought into operation to SGN’s reasonable satisfaction, with necessary rights and access in place, before any removal of existing apparatus. These protections are crucial and must be maintained.</p> <p>2.6 It is also relevant that these paragraphs appeared at application stage in the draft National Grid (Bramford to Twinstead Reinforcement) Order but were omitted by the Secretary of State in the made Order. SGN suggests that the same precedent is followed and invites the same outcome</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			here, such that Articles 44(2)–(4) are removed in their entirety.	
			<p><u>Environment Agency</u></p> <p>We are unable to provide a response on this question at this point in time. We are waiting for our legal department to review this wording and will respond as soon as possible.</p>	This is noted by the Applicant.
			<p><u>Historic England</u></p> <p>In context of this DCO Historic England's statutory role is not affected by the provisions contained in Article 44. Therefore, we have no comments to make on the wording of the Article 44.</p>	This is noted by the Applicant.
1GEN43.	Applicant	<p>Article 51</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 [CR1-043] 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><u>Thanet District Council</u></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>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>In addition, Requirement 8 within Schedule 3 of Application Document 3.1(F) draft Development Consent Order [REP3-006] requires that an Arboricultural Method Statement is produced which includes details of proposed works to retained trees (including ancient and veteran trees, and those protected by Tree Preservation Order). Such a statement is to be submitted and approved by the relevant planning authority. The Applicant therefore considers that the current controls within Application Document 3.1(F) draft Development Consent Order [REP3-006] and Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] already provide the relevant planning authority with the opportunity to approve works to veteran, ancient and Trees subject to Tree Preservation Order.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN47.	Applicant/ local authorities	<p>Requirement 3 converter station design</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 [APP-366] and Design Principles - Kent [APP-367] are not included as documents to be certified in Schedule 19 pursuant to article 60 of the dDCO.</p> <p>Local authorities to provide comments on these matters.</p>	<p>Applicant</p> <p>East Suffolk Council</p> <p>ESC welcomes the Examining Authority highlighting the additional flexibility sought by the Applicant through Requirement 3 of the DCO with respect to converter station design. ESC considers that the relevant planning authority (ESC for the Saxmundham Converter Station) must be awarded the flexibility to approve the layout, scale and design of the converter station, rather than merely confirming that the submitted design is in accordance with the Key Design Principles set out in the Converter Station Design Principles.</p> <p>ESC would also request that the Applicant adds a requirement to the Sea Link DCO that secures the relevant planning authority approving the layout, scale and design of the River Fromus Bridge, and the Friston substation (and the two new pylons adjacent to the substation) in the event that a Scenario 2 connection is pursued.</p> <p>ESC has been extensively engaged with the Applicant and other stakeholders around possible design options for the Proposed Development, particularly the River Fromus Bridge. The Saxmundham converter station, Friston substation and associated pylons, and River Fromus Bridge are likely to have significant landscape and visual, and cultural heritage effects.</p> <p>It is therefore essential that the DCO requirements provide robust controls over the designs of this infrastructure, in order to minimise and mitigate these effects as far as possible.</p> <p>Whilst ESC supports the Applicant establishing Design Principles with which the design of infrastructure must accord, confirmation of this accordance alone is not sufficient. ESC requests that the Applicant takes the same approach as The East Anglia ONE North Offshore Wind Farm Order 2022 and The East Anglia TWO Offshore Wind Farm Order 2022 by allowing the relevant planning authority to approve design, subject to this being in accordance with the relevant design principles. This approach is also taken in requirements in The Sizewell C (Nuclear Generating Station) Order 2022 relating to the design of various components of the Sizewell C project.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [RE3-069].</p> <p>The wording of Requirement 3 of Application Document 3.1 (F) draft Development Consent Order [REP3-006] reflects the reality that the design of a converter station is governed by the need to meet the functionality of the converter station in line with National Grid specifications and requirements as well as the regulatory requirements as they stand at the time of construction.</p> <p>These constraints are set out in the 'Critical Design Constraints' identified in Application Document 7.12.1 Design Principles – Suffolk [APP-366] and Application Document 7.12.2 Design Principles – Kent [APP-367].</p> <p>Design will also depend upon the equipment selection and layout will be heavily driven by engineering, safety, security, and other operational factors, as well as regulatory considerations and delivery programme considerations (e.g. product availability).</p> <p>Rather than seeking to secure greater flexibility, the Applicant's approach simply reflects the reality that designing and building a converter station is a highly regulated and constrained process and that the Applicant is governed by its own and regulator obligations.</p> <p>In the circumstances the Applicant has produced the Key Design Principles, set out in Application Document 7.12.1 Design Principles – Suffolk [APP-366] and secured via Requirement 3 of Application Document 3.1 (F) draft Development Consent Order [REP3-006], have been designed specifically to ensure that matters of design (including height, scale, massing, orientation, building arrangement, materials, colours, and textures) are considered appropriately and robustly, recognising that the manner and extent to which principles can influence the design are dependent on the engineering and operational factors above. The relevant planning authorities do have the ability to approve (or otherwise) the designs on the basis of their general accordance with the Key Design Principles.</p> <p>The Design Principles documents have been developed following extensive community and stakeholder engagement, including with the relevant local planning authorities and with a Design Review Panel (DRP).</p> <p>The physical parameters are already controlled by the lines and situations on Application Document 2.5.1 (B) Works Plans –</p>

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			<p>As stated in response to question 1GEN28, the discharge of requirements are the opportunity to approve detailed design and determine how the nationally significant infrastructure is experienced on the ground. Their importance cannot be overstated. This is the reason for the ordinary approach being for the approval of details, not merely accordance with approved principles, of which Requirement 12 of the East Anglia ONE North DCO is an example. There is no justification for moving away from the ordinary approach of proper scrutiny at the detailed design stage.</p> <p>ESC considers that Requirement 3, and any additional requirements relating to the design of Friston Substation (and the two new pylons adjacent to the substation) and the River Fromus Bridge must also stipulate that the development must be carried out in accordance with the details approved by the relevant planning authority.</p>	<p>Suffolk [CR1-007] and Application Document 2.5.2 (B) Works Plans – Kent [CR1-008], and the table of parameters in article 5 of Application Document 3.1 (F) draft Development Consent Order [REP3-006]. Wording that stipulates that the authorised development must be carried out in accordance with the details submitted to the relevant planning authority has been added to Requirement 3 in Application Document 3.1 (F) draft Development Consent Order [REP3-006].</p>
			<p><u>Suffolk County Council</u></p> <p>Approval of design of converter station by the relevant planning authority</p> <p>The Council considers that the greater flexibility sought by the Applicant is not justified based on what was deemed acceptable for the EA1N and EA2 substation site and is concerned by the proposed weakening of controls.</p> <p>The Council considers it necessary for the design, scale, and layout of the converter station to be approved by the relevant local authority. The Key Design Principles, as currently worded, are vague and include various</p> <p>Approval of design of converter station by the relevant planning authority</p> <p>The Council considers that the greater flexibility sought by the Applicant is not justified based on what was deemed acceptable for the EA1N and EA2 substation site and is concerned by the proposed weakening of controls.</p> <p>The Council considers it necessary for the design, scale, and layout of the converter station to be approved by the relevant local authority. The Key Design Principles, as currently worded, are vague and include various</p> <p>Approval of design of converter station by the relevant planning authority</p> <p>The Council considers that the greater flexibility sought by the Applicant is not justified based on</p>	<p>The Applicant notes that a similar discussion was held on the Bramford to Twinstead DCO, and that in the Recommendation Report the Examining Authority concluded:</p> <p><i>'3.6.45. The ExA accepts the need for flexibility prior to the detailed design being developed by contractors, and that this aligns with policy on fitness for purpose and functionality in NPS EN-1. The ExA also recognises that the Applicant would have very limited choice in the aesthetic appearance of the infrastructure.</i></p> <p><i>3.6.46. However, the ExA notes that, while the Applicant intends to identify and implement further good design principles through later detailed specification, in practice there would be little compunction to do so deriving from the dDCO. Nevertheless, the Applicant is governed by its own and regulator obligations, so - on balance - the ExA is content that there is no strict need for an additional DCO Requirement in this respect.</i></p> <p>The Applicant notes too that the Secretary of State endorsed this approach in the Decision Letter:</p> <p><i>'4.31 The ExA accepts the need for flexibility prior to the detailed design being developed by contractors, and that this aligns with policy on fitness for purpose and functionality in NPS EN-1. The ExA acknowledges that the Applicant is governed by its own and regulator obligations, so - on balance - the ExA is content that there is no strict need for an additional DCO Requirement in this respect [ER 3.6.46] and also recognises that the Applicant would have very limited choice in the aesthetic appearance of the infrastructure [ER 3.6.45].'</i></p> <p>The appearance of the crossing of the River Fromus is controlled via commitments in the REAC (e.g. ID LV14). This requires that design measures are incorporated into the Fromus crossing, and that details are submitted to the relevant planning authority to demonstrate how impacts have been reduced through consideration of landscape, the use of materials, and other architectural measures.</p> <p>Regarding pylon towers, as these are completely utilitarian in design (and subject to National Grid processes and policies), any requirement seeking to control their appearance would be</p>

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			<p>what was deemed acceptable for the EA1N and EA2 substation site and is concerned by the proposed weakening of controls.</p> <p>The Council considers it necessary for the design, scale, and layout of the converter station to be approved by the relevant local authority. The Key Design Principles, as currently worded, are vague and include various</p> <p>“15.38 Requirement 3 refers to “the Key Design Principles set out in the Converter Station Design Principles”. What is the status of the documents which include the Design Principles (Suffolk: [APP-366], Kent: [APP-367])? Neither is referred to elsewhere in the dDCO and SCC would suggest they should be defined and included in the schedule of certified documents. SCC would therefore suggest that existing requirement 3 is renumbered paragraph (1) and a new paragraph (2) is included in requirement 3 which includes a definition of the document e.g. –</p> <p>“(2) In paragraph (1), the Converter Station Design Principles means Design Principles – Suffolk and Design Principles – Kent, certified under article 60 (certification of documents) by the Secretary of State as Design Principles – Suffolk and Design Principles – Kent for the purposes of this Order”.</p> <p>15.39 In Schedule 19 (certified documents) to the dDCO, “Design Principles – Suffolk” and “Design Principles – Kent” should then be added to the list of documents”. respect of these documents.</p>	<p>inappropriate. The Design and Layout drawings include an illustration of typical pylon detail. See also the Applicant's response to Action Point AP 129 from ISH2.</p>
			<p><u>Thanet District Council</u></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</p>	<p>For the reasons set out above, the Applicant does not consider that Requirement 3 of the Draft Development Consent Order should give the host authorities the power to approve the design of the converter station.</p>

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			<p>– 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>	
			<p><u>Dover District Council</u></p> <p>DDC would support any additional wording being added to the draft DCO which requires the development to be carried out in accordance with the details submitted to the relevant authority, and to require the submission and enable the approval of the layout, scale and design of the substations and new Pylons in Kent, with consultation with the neighbouring local authority.</p> <p>Consultation is suggested due to the scale of the development and structures and to allow the consideration of the wider landscape and visual impact. DDC consider that the design should include the colour finish of any structures, as this could affect the visual impact of the development and there would be an expectation that, for example, the substation and converter stations would be finished in similar external materials, unless a rationale for a different design approach is submitted to explain the final design approach.</p>	<p>For the reasons set out above, the Applicant considers that the Application already contains an appropriate level of detail and control over the scale, layout, and design of the substation, and that the need to be in accordance with the design principles is an appropriate means of controlling these details. New pylon towers are completely utilitarian in design, any requirement seeking to control their appearance would be inappropriate.</p>
			<p><u>CPRE</u></p> <p>CPRE Kent strongly agree with the ExA that the DCO requirements in relation to the design and appearance of the converter station allow too great a flexibility for the applicant and not enough reassurance for the local community. Specifically,</p>	<p>For the reasons set out above, the Applicant considers that the Application already contains an appropriate level of detail and control over the scale, layout, and design of the substation, and that the need to be in accordance with the design principles is an appropriate means of controlling these details.</p>

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			<p>we note that Requirement 12 of the made East Anglia ONE North DCO requires approval of details and explicitly secures delivery in accordance with the approved detail. As a minimum, this must be replicated within the Sea Link DCO requirements schedule.</p> <p>This requirement is essential given the relatively isolated siting of the converter station (being some distance from the Richborough Energy Park) and its location within a rural landscape, which is designated as Kent Character Areas (and Landscape Character Areas). As such, the LPA will need to be assured that (a) it will be able to control and approve the layout, scale and design of the proposed building and (b) that such works will be carried out in accordance with the details submitted.</p> <p>These comments are relevant not only to the converter station design, but also to the sub-station alongside and the proposed additional pylons/overhead lines (particularly regarding their height</p> <p>Finally, it is our strong view that the Design Principles documents should be certified to ensure certainty and prevent the position being later diluted or amended.</p>	<p>This approach is also consistent with that of the Secretary of State in the Bramford to Twinstead DCO.</p> <p>New pylon towers are completely utilitarian in design, any requirement seeking to control their appearance would be inappropriate.</p>
1GEN48.	Applicant	<p>Requirement 6 construction management plans to be approved</p> <p>Many of the REAC [CR1-043] mitigation provisions are specifically linked to the use of HDD methods for landfall. Explain how mitigation controls would be secured by the DCO in the event that an alternative method (such as direct pipe or micro-tunnelling) were used to achieve landfall.</p>	<p><u>Applicant</u></p> <p><u>Aldeburgh Town Council</u></p> <p>ATC remains deeply concerned at the potential damage that may be caused by any of these methods.</p> <p>ATC have welcomed Applicants making contact over Projects that stand to affect the town - both Sizewell over many years and Scottish Power Renewables over recent years have made presentations at the Moot Hall and ATC believes it has good relations with both of these project organisers.</p> <p>To emphasise our point 2 above, we are both saddened and appalled that this Applicant has not and is still not engaging with ATC on any level, while we know we are not alone this is still galling and worrying.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Whilst acknowledging the points raised here, the Applicant is confident that the mitigation controls described here are adequately secured, as set out in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

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			<p>CPRE</p> <p>Whilst CPRE Kent will await with interest as to the applicant's response to this question, it is our opinion that generally, far more clarity and certainty is needed regarding the process should there subsequently be any departure from HDD methods (or the assessed trenchless landfall approach). Specifically, it's our opinion that sufficiently robust safeguards must be put in place to ensure any departure may only occur following prior approval of a method-specific package of mitigation demonstrating no greater environmental effects than those assessed.</p>	
1GEN49.	Applicant	<p>Requirement 7 construction hours</p> <p>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 Anglia 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</p>	<p>Applicant</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Thanet District Council</p> <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.</p> <p>Aldeburgh Town Council</p> <p>Should this badly conceived Project be approved, ATC would request considerable care should be taken to condition severely curtail or cease works in daily working hours and peak periods, including for example the Aldeburgh Carnival when numbers swell dramatically. ATC would also question whether this Application (if successful) could ever justifiably be permitted working hours that are longer than those of the current Scottish Power Renewables project.</p> <p>As presented by ESC, the mental wellbeing of residents is already being negatively affected, and this situation would be exacerbated by the potential damage to commercial wellbeing caused by the current construction plans for this project.</p> <p>CPRE</p> <p>CPRE Kent strongly supports the ExA's concerns regarding permitting core working on Sundays and Bank Holiday. Clearly this proposal would give no meaningful respite to the local community, which we consider unacceptable. We therefore strongly support using more standard restrictions such as those secured under the East Anglia ONE North</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response to this comment regarding adverse effects on community health and wellbeing can be found in Table 2.12 (against <i>Reference 126</i>) of Application Document 9.34.1 Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response to this comment regarding adverse effects on community health and wellbeing can be found in Table 2.12 (against <i>Reference 126</i>) of Application Document 9.34.1</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		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>DCO. These permit weekdays working only with limited Saturday hours and no routine Sunday/Bank Holiday working with very tightly defined exemptions. It is our view that a slight extension to the programme that allows weekly periods of respite throughout the duration of construction is preferable to a slightly shorter construction period with no respite at all.</p> <p>Clearly it however remains necessary for the applicant to produce a transparent and updated programme setting out exactly what the implications of such would be and we reserve the right to comment further on this in due course.</p>	Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP1A-043].
1GEN52.	Applicant	<p>Requirement 9 reinstatement schemes</p> <p>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>	<p><u>Thanet District Council</u></p> <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.</p>	The Applicant notes that these drafting matters were discussed during the course of ISH2 and the Applicant's submissions are summarised in the following Deadline 4 submissions: Application Document 9.89 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 2 and Application Document 9.90 Applicant's Response to January Hearing Action Points CAH1 ISH2.
1GEN58.	Marine Management Organisation (MMO)	<p>Schedule 16 DML – condition 4(4)</p> <p>Part 2 condition 4(4) includes provision for deemed consent where the MMO fails to give a decision within 16 weeks. In this situation, the programme, statement, plan, protocol or scheme would be deemed to be approved by the MMO. Provide your views on this provision for deemed consent.</p>	<p><u>Marine Management Organisation (MMO)</u></p> <p>The MMO does not agree with the wording of this condition. As stated in our Relevant Representation [RR-3476], the MMO considers that it is inappropriate to put timeframes on complex technical decisions.</p> <p>The time it takes the MMO to make such determinations depends on the quality of the application made, and the complexity of the issues and the amount of consultation the MMO is required to undertake with other organisations to seek resolutions.</p> <p>The MMO's position remains that it is inappropriate to apply a strict timeframe to the approvals the MMO is required to give under the conditions of the DML given this would create disparity between licences issued under the DCO process and those issued directly by the MMO, as marine licences issued by the MMO are not subject to set determination periods. Whilst the MMO acknowledges that the Applicant may wish to create some certainty around</p>	This is noted by the Applicant. The Applicant is reviewing revised DML text received from the MMO via email on the 22 January 2026. The Applicant will review the current wording of Schedule 16 DML – condition 4(4) and provide an update at Deadline 5.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>when it can expect the MMO to determine any applications for an approval required under the conditions of a licence, and whilst the MMO acknowledges that delays can be problematic for developers and that they can have financial implications, the MMO stresses that it does not delay determining whether to grant or refuse such approvals unnecessarily. The MMO makes these determinations in a timely manner as it is able to do so.</p> <p>It is therefore not appropriate for any programme, statement, plan, protocol or scheme to be deemed to have approval if it is not approved by the MMO within 16 weeks. The MMO's view is that it is for the developer to ensure that it applies for any such approval in sufficient time as to allow the MMO to properly determine whether to grant or refuse the approval application.</p>	
1GEN60.	Applicant MMO	<p>Schedule 16 DML – condition 13</p> <p>Provide an explanation of the purpose and effect of condition 13, including justification for the 10 year period. Update the explanatory memorandum accordingly.</p> <p>MMO to provide their view on condition 13.</p>	<p>Applicant</p> <p>MMO</p> <p>The MMO is currently reviewing this condition and will provide further comments at a following deadline.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p>
1GEN67.	Applicant Natural England MMO	<p>Surveys and monitoring conditions</p> <p>Applicant - It is common with DMLs as part of DCOs which have an offshore element for there to be a condition requiring details of planned pre-construction surveys and monitoring to be agreed with the MMO and NE. Notwithstanding the details within the submitted oOCEMP, is there a need for such a condition to be within the DML to secure this? Similarly, is there a need for a condition within the DML for post-construction monitoring, to include adaptive management where necessary, with details and methodology to be first agreed with MMO and NE?</p> <p>NE and MMO - If considered necessary is there wording that could be suggested.</p>	<p>Applicant</p> <p>MMO</p> <p>The MMO is currently reviewing this and are liaising with Natural England.</p> <p>Therefore, the MMO defers a response to a following deadline.</p> <p>MCA</p> <p>Although this question is not directed at the MCA, we would like to offer the following comment for the ExA's consideration.</p> <p>The Maritime and Coastguard Agency (MCA) would expect a Navigation Installation Plan (NIP) for the key areas of interest (AOI), a Vessel Traffic Management Plan (VTMP) for the full cable route (see question QISN17 below), adherence to the</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p> <p>This is noted by the Applicant. An updated Application Document 9.12 Outline Navigational and Installation Plan has been submitted at Deadline 4.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Cable Burial Risk Assessment and a post-burial survey report to confirm target depths to be secured through conditions of consent in the DCO DML. The MCA would like to ensure that these are agreed by the MMO in consultation with the MCA and the relevant ports.	

1.4 Compulsory Acquisition (CA) and Temporary Possession (TP) ([CR1-003] and [CR1-005] unless otherwise stated)

Table 1.3 Compulsory acquisition (CA) and temporary possession (TP) ([CR1-003] and [CR1-005] unless otherwise stated)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN70.	Local planning authorities Local highway authorities	<p>Alternatives to CA or temporary possession (TP)</p> <p>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"> any reasonable alternatives to the CA or the TP which is sought by the applicant? any areas of land or rights that the applicant is seeking the powers to acquire that you consider would not be needed? 	<p>East Suffolk Council</p> <p>ESC is currently not aware of 'any reasonable alternatives to the CA or the TP which is sought by the applicant'. However, ESC has registered to speak at CAH1 on 27th January 2026 and its engagement with NGET in respect of the CA powers sought in respect of ESC's land interests/rights identified is presently ongoing. Further updates can be provided following CAH1.</p> <p>ESC has reviewed the 'areas of land or rights that the applicant is seeking the powers to acquire' across the Suffolk onshore order limits and as illustrated within [CR1-003]. Notwithstanding ESC's views on Sea Link's Need Case, as set out in Section 4 of its LIR [REP1-128], if the decision maker deems the project's Need Case to be robust, ESC does not wish to pursue any overall objection to the Compulsory Acquisition and Temporary Possession of land sought by the Applicant in order to deliver the project if consented.</p>	This is noted by the Applicant.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><u>Suffolk County Council</u></p> <p>SCC is not persuaded, as local highway authority, that there has been an adequate investigation of alternative access routes for the Saxmundham Converter Station. SCC has already set out its concerns over the existing access route and has strongly urged that an alternative route be implemented. SCC's LIR [REP1-130] explained the need for exploration of alternative access options (see, for example, paragraph 5.112 and 11.222 to 11.229) and SCC maintains its position in this regard. Were that issue to be properly addressed, the Applicant would be likely to need different CA or TP powers over land not currently included in the Order limits.</p> <p>At this stage, at the least, an alternative such as use of the consented Sizewell Link Road should be further explored in terms of the likely effects in comparison to the current proposal. Until this exercise has been undertaken, it cannot be determined that a reasonable alternative to the CA/TP sought by the Applicant in relation to the existing access route does not exist.</p> <p>Consequently, if an alternative access is achievable, there would then be no need for the access point on the B1121 or the Fromus bridge crossing or the access route from the B1121 to the Converter station.</p> <p>SCC would also make the following general points regarding CA and TP powers in this context –</p> <ul style="list-style-type: none"> • there has been limited discussions with SCC's highways team in respect of the applicant's proposals and SCC would encourage the applicant to begin meaningful engagement with SCC on its CA and TP proposals as a matter of urgency, • SCC expects any land subject to temporary possession to be returned to its previous state once it is no longer required, and • SCC expects the applicant to ensure that no costs fall on SCC because of the applicant exercising any CA or TP powers in respect of SCC's land. 	<p>The matters of alternative accesses considered for the Saxmundham converter station site are set out in detail in previous submissions into the Examination, and in application documents including the Corridor Preliminary Routing and Substation Siting Study (CPRSS) [APP-368] and Options Selection and Design Evolution Report [APP-369]. Alternative accesses were robustly considered, consulted on, and backchecked in light of feedback and emerging assessment findings. The outcome of the options appraisal process that resulted in the proposed access being identified is further presented on the Applicant's response to ISH AP3 (submitted at Deadline 4).</p> <p>From a CA perspective, the alternative access routes considered would necessitate a greater length of new-build road and would comprise more land interests and more extensive compulsory acquisition powers. The Applicant expects to secure a voluntary agreement with the landowner for the current route proposed by the close of examination.</p>
			<p><u>Thanet District Council</u></p> <p>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</p>	<p>The Applicant confirms that as outlined within Application Document 9.13 (B) Pegwell Bay Construction Method Technical Note [REP2-011], the hoverport in Pegwell Bay is proposed for access only. Vehicles would use the hoverport to access the</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>the defined access routes, the locations and widths of which will be determined following a preconstruction 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.</p>	<p>intertidal area at Pegwell Bay. No construction plant or vehicles will be stored on the former hoverport.</p> <p>The Applicant continues to work with TDC to clarify the extent and nature of works within its land ownership, including in the context of Application Document 9.13 (B) Pegwell Bay Construction Method Technical Note [REP2-011].</p>
			<p><u>Dover District Council</u> DDC is not aware of any reasonable alternatives and has no comments on this.</p>	<p>This is noted by the Applicant.</p>

2. Landscape and Visual

2.1 Landscape and Visual

Table 2.1 Landscape and visual

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1LVIA1.	Applicant Local authorities	<p>Landscape vision</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>	<p>Applicant</p> <p>East Suffolk Council</p> <p>ESC is currently engaging with SCC and the Kent local authorities (Kent County Council, Thanet District Council, and Dover District Council) in order to ensure that local authorities' proposed approaches are coordinated and aligned.</p> <p>ESC is disappointed that there has never been a clear, overarching landscape vision or strategy for the Suffolk Onshore Scheme beyond meeting the requirements of the mitigation hierarchy and implementing a view-by-view screening planting programme. During pre-application, Suffolk's local authorities attempted to recommend an approach based on restoring the historic landscape pattern, including woodland and field boundary restoration, but that was rejected by the Applicant. There was no higher ambition to leave a lasting landscape legacy benefit such as that which will follow Sizewell C construction. The wider EDF estate will be largely taken out of agriculture and the land restored to acid grassland and heath, which will be a major contribution to the landscape character of the National Landscape. This approach was also praised by the Design Council. ESC understands that National Grid Ventures' ('NGV's') is proposing an appropriate landscape vision for its LionLink project, which will be made publicly available at the beginning of its statutory consultation (13 January 2026). ESC therefore queries why Sea Link could not have achieved a more ambitious landscape strategy. For Sea Link, ESC welcomes the Applicant's proposals to remove the rotational cricket bat willow plantation and replace it with more suitable native river corridor tree and scrub planting. However, ESC is disappointed that the Applicant has failed to adopt a similar landscape character enhancement vision across the whole Suffolk Onshore Scheme.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The coordinated response on landscape vision between the local authorities will be commented upon once received. The position detailed in response to 1LVIA1 is not repeated but should be referred to in Application Document 9.73 Applicant's Response to First Written Questions [REP3-069].</p> <p>Throughout the Pre-Application thematic meetings with the relevant stakeholders, including the local authorities, the landscape vision which is embedded in the Design Principles and translated in the landscape strategy of the oLEMPs was explained and discussed. This has resulted in a collaborative and comprehensive landscape scheme which balances the historic, ecological, hydrological and access requirements along with the requirement of enabling co-location in Suffolk by providing expansive new planting which respects and reinstates, where practicable and appropriate in Suffolk, the historic landscape.</p> <p>Other positive features of the proposed landscape strategy include the replacement of the short-term willow plantation with river valley woodland planting in Suffolk which is noted as a long-term benefit to the character of the river valley landscape by ESC (paragraph 6.3.8.7 in Application Document Local impact reports (LIR) from any local Authorities [REP1-128] from East Suffolk Council) and the reinforcement of the pattern of drainage ditches with appropriate marginal planting and establishing a sensitive interface with the wider marsh landscape in Kent.</p> <p>The landscape schemes will be managed for the lifetime of the asset which provides a genuine landscape legacy and commitment to the long-term management and maintenance of the landscape.</p> <p>Cross sections were prepared in response to WQ1 1LVIA8 (Application Document 9.73 Applicant's Responses to First Written Question [REP3-069]), which illustrated the widening of the Order Limits along part of the B1119 for improved maintenance of the drainage ditch and hedgerow/tree planting. Whilst the Applicant</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				<p>considers that the existing proposals of the hedgerow and hedgerow tree planting remain proportionate and appropriate, the Applicant recognises the concerns identified by ESC and consequently is committed to provide an enhanced belt of planting where there is land available within the widened Order Limits, subject to limitations around existing services and final areas required for maintenance of planting and the drainage ditch along the southern edge of the B1119. This will provide an enhanced belt of planting within the existing context of the layered vegetation network in the surrounding landscape. Figures 1, 2 and 3 within the Suffolk oLEMP (Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk, submitted at Deadline 4) have been submitted at Deadline 4 to reflect this enhanced belt of planting.</p> <p>The Applicant has agreed to deliver enhancement measures relating to access where the rights already being sought over land would also allow for permissive access to be granted. The locations where this is proposed are the permanent access route from the B1121, across the Fromus Bridge, to the Saxmundham Converter station site, and access around the proposed woodland planting around the Saxmundham Converter Station.</p> <p>The extent of detail contained in the OLEMPs and the accompanying outline landscape design is appropriate to the stage of the Proposed Project and the level of design detail available. The landscape designs, including the phasing of the planting, will be further developed in the full LEMP at detailed design stage in collaboration with the contractor.</p> <p>The effects on the landscape character and visual amenity of other projects, such as Sizewell C and LionLink, are different to the Proposed Project and the individual landscape proposals have been and continue to be developed as such.</p> <p>Replacement tree planting is discussed in Applicants Comments on Suffolk County Council Submissions received at Deadline 3 [REP3-122] reference A2.15.</p> <p>With regard to Dover District Council's (DDC) point about understanding the scale of the proposed native woodland relative to the converter station, the Applicant would suggest that DDC review the Kent visualisations (Application Document 6.4.3.1 ES Figures Kent Landscape and Visual Parts 2 to 4 [APP-241, APP-242 and APP-243]) and the illustrative visualisations (Application Document 9.14 Suffolk and Kent Illustrative Visualisations Part 1 of 2 [REP1-297]) to see the relationship between the proposed woodland planting and</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><u>Suffolk County Council</u></p> <p>SCC considers that the high-level statement for landscape (aiming to be responsive and respectful to the character of the local setting), which is contained in the project design vision presented in Section 2.2 of Document 7.12.1 Design Principles – Suffolk [APP-366] has been further developed within the design principles.</p> <p>However, SCC is concerned that only the Key Design Principles in Table 3.1 and Table 4.1 are to be secured [paragraphs 1.3.8-1.3.9, APP-366].</p> <p>The Key Design principles only relate to the converter station at Saxmundham and the substation at Friston and do not cover other areas, such as the approach across the river Fromus, the cable corridor, and the landfall site.</p> <p>SCC considers that design principles need to cover and be secured for the entire DCO area and does not follow the Applicant's reasoning why Overarching and Project Level Design Principles cannot be secured.</p> <p>Regarding the converter station, although it is anticipated that work on its design would continue post-decision, if the Secretary of State granted development consent, SCC (Landscape) is concerned about how little detail has been provided.</p> <p>There is a lack of an integrated approach, which would bring together related natural environment topics such as Landscape and Visual, Ecology, Archaeology, Rights of Way and Floods.</p> <p>Around the converter station site, the proposed landscape and visual mitigation is considered inadequate. The proposed tree belts/woodlands do not match the scale of the development, and it would be difficult to successfully accommodate Rights of Way as shown in the sections at the end of 7.5.7.1 Outline Landscape and Ecological Management Plan – Suffolk [APP-348], as the corridors for these rights of way would appear to be too narrow, resulting in the tracks becoming shaded, and therefore muddy and unusable in wetter months of the year. The visual mitigation should be multi-layered, rather than relying on tree belts, which cannot screen the height of the converter station structures. The proposed hedge, with trees, along the B1119, is not considered sufficient to provide the required layered approach to visual screening.</p> <p>There is thus far no clear strategy for replacing trees which are lost within the cable corridor, and which cannot be</p>	<p>the Proposed Project. Noting that the height of the planting shown on the visualisations is conservative and the established growth and resulting height of the woodland is anticipated to be taller, especially given the adaptive management programme for the planting as set out in the oLEMP.</p> <p>In terms of what is secured in relation to Key Design Principles, the Applicant considers that securing design principles in relation to the landfall and cable routes is not necessary as these relate almost entirely to temporary effects which will largely be addressed through like-for-like replacement. The Applicant can, however, commit to providing replacement tree planting for the loss of mature trees at a ratio of 3:1.</p> <p>See response above for responses to other points.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>replaced therein. SCC would welcome a similar commitment to National Grid's Norwich to Tilbury scheme, where lost trees are to be replaced at a ratio of three new trees for every lost tree, within and outside of the DCO boundary.</p> <p>The vision should also include improvements to rights of way with a view to improve connections towards the coast.</p>	
			<p><u>Dover District Council</u></p> <p>The landscape vision for the Kent element of the development is mainly focussed within Thanet District and along the River Stour (with the exception of the Golden Plover and Skylark Habitat Enhancement Area). Illustrative cross sections have been provided in Appendix A of Document 7.5.7.2, however these do not include any indicative wireframe massing of the Minster Converter Station and Substation (as a worst-case scenario in line with the Rochdale Envelope approach). It is therefore difficult to appreciate the scale of the native woodland and planting (at year 15), relative to the development proposed and what effect this would have on minimising the wider landscape and visual impact of the development, particularly given the range of design options that could be proposed based on the Converter Station Design Principles document. The Council would support suggestions provided by Suffolk County Council and other Authorities responding to this question who have been involved in recent DCO's for similar development and have experience of how this can best be achieved.</p>	See response above.
			<p><u>Saxmundham Town Council</u></p> <p>Saxmundham Town Council wishes to respond to the question concerning landscape vision as it directly impacts our community and town.</p> <ol style="list-style-type: none"> 1. We refer to our Relevant Representation, Appendix 3, : Relevant Representations Sea Link (planninginspectorate.gov.uk), in which we highlighted our visions for community benefits that included the restoration of the Great Wood and Green Corridors, both initiatives that assist in the amelioration of negative impacts. 2. Additionally, we would wish to see early tree planting close to the B1119 to reduce the visual impact of the Converter Station for those travelling from Saxmundham to Leiston. 3. Similarly, we would consider early planting of trees is necessary on either side of the haul road and Fromus Bridge off the B1121 between Saxmundham and Benhall. <p>Both locations in points 2 and 3 are identified in our Neighbourhood Plan, SAXS11 as views that are central to the town's rural character and sense of place'. See: Relevant Representations Sea Link (planninginspectorate.gov.uk)</p>	See response above.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>CPRE</p> <p>In view of the major adverse likely significant effects, we consider that there needs to be a clear landscape vision for the project.</p> <p>This should clearly set out the existing landscape – being a sparsely developed, distinctive low-lying area - in the overarching Kent Character Area of the Wanstum and Lower Stour Marshes; and also in relation to the sub-areas of the Thanet District Council Landscape Character Areas B1 (Wanstum North Slopes) and E1 (Stour Marshes) and also the Dover District Council Landscape Character Area A2 (Ash Levels). The landscape vision should also pay due regard to the Roman fort and amphitheatre at Richborough Castle which is a Scheduled Monument withing Landscape Character Area H1 (Richborough Bluff).</p> <p>The landscape vision needs to demonstrate how each of these District Character Areas will be addressed, not only as isolated areas, but as visually connected parts of the landscape as a whole.</p>	See response above.
1LVIA2.	Applicant	<p>Good design</p> <p>In terms of good design, NPS EN-1, for example paragraphs 4.7.11 and 4.7.12, identifies that the wider impacts of a development, including landscape impacts, are important factors in the design process. In terms of landscape and visual effects, paragraph 5.10.28 identifies that it may be appropriate to undertake landscaping off site, for example filling in gaps in existing tree and hedge lines. Paragraph 5.10.37 states that the Secretary of State should consider whether the development has been designed carefully, to minimise harm to the landscape, including by appropriate mitigation.</p> <p>Provide an explanation as to whether additional landscape planting could result in the mitigation of likely significant landscape and visual effects as identified in table 1.12 of [APP-048] and table 1.13 of [APP-061]. Provide an explanation as to why opportunities for mitigation of residual effects have not been pursued.</p>	<p>Applicant</p> <p>SEAS</p> <p>The Question is not addressed to SEAS, but in light of previously submitted relevant evidence, SEAS offers brief comments to assist the ExA.</p> <p>SEAS would like to note the Applicant's own cumulative assessment in APP-060 (Chapter 13) identifies Moderate Adverse (Significant) cumulative landscape and visual effects, and records that total cumulative effects on certain landscapes and viewpoints have the potential to be significant (APP-060, section 13.4) during construction and decommissioning, particularly when Sea Link is considered in combination with Sizewell C, EA1N/EA2, LionLink and other major projects in East Suffolk. In several cases the Applicant concludes that no further cumulative mitigation is available, and that significant cumulative effects therefore remain.</p> <p>SEAS submits that this is not consistent with EN-1 policy on good design or with the mitigation hierarchy. EN-1 requires the Applicant to:</p> <ul style="list-style-type: none"> • take opportunities to mitigate cumulative effects, not just project-only effects • apply the full mitigation hierarchy, including compensatory measures where residual significant impacts remain • give particular weight to nationally important landscapes, such as the Suffolk Coast & Heaths National Landscape (AONB) 	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Embedded mitigation measures have been designed into the Proposed Project to enable co-location of infrastructure. Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk, submitted at Deadline 4, identifies the mechanisms to support a cohesive and coordinated landscape design for the wider Saxmundham site within which LionLink project specific embedded mitigation would sit. Further landscape mitigation in addition to this either close to or within the wider landscape is unlikely to result in a material reduction in the potentially significant effects due to the cumulative scale of the permanent infrastructure.</p> <p>The Applicant's position remains that there is no requirement by the relevant National Policy Statements or legal requirement that the mitigation hierarchy requires all residual landscape and visual effects to be compensated. This is set out in detail within Application Document 9.23 Draft Statement of Common Ground Between National Grid Electricity Transmission and the Suffolk County Council [REP3-062].</p> <p>The cumulative effects on the National Landscape are temporary only. It is considered unlikely that additional mitigation measures to reduce the potential significant cumulative effects on the National Landscape during construction would be effective as the potential cumulative effects are due to the simultaneous and/or sequential construction activity.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>Although significant adverse cumulative effects are identified in [APP-073] and [APP-060] for landscape and visual, no additional mitigation is identified. Provide an explanation of whether additional landscape planting could result in the mitigation of significant adverse landscape and visual effects. Provide an explanation as to why opportunities for mitigation of cumulative residual effects have not been pursued.</p>	<p>However, the Applicant:</p> <ul style="list-style-type: none"> proposes no additional landscape mitigation or compensation specifically addressing cumulative harm provides no cumulative landscape master planning at Saxmundham/Friston despite multiple strategic energy projects being focussed there relies almost entirely on project-specific planting, which does not address the combined footprint of multiple energy schemes <p>SEAS also notes Natural England's concern that the cumulative conclusions in the ES indicate potentially significant harm to the National Landscape, and that compensation should be explored if such harm cannot be mitigated. In our submission, the Applicant's statement that no additional mitigation is available is not an acceptable endpoint under EN-1 and should not be accepted unless the Applicant has first demonstrated:</p> <ul style="list-style-type: none"> why coordinated mitigation with other NSIPs has not been pursued why off-site compensatory measures have not been considered why a strategic landscape/visual mitigation plan for Saxmundham/Friston has not been produced 	
1LVIA4.	Applicant	<p>Lighting</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</p>	<p>Applicant</p> <p>Thanet District Council</p> <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.</p> <p>Suffolk County Council</p> <p>SCC considers that this is a matter for the relevant discharging authority, i.e. East Suffolk, but considers that operational lighting schemes, in particular external lighting, should be agreed with the relevant planning authorities.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Further information on the controls around lighting should be referred to within AP129 within Application Document 9.90 Applicant's Response to January Hearing Action Points submitted at Deadline 4.</p> <p>Further details on a nighttime assessment on landscape and visual receptors will be provided at Deadline 5. The level of detail will be commensurate to the level of outline lighting design detail currently available.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>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>	<p><u>CPRE</u></p> <p>CPRE Kent share the concern that there is very limited detail in relation to operational lighting in the application documents and in particular as to whether the cumulative impact is being robustly considered. As we have previously highlighted, operational lighting has the potential to cause significant harm in this rural, largely unlit context, and without a detailed lighting scheme and assessment the likely effects on landscape character, visual amenity, tranquillity and sensitive ecology cannot be properly tested.</p> <p>It is also our view that operational lighting must be controlled through a specific DCO requirement securing the submission and approval of a detailed Operational Lighting Scheme (including lighting contours and a night-time effect assessment), with the development thereafter to be carried out in accordance with the approved details.</p> <hr/> <p><u>East Suffolk Council</u></p> <p>ESC shares the ExA's wish that such lighting details be provided as described. Once received, ESC will consider the lighting information using the Suffolk Coast and Heaths Landscape Lighting Design Guide as a basis for establishing acceptable artificial lighting in a rural area.</p> <p>ESC note that the lighting design parameters are not expressly to be approved. There is, for example, no outline lighting management plan to be certified nor detailed plan to be approved under Requirement 6 that includes details of the operational lighting. This is clearly necessary.</p> <p>Further, whilst the design parameters for the operational lighting should be secured by the DCO, the final detail should be approved by the relevant planning authority by means of approving a Lighting Management Plan through a discharge of Requirement 6. This would ensure that the operational lighting is able to respond to any site-specific technical requirements and reflect the most up-to-date best practice.</p> <p>ESC considers, therefore, that details of operational lighting schemes should be approved through a discharge of requirement, but no such requirement is currently proposed. Such requirements are commonplace. For example, Requirement 25 ('Control of artificial light emissions during operational phase') of The East Anglia ONE North Offshore Wind Farm Order 2022 and The East Anglia TWO Offshore Wind Farm Order 2022 allows the relevant planning authority to approve details of artificial light emissions, including measures to minimise lighting pollution and the hours of lighting.</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1LVIA7.	Natural England, Suffolk & Essex Coast & Heaths National Landscape Partnership (SECHNLP), Suffolk County Council, East Suffolk District Council	<p>National Landscape (NL) duty</p> <p>Provide your comments on Document 9.47 NL Duty Section 85 Duty Technical Note [REP1-120], including the approach to the s85 duty, the natural beauty indicators in table 3.2 and the special qualities indicators in table 3.3 and the cumulative effects on the NL in section 4 and tables 4.1 and 4.2.</p> <p>In your response include consideration of whether the extent and nature of the preferred area of acid grassland on plate 3.2 of [REP1-120] is sufficient and the appropriateness of the maintenance period of 10 years.</p>	<p>Suffolk & Essex Coast & Heaths National Landscape Partnership (SECHNLP)</p> <p>The National Landscape Partnership refer to the position it took in its Statement of Common Ground Doc 9.42 Version A Nov 2025 PINS Ref EN20026, which states:</p> <p><i>The National Landscape Partnership welcome the provision of circa 6 ha of acid grassland that it considers contributes to the statutory purpose of the National Landscape. This provision demonstrates the applicant acknowledging the Suffolk & Essex Coast & Heaths Management Plan 2023-28 and in part its demonstration to seek to further the purpose of the AONB in its decision making. Where the National Landscape Partnership's opinion diverges from the applicant's view relates to its view that the proposal may not be considered to fully mitigate the impacts of the construction phase.</i></p> <p>In addition, the National Landscape Partnership reproduce a document below previously submitted at deadline 2.</p> <p><i>Comment from FF3199C42</i> <i>Suffolk & Essex Coast & Heaths National Landscape Partnership for Deadline 2</i></p> <p><i>These comments are made by the Suffolk & Essex Coast & Heaths National Landscape Manager on behalf of the Suffolk & Essex Coast & Heaths National Landscape Partnership.</i></p> <p><i>The comments relate to two documents:</i></p> <ul style="list-style-type: none"> <i>REP1-130 Suffolk County Council Local Impact Report</i> <i>REP1-120 Volume 9.47 National Landscape Section 85 Duty Technical</i> <p><i>Note</i></p> <p><i>Considering REP1-130 Suffolk County Council Local Impact Report, the National Landscape consider that para 5.46 to 5.58 (relating to effects on designated and defined landscapes) accurately represent the potential impacts of the proposals on the nationally designated landscape and the legally defined Suffolk Heritage Coast.</i></p> <p><i>To summarise the National Landscape considers that the effects during construction do not fully reflect the</i></p>	<p>The Applicant reaffirms their position that the acid grassland enhancement proposals are appropriate and proportionate to demonstrate compliance with the Section 85 duty. The mitigation hierarchy has been complied with (avoidance of siting permanent infrastructure within or in the setting of the Suffolk & Essex Coast & Heaths National Landscape (SECHNL), reduction of effects by use of trenchless construction techniques and limiting the temporary compound and working areas within the NL, followed by their restoration including monitoring), resulting in no significant adverse effects on the SECHNL at any project stage for the Proposed Project alone or at operation cumulatively. A temporary significant adverse cumulative effect is reported and all mitigation options have been explored. The acid grassland enhancement measures are considered to compensate for the short term and temporary cumulative effects and provide further enhancement for the SECHNLP within the operational phase of the Project (as set out in Plate 3.1 within Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120]).</p> <p>This position is further evidenced in the following documents:</p> <ul style="list-style-type: none"> Application Document 9.47 National Landscape Section 85 Duty Technical Note [REP1-120] which provides detail on each of the Natural Beauty and Special Quality Indicators the relevance of the acid grassland enhancement works (Tables 3.2 and 3.3); Appendix A 1LVIA9 Natural Beauty Indicators and their Sub-Factors contained within Application Document 9.73.1 Applicant's Responses to First Written Questions – Appendices [REP3-070] provides further detail on how the sub-factors of the Natural Beauty Indicators have the potential to be affected by the Proposed Project; Application Document 9.94 Planning Statement Addendum submitted at Deadline 4, which provides the Special Qualities Indicators baseline and further detail relating to the assessment; and Applicant's comments on Natural England in Appendix H3 Natural England's Advice on Suffolk LVIA [REP3-120] as provided within Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadline 3 and 3A submitted at Deadline 4. <p>The Applicant continues to have discussions with the SECHNLP and Natural England around this matter in order to reach an agreement.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><i>impacts on all defined features of the national landscape, including impacts on the defined scenic quality, relative tranquillity and relative wildness. The National Landscape consider that these impacts will be experienced by the designated landscape for a considerable period during the construction period and likely over a number of years.</i></p>	
			<p><i>Considering REP1-120 Volume 9.47 National Landscape Section 85 Duty Technical Note, the National Landscape consider there may be a divergence of views relating to the ability of the proposed acid grassland restoration and creation to fully meet the requirements of the enhanced section 85 Countryside and Rights of Way Act (2000) that requires relevant authorities to 'seek to further the purpose of a National Landscape' when taking decisions that affect the designated landscape, see also REP1-130 Suffolk County Council Local Impact Report paras 5.46 to 5.58.</i></p>	
			<p><i>This position is recognised in the draft Statement of Common Ground, REP 1A-034 9.42 Draft Statement of Common Ground between National grid Electricity Transmission and the Suffolk & Essex Coast & Heaths National Landscape Partnership that includes the National Landscape's position on this topic following in ref 3.1.1 of that document:</i></p>	
			<p><i>Where the National Landscape Partnership's opinion diverges from the applicant's view relates to its view that the proposal may not be considered to fully mitigate the impacts of the construction phase</i></p>	
			<p><i>The National landscape Partnership note the continuing discussions and negotiations between other Nationally Significant Infrastructure Project proposers and National Landscapes, such as the Norwich to Tilbury Project (Dedham Vale), Lower Thames Crossing (Kent Downs) and North Falls (Suffolk & Essex Coast & Heaths).</i></p>	
			<p><i>For the avoidance of any doubt, the National Landscape Partnership do not consider the potential impacts of the Sea Link proposals to be of the same magnitude as those of the projects listed above, but is not convinced that the acid grassland restoration and acid grassland creation fully meets the</i></p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>requirements of the enhanced section 85 Countryside and Rights of Way Act (2000).</p> <p>The National Landscape Partnership would welcome further dialogue and discussion with the scheme proposer on how the area of the National Landscape particularly impacted by the proposals could be further conserved and enhanced, perhaps through a contribution to its Sustainable Development Fund (a grant scheme to enhance the environmental, social and economic elements of the National Landscape), or a ringfenced or focused approach to the impacted area, noting that impacts to part of the National Landscape are considered to be an impact on the National Landscape as a whole.</p> <p>Furthermore, it agrees with comments made by Suffolk County Council in its response on this matter and reproduced below for ease:</p> <p>SCC has commented on this document in its responses to submissions received by Deadline 1 or Deadline 1A – Table B5 of [REP2-062]. There, SCC provided comment on the insufficiency of the proposed measures to meet the requirements of the section 85 (A1) duty (“the duty”). SCC has also questioned the Applicant’s assessment of the likely effects on the SECHNL’s natural beauty indicators in paragraphs 5.46 to 5.58 of SCC’s LIR [REP1-130].</p> <p>Here, SCC would like to take the opportunity to provide further comment on the Applicant’s approach to the duty and the consideration of the project’s effects and cumulative effects on the natural beauty indicators.</p> <p>It is worth reiterating that the measure of enhancing acid grassland, which is in essence an offsetting measure for individual adverse impact, cannot, in itself, be sufficient to discharge the duty.</p> <p>The measure is intended to remedy the temporary loss of existing acid grassland during the construction phase. In terms of effects on natural beauty, this means that the adverse effects caused by the loss of acid grassland are those being offset by the acid grassland enhancement. However, there are other sources of adverse effect which go beyond just effects on acid grassland such as from the works being done, associated equipment, associated traffic and the construction compound. No measures are proposed to offset these effects through conservation or enhancement of the National Landscape’s natural beauty. Consequently,</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><i>SCC does not see how there is any real prospect of the purposes of conservation and enhancement of the National Landscape's natural beauty being furthered when considering the totality of harm it will experience, beyond acid grassland loss, as a result of the proposed development.</i></p> <p><i>SCC has relayed its concerns over the sufficiency of the measures to adequately further the natural beauty of the SECHNL in terms of the status of acid grassland within and surround the Order Limits in Table B5 of [REP2-062]. However, it is worth emphasising and expanding on certain points here.</i></p> <p><i>A key concern relates to the fact that only enhancement, rather than creation, of acid grassland is now proposed as indicated in paragraph 3.2.3. This means that there won't be any increase in the area of acid grassland to offset its reduction during construction. The proposal is therefore less robust as an offsetting measure as it does not rectify the temporary decrease in acid grassland provision hence, there will be no remedy for acid grassland loss for a substantial period, with restoration of acid grassland removed during construction projected to be completed by Q3 of Year 6. By consequence, net-enhancement of acid grassland is projected to only last 4.25 years due to the 10-year maintenance period.</i></p> <p><i>Whilst there is potential for the enhancement of acid grassland to persist beyond the 10-year maintenance period, it is problematic to rely upon this notion in relation to discharging the duty. The Applicant will not have land rights to the area after 10 years meaning the previous landowner would be within their rights to remove or otherwise undermine the enhanced acid grassland. In any case, the quality of the enhancement would begin to deteriorate once the maintenance period is over and the rate of deterioration is not known at this stage.</i></p> <p><i>Minor adverse effects are identified beyond the construction period, only being identified as negligible or lower at year 15 of the operational phase. The Applicant's assessment does not indicate what the effects would be at the point upon which the maintenance of the enhanced acid grassland ends which roughly translates to year 5 or 6 of the operational period. As a result, SCC considers that there is a substantial risk of a further period of unmitigated adverse effects on natural beauty during the operational phase with no commitment to offsetting measures.</i></p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><i>If the sufficiency of this measure in relation to effects on acid grassland (and its associated contributions to natural beauty) is questionable at best, then it is not clear how the measure could be said to be sufficient for the totality of harm on natural beauty caused by the project.</i></p> <p><i>Consideration should be given to how the proposed measure will be experienced by people interacting with the natural beauty of the National Landscape. The proposed parcel of land is located within a farmer's field surrounded by shrubbery. Whilst a PRow is adjacent to the parcel of land, it is relatively tucked away from users of the National Landscape and certainly more so than the bulk of works adversely affecting the National Landscape. The extent to which users of the National Landscape will actually experience enhanced natural beauty in comparison to the extent to which this experience will be adversely affected by the proposed development does not appear to have been considered. It is possible that a different parcel of land, or a different type of measure, would be more noticeable to users of the National Landscape even if the extent to which natural beauty itself is enhanced remains unchanged.</i></p> <p><i>The Council is also concerned with the Applicant's approach to cumulative effects in relation to the duty. Significant cumulative effects are identified for several natural beauty indicators and yet no measures are proposed on account of these effects. The Applicant's reasoning for this appears to be based on the "short and temporary" (e.g. para 5.1.7) nature of these effects. However, this consideration is already accounted for when coming to the conclusion of significant effect as duration of effect is a relevant factor when making such a judgement. The Applicant has used consideration of duration of magnitude to justify effects not being significant for cumulative effects on other receptors in [APP-060]. Therefore, it is not clear how the Applicant can both assess effects to be significant in spite of their temporary nature and claim that such effects nevertheless do not require enhancement measures on account of their temporary nature.</i></p> <p><i>Acid grassland is not mentioned in the assessments of cumulative effects on Scenic Quality, Relative Wildness and Relative Tranquillity. As a result, it is difficult to see how acid grassland enhancement could conserve and enhance natural beauty in respect of the adverse cumulative effects on these natural beauty indicators.</i></p> <p><i>The duty applies in relation to a relevant authority performing a function in relation to, or so as to affect, a</i></p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><i>designated landscape. The function of consenting the current form of the scheme would either exacerbate existing significant cumulative effects or push existing adverse effects beyond the threshold of significance. SCC does not see how the application could be considered compliant with the duty without additional measures proposed in relation to the identified adverse cumulative effects.</i></p>	
			<p><u>Suffolk County Council</u></p> <p>SCC has commented on this document in its responses to submissions received by Deadline 1 or Deadline 1A – Table B5 of [REP2-062]. There, SCC provided comment on the insufficiency of the proposed measures to meet the requirements of the section 85 (A1) duty (“the duty”). SCC has also questioned the Applicant’s assessment of the likely effects on the SECHNL’s natural beauty indicators in paragraphs 5.46 to 5.58 of SCC’s LIR [REP1-130].</p> <p>Here, SCC would like to take the opportunity to provide further comment on the Applicant’s approach to the duty and the consideration of the project’s effects and cumulative effects on the natural beauty indicators.</p> <p>It is worth reiterating that the measure of enhancing acid grassland, which is in essence an offsetting measure for individual adverse impact, cannot, in itself, be sufficient to discharge the duty.</p> <p>The measure is intended to remedy the temporary loss of existing acid grassland during the construction phase. In terms of effects on natural beauty, this means that the adverse effects caused by the loss of acid grassland are those being offset by the acid grassland enhancement. However, there are other sources of adverse effect which go beyond just effects on acid grassland such as from the works being done, associated equipment, associated traffic, and the construction compound. No measures are proposed to offset these effects through conservation or enhancement of the National Landscape’s natural beauty. Consequently, SCC does not see how there is any real prospect of the purposes of conservation and enhancement of the National Landscape’s natural beauty being furthered when considering the totality of harm it will experience, beyond acid grassland loss, as a result of the proposed development.</p> <p>SCC has relayed its concerns over the sufficiency of the measures to adequately further the natural beauty of the SECHNL in terms of the status of acid grassland within and surround the Order Limits in Table B5 of [REP2-062].</p> <p>However, it is worth emphasising and expanding on certain points here.</p> <p>A key concern relates to the fact that only enhancement, rather than creation, of acid grassland is now proposed as indicated in paragraph 3.2.3. This means that there will not</p>	See above response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>be any increase in the area of acid grassland to offset its reduction during construction. The proposal is therefore less robust as an offsetting measure as it does not rectify the temporary decrease in acid grassland provision. Hence, there will be no remedy for acid grassland loss for a substantial period, with restoration of acid grassland removed during construction projected to be completed by Q3 of Year 6. By consequence, net-enhancement of acid grassland is projected to only last 4.25 years due to the 10-year maintenance period.</p> <p>Whilst there is potential for the enhancement of acid grassland to persist beyond the 10-year maintenance period, it is problematic to rely upon this notion in relation to discharging the duty. The Applicant will not have land rights to the area after 10 years meaning the previous landowner would be within their rights to remove or otherwise undermine the enhanced acid grassland. In any case, the quality of the enhancement would begin to deteriorate once the maintenance period is over and the rate of deterioration is not known at this stage.</p> <p>Minor adverse effects are identified beyond the construction period, only being identified as negligible or lower at year 15 of the operational phase. The Applicant's assessment does not indicate what the effects would be at the point upon which the maintenance of the enhanced acid grassland ends which roughly translates to year 5 or 6 of the operational period. As a result, SCC considers that there is a substantial risk of a further period of unmitigated adverse effects on natural beauty during the operational phase with no commitment to offsetting measures.</p> <p>If the sufficiency of this measure in relation to effects on acid grassland (and its associated contributions to natural beauty) is questionable at best, then it is not clear how the measure could be said to be sufficient for the totality of harm on natural beauty caused by the project.</p> <p>Consideration should be given to how the proposed measure will be experienced by people interacting with the natural beauty of the National Landscape. The proposed parcel of land is located within a farmer's field surrounded by shrubbery. Whilst a PRow is adjacent to the parcel of land, it is relatively tucked away from users of the National Landscape and certainly more so than the bulk of works adversely affecting the National Landscape. The extent to which users of the National Landscape will actually experience enhanced natural beauty in comparison to the extent to which this experience will be adversely affected by the proposed development does not appear to have been considered. It is possible that a different parcel of land, or a different type of measure, would be more noticeable to users of the National Landscape even if the extent to which natural beauty itself is enhanced remains unchanged.</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>The Council is also concerned with the Applicant's approach to cumulative effects in relation to the duty. Significant cumulative effects are identified for several natural beauty indicators and yet no measures are proposed on account of these effects. The Applicant's reasoning for this appears to be based on the "short and temporary" (e.g. para 5.1.7) nature of these effects. However, this consideration is already accounted for when coming to the conclusion of significant effect as duration of effect is a relevant factor when making such a judgement. The Applicant has used consideration of duration of magnitude to justify effects not being significant for cumulative effects on other receptors in [APP-060]. Therefore, it is not clear how the Applicant can both assess effects to be significant in spite of their temporary nature and claim that such effects nevertheless do not require enhancement measures on account of their temporary nature.</p> <p>Acid grassland is not mentioned in the assessments of cumulative effects on Scenic Quality, Relative Wildness and Relative Tranquillity. As a result, it is difficult to see how acid grassland enhancement could conserve and enhance natural beauty in respect of the adverse cumulative effects on these natural beauty indicators.</p> <p>The duty applies in relation to a relevant authority performing a function in relation to, or so as to affect, a designated landscape. The function of consenting the current form of the scheme would either exacerbate existing significant cumulative effects or push existing adverse effects beyond the threshold of significance. SCC does not see how the application could be considered compliant with the duty without additional measures proposed in relation to the identified adverse cumulative effects.</p>	
			<p><u>East Suffolk District Council</u></p> <p>ESC has focused its response to this question on the application of the Section 85 Duty to the displacement of acid grassland at the landfall site, but acknowledges that concerns have been raised by other parties regarding other activities that could impact the National Landscape.</p> <p>ESC considers that the proposed restoration of affected acid grassland at the landfall site and the proposed enhancement of an additional area of 6ha of acid grassland would satisfy the requirements of the National Landscapes Section 85 Duty to further the purposes of designation in landscape terms. ESC acknowledges concerns raised by SCC in Paragraphs 5.46-5.58 of its LIR [REP1-130], and supported by Suffolk & Essex Coast & Heaths National Landscape Partnership in its comments on SCC's LIR [REP2-038], that there are project activities other than the displacement of acid grassland which could impact the natural beauty of the National Landscape, potentially</p>	See above response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			resulting in the need for further measures to satisfy the Section 85 duty. Whilst ESC recognises these concerns, it defers to SCC and Suffolk & Essex Coast & Heaths National Landscape Partnership on issues of the National Landscape s85 duty.	
1LVIA12.	Applicant	<p>Visualisations</p> <p>The ExA notes that type 1 and type 3 visualisations have been provided in the application documents. In view of the nature and scale of the proposed development, the sensitivity of the context and the magnitude of the effects that have been identified, provide an explanation as to why type 4 visualisations have not been provided, with reference to the guidance in the Landscape Institute Technical Guidance Note 06/19.</p> <p>Provide an explanation of how type 4 visualisations would differ from the type 3 visualisations that have been provided, in terms of the photographic equipment, presentation of the information, locational accuracy and whether the data used is verifiable.</p> <p>Summarise the purpose and use of the type 3 visualisations and the extent to which they have been supplemented by other evidence such as site visits, professional judgement in undertaking the overall assessment?</p> <p>Furthermore, the ExA notes that the winter year 15 visualisations at the following viewpoints do not allow a proper assessment as there are significant obstructions in the foreground due to crops. Therefore, for Suffolk viewpoint 8a provide a year 15 winter visualisation.</p>	<p>Applicant</p> <p>SEAS</p> <p>The Question is not addressed to SEAS, but in light of previously submitted relevant evidence, SEAS offers brief comments to assist the ExA.</p> <p>SEAS would like to highlight the proposed development includes very large-scale infrastructure within a sensitive rural landscape, in close proximity to residential receptors and valued countryside. The Environmental Statement itself identifies significant and adverse visual effects, particularly at closer viewpoints and settlement edges. In these circumstances, the Landscape Institute Technical Guidance Note 06/19 anticipates that Type 4 visualisations would normally be required to enable decision-makers to properly understand likely effects.</p> <p>SEAS supports that no clear or robust justification has been provided by the Applicant as to why Type 4 visualisations were not prepared. The absence therefore represents a methodological shortfall, rather than a reasoned professional choice, and materially limits the ExA's ability to independently verify the conclusions drawn in the LVIA.</p> <p>The ExA is correct to note that the submitted winter year 15 visualisations at several viewpoints are compromised by foreground obstructions, including standing crops. This is inconsistent with the purpose of winter visualisations, which are intended to represent minimum screening conditions.</p> <p>For Suffolk Viewpoint 8a, the existing material does not allow a proper assessment of the development's long-term visual presence. A replacement year 15 winter visualisation should therefore be provided, prepared in accordance with LI TGN 06/19, and free from avoidable foreground obstruction.</p> <p>Without this, the assessment understates the likely visibility of the development in winter conditions and further weakens the robustness of the LVIA conclusions.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The detailed Applicant's response to 1LVIA12 should be referred to within Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A winter visualisation for Suffolk Viewpoint 8a was provided in Appendix B within Application Document 9.73.1 Applicant's Responses to First Written Questions – Appendices [REP3-070].</p>
1LVIA13.	Applicant	Coordination	Applicant	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>Applicant - The ExA notes that the Coordination Document [APP-363] sets out opportunities for coordination in terms of project development and project delivery. Several opportunities for coordination in terms of landscape planting and mitigation are identified, particularly in relation to Friston substation and Saxmundham converter station and the phasing of development. The ExA notes that there are also opportunities for coordination in relation to the landfall in Suffolk, that could help to mitigate effects on the NL.</p> <p>Provide an updated version of [APP-363] which explains how coordination would be secured.</p>	<p>SEAS</p> <p>The Question is not addressed to SEAS, but in light of previously submitted relevant evidence, SEAS offers brief comments to assist the ExA.</p> <p>The Examining Authority's request for an updated Coordination Document is necessary and justified.</p> <p>While APP-363 identifies a number of potential opportunities for coordination, particularly in relation to landscape planting, mitigation and phasing at Friston substation, Saxmundham converter station and the Suffolk landfall, it does not explain how such coordination would be secured in practice. As drafted, the document is aspirational rather than operational.</p> <p>APP-363 does not identify:</p> <ul style="list-style-type: none"> • Any binding governance or delivery framework, • Any legal or procedural mechanism to require coordinated outcomes, • Any DCO Requirements or obligations to secure aligned phasing or mitigation, • Any clear responsibility for decision-making or conflict resolution. <p>In the absence of secured coordination, there is no certainty that the landscape mitigation relied upon in the assessment would be delivered in a timely, consistent or effective manner. This is particularly critical in sensitive locations, including the National Landscape at the Suffolk landfall, where uncoordinated or sequential construction risks prolonged and compounded harm.</p> <p>Where mitigation depends on coordination between projects, that coordination must be clearly defined, enforceable and transparent. An updated version of APP-363 is therefore essential to demonstrate that the mitigation proposed is deliverable and can properly be relied upon in the assessment of effects.</p>	<p>A response to how coordination is to be secured is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
1LVIA16.	Applicant	<p>Pylons</p> <p>Provide clarification as to whether the pylons in Kent assessed in landscape and visual assessment and visualisations include the vertical limit of deviation of up to 6 metres. If they have not been assessed as worst case scenario provide an explanation as to why. If the visualisations have not been based on worst case scenario, provide an explanation as to whether the landscape and visual impact assessment (LVIA) is based</p>	<p>Applicant</p> <p>CPRE</p> <p>We agree with the ExA that clarification is needed as to whether the worst-case scenario for the proposed pylons/overhead lines has been assessed within the LVIA. Without such clarification it is clear that the visualisations (photomontages) that have been produced may be grossly misleading.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Refer to Applicant's response to ISH2.023 within the ISH2 Supplementary Questions submitted at Deadline 4.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		on the maximum limits of deviation and therefore takes into account the maximum height of pylons.		

3. Ecology and Biodiversity

3.1 Ecology and Biodiversity

Table 3.1 Ecology and biodiversity

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL2.	International Union for Conservation of Nature (IUCN)	<p>International Union for Conservation of Nature</p> <p>Paragraph 1 of the IUCN representation states that “the proposed infrastructure developments are not compatible with the UK commitments to the criteria and standards for an IUCN Category V protected area”. Confirm what these commitments comprise.</p>	<p><u>International Union for Conservation of Nature (IUCN)</u></p>	<p>The Applicant could not locate any IUCN submission with response to 1ECOL2 submitted at Deadline 3.</p>
1ECOL5.	Kent Wildlife Trust Natural England Local authorities	<p>Biodiversity net gain measures – Kent landfall</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>	<p><u>Kent Wildlife Trust</u></p> <p>KWT considers that it is not realistic to assume that the residual impacts arising from the National Grid Ventures (“NGV”) Nemo Link construction works at Pegwell Bay will resolve through natural recovery alone due to the eroded nature of the saltmarsh. Despite formal planning and marine licence conditions requiring reinstatement, mitigation and monitoring, the saltmarsh affected by open-cut trenching remains significantly degraded eight-years post-construction, with the scars from the trenching still visible as accretion cannot keep up with the damage caused from Nemo Link. The Nemo Link development was subject to clear regulatory requirements intended to ensure reinstatement and recovery of the saltmarsh and associated habitats. These included, among others, planning Condition 31 (from approved planning applications DOV/13/00759 and DOV/16/001091), which required a detailed reinstatement plan for the saltmarsh, supported by on-site ecological oversight and contingency measures should monitoring indicate that further restoration was necessary. We note that a case reference exists for the discharge of Condition 31 (CON/13/00759/S2); however, no supporting documents appear to have been uploaded or made publicly available, making it unclear what reinstatement measures were approved. Notwithstanding this, the continued visibly degraded condition of the saltmarsh eight years post-construction demonstrates that no meaningful reinstatement has been undertaken on the ground. This strongly suggests that, if the condition was discharged, the approved measures were either not implemented or were</p>	<p>The Applicant has taken full consideration of the residual impacts of the Nemo project on the saltmarsh and has designed its project accordingly to prevent any further impacts from occurring. This includes a commitment to use a trenchless technique at the landfall to avoid any direct impacts on the saltmarsh and several other commitments to further avoid direct impacts on the saltmarsh. These commitments are included in Application Document 9.84 (B) Register of Environmental Actions and Commitments (REAC) [REP3-078], measures GG35, B42, B67, B69, B59, B61.</p> <p>As such, the Applicant maintains its position that there will be no impacts from the Sea Link project on the saltmarsh habitat. There will also be no significant adverse effects on other habitats and receptors in Pegwell Bay.</p> <p>It is not Applicant’s responsibility, nor is there any legal obligation, to monitor residual impacts that have resulted from another separate project or to complete remediation and restoration works on behalf of that project.</p> <p>The Applicant fully recognises that any BNG measures should be additional and are not considered to comprise habitat remediation and restoration. However, the Applicant has not proposed any BNG measures relating to the saltmarsh.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>ineffective, raising serious concerns regarding compliance and enforcement.</p> <p>In addition, planning Condition 35 required post-construction invertebrate monitoring to assess recolonisation, community structure and species balance. KWT has been unable to identify any case reference or publicly available evidence indicating that Condition 35 was ever formally submitted for, or approved through, discharge. The apparent absence of discharge for this condition further undermines confidence in claims of habitat recovery and highlights a significant gap in the evidence base relied upon to assess the residual and cumulative effects of further works at Pegwell Bay. Equivalent requirements were also secured through the Marine Licence for the Nemo Link development, including the submission and approval of saltmarsh mitigation, reinstatement and monitoring plans, and post-construction monitoring at multiple intervals. KWT has undertaken a search of the Marine Management Organisation (“MMO”) public register in respect of the relevant Marine Licence (L/2013/00373/1) and associated case reference (MLA/2013/00072/1). However, no publicly accessible records have been identified that corresponds with the Marine Licence or case reference numbers. In the absence of any such documentation, it remains unclear whether the Marine Licence conditions were formally discharged. What is clear, is that despite formal planning safeguards, the saltmarsh has not returned to its pre-construction condition, and the long-term integrity of the habitat remains compromised. This outcome provides a clear case study demonstrating that saltmarsh disturbance associated with cable landfall works cannot be assumed to be short-term, self-repairing or readily reversible. Saltmarsh is a slow-forming geomorphological habitat dependent on finely balanced sediment structure, hydrology and vegetation succession. Once disrupted through excavation, compaction or alteration of tidal exchange, recovery is often measured in decades rather than years, and in some cases may not occur at all without active intervention. Evidence from UK coastal infrastructure schemes indicates that even under favourable conditions, the establishment of functionally equivalent saltmarsh can take 15 – 30 years, and often longer to support comparable invertebrate communities, bird use and carbon sequestration functions. The residual impacts from the Nemo Link works would require active remediation, potentially including:</p> <ul style="list-style-type: none"> • regrading or reinstatement of damaged landforms, such as reinstating the pre-works height of the shingle and shell bank that was left at a reduced height after the Nemo Link works; 	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<ul style="list-style-type: none"> enhancing the shell ridge to increase protection to the saltmarsh from wave energy; recharging the coast with sediment to support the accretion process of the damaged saltmarsh; and long-term ecological monitoring and adaptive management over many years. <p>Such measures are technically complex and would require regulatory approval, landowner agreement and sustained funding. It would be appropriate to set up a saltmarsh recovery working group to support the development of a suitable restoration and ongoing monitoring strategy. Numerous NSIP precedents, including projects such as Walney Wind Farm Extension and the Port of Tilbury Expansion (Tilbury2), demonstrate that where saltmarsh disturbance has occurred, recovery has often been partial, delayed or functionally incomplete, reinforcing the principle that impacts on saltmarsh should be avoided wherever possible rather than assumed to be mitigable or offset.</p> <p>KWT further emphasises that any habitat restoration or remediation associated with the Nemo Link landfall must not be counted as Biodiversity Net Gain (“BNG”) for the Sea Link project. The saltmarsh and associated coastal habitats affected by Nemo Link are within the Sandwich Bay to Hacklinge Marshes SSSI. To achieve BNG, habitat creation and enhancement must be delivered within habitats which are not already under statutory designation as these have existing requirements to be managed in a favourable condition. Treating such works as BNG would be contrary to the fundamental principles of BNG, which require gains to be additional, measurable and directly attributable to the development in question, rather than the rectification of past harm or delivery of existing management requirements within designated sites. In addition, KWT considers that remediation of the Nemo Link impacts should be treated as an obligation to address unresolved damage, particularly given that Nemo Link was delivered by NGV, a sister company to the Applicant. Whilst legally distinct entities, the shared corporate context and the clear ecological legacy of the earlier project at the same landfall location make it inappropriate to reframe overdue restoration as a benefit arising from Sea Link. Any such remediation should therefore be regarded as separate, mandatory corrective action and excluded entirely from any BNG calculations or claims associated with the Sea Link DCO. This position further reinforces KWT’s view that reliance on Pegwell Bay as a landfall location carries unacceptable environmental risk, particularly when viewed in the context of</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			demonstrable long-term impacts from previous cable works that remain unresolved eight-years post construction.	
			<u>Natural England</u>	Natural England will be responding to ExQ1 at Deadline 4.
			<u>Kent County Council</u>	No response received.
			<u>Thanet District Council</u> 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.	The Applicant, acknowledging the residual impacts of the Nemo Project on the saltmarsh, has made a commitment to use a trenchless technique at the landfall to avoid any further direct impacts on the saltmarsh. This specific commitment is included in GG35 and B42 of Application Document 9.84 (B) Register of Environmental Actions and Commitments (REAC) [REP3-078] . There is also no provision within the DCO Application for the Applicant to install the cables across the saltmarsh using Open Cut Trench technique, even as a fall-back option.
			<u>Dover District Council</u> The Council does not have expertise to advise on measures for rectifying the saltmarsh impacted by Nemo Link, however would welcome exploration of the potential for remediating the impacts as part of the off-site BNG to be delivered through Sea Link.	As stated above, it is not Applicant's responsibility, nor is there a legal obligation, to monitor residual impacts that have resulted from another separate project or to complete remediation and restoration works on behalf of that project.
			<u>CPRE</u> CPRE Kent fully endorse the comments of KWT that the precedent set by the NEMO Link landfall at Pegwell Bay provides clear evidence that any open-cut trenching impacts upon the Saltmarsh cannot be assumed to be temporary. Specifically, we completely agree that remediation measures associated with rectifying the harms caused by the NEMO Link absolutely cannot be allowed to be counted as Sea Link Biodiversity Net Gain.	The Applicant, acknowledging the residual impacts of the Nemo Project on the saltmarsh, has made a commitment to use a trenchless technique at the landfall to avoid any further direct impacts on the saltmarsh. This specific commitment is included in GG35 and B42 of Application Document 9.84 (B) Register of Environmental Actions and Commitments (REAC) [REP3-078] . There is also no provision within the DCO Application for the Applicant to install the cables across the saltmarsh using Open Cut Trench technique, even as a fall-back option. As stated above, it is not Applicant's responsibility, nor is there a legal obligation, to monitor residual impacts that have resulted from another separate project or to complete remediation and restoration works on behalf of that project.
1ECOL6.	Applicant	Former hoverport (Kent) – species surveys The applicant's responses to selected RR responses [REP2-022] notes that terrestrial	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
Kent Wildlife Trust Natural England Thanet District Council		<p>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, 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> <p>Provide an annotated aerial photograph showing an indicative vegetation-free construction traffic route.</p> <p>Explain whether any works would be required to reinforce the access route.</p> <p>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.</p> <p>Explain whether as a mitigation or enhancement measure, INNS could be managed at the site as part of the Sea Link proposals.</p> <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>	<p>Kent Wildlife Trust</p> <p>KWT considers that that ground disturbance associated with construction traffic at the former hoverport site would give rise to a clear risk of harm to protected and priority invertebrate species and associated habitats. Even where access is proposed via existing hardstanding, the use of heavy machinery will disturb underlying substrates through vibration, compaction, rutting and localised surface damage. Depending on the time of year, such disturbance would directly affect larval stages of several moth species whose foodplants are established within cracks, margins and thin soil layers associated with hardstanding and ruderal substrates. Dock species are present across these areas and are the larval foodplant of the Fiery Clearwing Moth, a species fully protected under Schedule 5 of the Wildlife and Countryside Act 1981. A known and healthy colony is present at the site. Larvae feed within the rootstock from August through to the following May and may overwinter for up to two years. Any ground disturbance during this period, including machinery tracking, would constitute habitat loss and would be likely to kill larvae directly. As such, a licence would be required from Natural England, and strict seasonal constraints would apply to any works affecting these areas. Similarly, Sussex Emerald, also fully protected, has been recorded repeatedly at the site in recent years, indicating a high likelihood of a resident population. The species overwinters as a very small larva on wild carrot and ragwort, both of which are present on and adjacent to the hardstanding. Disturbance of these plants or their root zones during the overwintering period would be highly likely to result in mortality. The site also supports a suite of scarce coastal moth species, including Oblique Striped, a Nationally Scarce species with a stronghold along the Deal–Sandwich–Pegwell Bay coast, whose larvae feed on Lady's Bedstraw, Bright Wave, an endangered Red Data Book and UK Priority Species, reliant on Smooth Tare, and Rest Harrow, a rare Red Data Book and UK Priority Species dependent on Common Restharrow. These foodplants are known to colonise disturbed and ruderal coastal substrates such as those present at the former hoverport. In addition, numerous micro-moth species of conservation concern are likely to be present, including Nationally Scarce <i>Oxypteryx wilkella</i> and species considered potential future Red Data Book taxa such as <i>Gelechia hippophaella</i>, <i>Acroclita subsequana</i> and <i>Lobesia occidentis</i>. The ecological value of these assemblages cannot be discounted in the absence of survey data. The Applicant has acknowledged that no terrestrial invertebrate surveys were undertaken at the hoverport due to access constraints, and that no detailed botanical or reptile</p>	<p>The Applicant's response in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] addresses this matter. Appendix I to the submission includes photographs showing extensive areas of intact tarmac and concrete through the vegetation without needing to track over significant stands; there will therefore be no significant disturbance of areas where invertebrates or other wildlife will be present (as they will not be found in substrates beneath intact tarmac and concrete). Vehicle movements on these areas will not result in significant disturbance to vegetation off the tarmac or hardstanding. In addition, commitment B66 added to Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] states that '<i>To ensure ecological interest features of the former hoverport are not affected during construction, the following approach will be taken: a) pre-construction botanical survey will be undertaken to map vegetation stands of particular significance to protect, such as orchids or dense stands of dock or wild carrot (the larval food plants of the two rarest invertebrates on site). b) An access route will subsequently be marked out which avoids these stands, along with dense stands of other vegetation. c) A suitable qualified ecologist will be on site to supervise and guide the marking out of the access route.</i></p> <p>Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] measure B70 commits to consulting Kent Wildlife Trust, Natural England and Thanet District Council on the selected route.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>surveys have been carried out. KWT does not agree that effects on these receptors can be ruled out in the absence of such surveys. Common lizards have been recorded on the hoverport, and construction traffic alone can result in direct mortality, habitat degradation and fragmentation for reptiles, particularly where animals bask on warm hardstanding or utilise adjacent vegetated margins. Without reptile surveys, appropriate mitigation such as exclusion fencing, timing restrictions or supervised working cannot be designed or secured. KWT therefore considers that no construction access route should be determined or relied upon until a full botanical baseline survey, and reptile surveys have been undertaken at an appropriate time of year, alongside targeted invertebrate surveys for protected and Priority Species. Any access route must be demonstrated to avoid, rather than simply minimise, impacts on these receptors. Machinery tracking over vegetated or semi-vegetated hardstanding must be treated as habitat loss where larval foodplants are present. An access route should not be agreed without consultation with, and approval by, relevant statutory and non-statutory bodies, including Natural England, KWT, Butterfly Conservation and Thanet District Council. Once the baseline ecological surveys (botanical, invertebrate and reptile surveys) have been undertaken, an annotated aerial photograph and/or annotated plan showing a genuinely vegetation-free route would be required, together with confirmation of whether any reinforcement, surfacing or ground preparation would be needed, as such works would significantly increase ecological impacts. In addition, where invasive non-native species are present, their management should be addressed as part of the proposals, but only where this can be delivered without harm to protected species and subject to appropriate ecological oversight.</p>	
			<p><u>Natural England</u></p>	<p>Natural England will be responding to ExQ1 at Deadline 4</p>
			<p><u>Thanet District Council</u></p> <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.</p>	<p>The Applicant's response in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] address this matter. Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] measure B70 commits to consulting Kent Wildlife Trust, Natural England and Thanet District Council on the selected route.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL10.	Natural England Kent Wildlife Trust	<p>Bird diverters</p> <p>Paragraph 2.10.2 [REP1-049] notes that bird diverters would not be fitted to existing overhead lines. It is not the applicant's intention to do this for existing lines. Does NE consider that there is any need for additional diverters to be fitted to other lines in the area in light of the new mixed wirescape? KWT to also provide comment.</p>	<p>Natural England</p> <hr/> <p>Kent Wildlife Trust</p> <p>KWT considers that the Applicant's position that bird diverters will not be fitted to existing overhead lines is inappropriate in the context of the proposed Sea Link development and the resulting mixed wirescape. The Sandwich and Pegwell Bay area supports large numbers of swans, geese, waders and other large-bodied, low-maneuvrability bird species that are particularly vulnerable to collision with overhead lines. This risk is heightened by the area's open coastal and wetland landscape, poor visibility conditions such as fog, strong wind and rain, low light and the daily movement of birds between coastal and inland roosting and feeding sites. The area has previously seen mass mortality events involving swans caused by overhead line collisions, which underlines both the sensitivity of local bird populations and the real consequences of collision risk in this landscape. A substantial body of peer-reviewed evidence demonstrates that bird flight diverters can significantly reduce collision mortality, particularly for large waterbirds. Studies such as Barrientos et al. (2011), Bernardino et al. (2018) and Shaw et al. (2021) report collision reductions typically in the range of 50 – 90% depending on species, diverter type and placement. Importantly, the effectiveness of diverters is greatest when applied strategically across the whole overhead line corridors rather than in a piecemeal approach. Where new lines are introduced alongside existing infrastructure, failure to mark existing wires can displace collision risk rather than reduce it. In this context, KWT considers that limiting diverters to only new overhead lines fails to apply the Mitigation Hierarchy appropriately. Avoidance and reduction of collision risk cannot be achieved solely by marking new infrastructure if birds continue to encounter unmarked existing overhead lines within the same flight paths. The presence of a mixed wirescape increases visual complexity and confusion for birds, particularly in poor weather or low-light conditions, further strengthening the case for comprehensive marking. KWT therefore considers that additional bird diverters should be fitted to existing overhead lines within the affected flight corridors, particularly where those lines intersect with Functionally Linked Land ("FLL") associated with the Thanet Coast and Sandwich Bay SPA, known swan movement routes and areas of regular large-bird activity (i.e., flightpath between Stodmarsh and Pegwell</p>	<p>Natural England will be responding to ExQ1 at Deadline 4.</p> <hr/> <p>An assessment of avian collision risk is presented in Application Document 6.3.3.2.F (B) ES Appendix 3.2.F Vantage Point Survey Report [REP1A-023], which is supported by the results of corpse searches along the existing OHL network presented in Application Document 6.3.3.2.G ES Appendix 3.2.G Overhead Line Mortality Monitoring Survey Report [APP-153].</p> <p>This shows that for the majority of species the risk of collisions is fewer than one individual annually. Even for species where the extrapolated number of transits through the 'at risk' zone generates a potential collision event that exceeds one individual per year, such as Cormorant, Greylag Goose and Mallard, given the caveats in generating the extrapolated annual transits and absence of modelling for predicted collisions, these annual figures are low in comparison to regional populations. No significant effects are predicted and therefore, no mitigation is required.</p> <p>However, bird diverters are to be included on the new section of overhead line, to further reduce any risk at this particular location. The evidence collected from surveys undertaken by the Applicant demonstrates that birds are able to navigate the existing extensive wirescape, which already includes two crossings of the River Stour. As movements of species which may be of higher risk to collision are typically following the course of the River Stour, the placement of the proposed new section of OHL with diverters attached, will not displace birds into the wider landscape and place them at risk with collision with unmarked sections of existing OHL, rather they will continue to take appropriate corrective avoidance action as they traverse the River Stour corridor.</p> <p>Regarding the statement '<i>The area has previously seen mass mortality events involving swans caused by overhead line collisions</i>' the Applicant believes this refers to a collision event in 2003 in which 170 swans were reported to have died in a collision with overhead powerlines at Monkton approximately 3km from the proposed development (the Applicant is not aware of any mass collision events since this time). It should be noted that the existing Richborough to Canterbury Overhead Line was not present in 2003 (it began construction in 2018 and was completed in 2021).</p>

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			<p>Bay). This approach would be consistent with best practice guidance, the precautionary principle, and the Applicant's obligations under EIA Regulations and NPS EN-1 to avoid and minimise impacts on biodiversity.</p> <p>CPRE Should new overhead cables be permitted, the already-evident threat to birds and bats would be increased substantially.</p> <p>It is surely obvious that all power lines – new and pre-existing alike – in the immediate area should be fitted with diverters as all will be effectively as dangerous as each other.</p> <p>If the diverters on the new lines do indeed act as a deterrent to birds and bats, there is the strong possibility, even likelihood, that they will simply fly into the pre-existing lines... they will be every bit as fatal. Consequently, we fully endorse the views of KWT that, if diverters are to be relied upon, they must be applied strategically and across the whole "wirescape", both old and existing, to ensure lines within the same flight paths are marked.</p>	<p>Surveys show that birds routinely traverse the existing Richborough to Canterbury OHL without mass collision events and surveys show non-breeding birds making use of wetland features adjacent to the existing OHL.</p>
1ECOL14.	Applicant Natural England	<p>Dormouse surveys</p> <p>Paragraph 1.5.7 of the Suffolk hazel dormouse survey report [APP-108] states that preconstruction surveys for dormouse should be undertaken in Zone D. Confirm whether the preconstruction clearance checks identified in paragraph 3.4.3 of the outline Landscape and Ecological Management Plan (oLEMP) [CR1-045] are intended to satisfy this requirement. It is noted that preconstruction surveys are currently limited to birds, bats, riparian mammals and badgers in paragraph 7.1.1 of the oLEMP.</p> <p>NE may wish to comment on the survey requirements.</p>	<p>Applicant</p> <p>Natural England</p> <p>East Suffolk Council</p> <p>As set out in Paragraph 7.2.2.7 of East Suffolk Council's Local Impact Report [REP1-128], ESC does not consider that the pre-construction clearance checks identified in Paragraph 3.4.3 of the Outline Landscape and Ecological Management Plan (oLEMP) [CR1-045] (formerly Paragraph 3.4.2 of [AS-059]) are a satisfactory equivalent or alternative to the pre-construction surveys for dormouse recommended in Paragraph 1.5.7 of the Suffolk Hazel Dormouse Survey Report [APP-108]. The purpose of the pre-construction surveys recommended in the Suffolk Hazel Dormouse Survey report is to try to establish presence or likely absence of dormice in Zone D following the discovery of a potential hazel dormouse nest in that location, in order to inform mitigation measures necessary to address both potential killing/injury of animals and habitat loss/fragmentation impacts arising from vegetation removal. The purpose of preconstruction clearance</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Natural England will be responding to ExQ1 at Deadline 4.</p> <p>The Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk, submitted at Deadline 4 has been updated at to be clearer about a commitment to an update survey for dormice and to include precautionary mitigation to enable continued dormouse connectivity if any dormice are found in update surveys.</p>

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			checks, as set out in Paragraph 3.4.3 of the outline Landscape and Ecological Management Plan (oLEMP) [CR1-045], is only to identify whether any animals are present in the immediate location at the time of works being undertaken to avoid killing or injury of individual animals. Preconstruction clearance checks only focus on the habitat to be impacted by construction and therefore do not provide information about dormice in the wider landscape, nor do they allow for habitat loss/fragmentation mitigations to be considered.	
1ECOL15.	Applicant Kent County Council (KCC) Natural England	Dormouse surveys ES Part 3, Kent Chapter 2 Ecology and Biodiversity [REP1-049], paragraph 2.9.98 highlights that precautionary ways of working would be adopted on the basis that surveys identified possible dormouse nests. Paragraph 1.4.12 of the Kent hazel dormouse survey report [APP-159] states that a 'probable' rather than 'possible' nest was found in Zone C. Does this finding alter the approach, preconstruction survey requirements or assessment of effects? NE and KCC may wish to comment on the survey requirements.	<p>Applicant</p> <p>Kent County Council (KCC) We are satisfied that the proposal to follow a precautionary mitigation approach and stop work if (in the unlikely event) any dormouse are found is appropriate.</p> <p>Natural England</p> <p>CPRE It has been CPRE Kents longstanding concern that the dormouse evidence is being downplayed. This is because instead of undertaking the necessarily robust surveys in the first instance, the applicant had instead chosen to rely upon vague references to generic precautionary ways of working going forward. We are therefore not surprised to see that the surveys have now identified "probable" rather than "possible" dormouse nests. In our view, this finding triggers a need to re-assess whether the applicants proposed approach to Dormouse mitigation remains acceptable. Specifically, we would expect the applicant to fully update its assessment of effects. We would also expect clear pre-construction surveys and mitigations measures to be agreed with Natural England and explicitly secured within the DCO itself. We certainly do not consider it acceptable to continue to defer to largely undefined post consent precautionary measures.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p> <p>Natural England will be responding to ExQ1 at Deadline 4.</p> <p>The Applicant has responded to this comment when CPRE made it in Application Document Responses to ExQ1 [REP3-082] from CPRE Kent Written Representation.</p>
1ECOL16.	Kent County Council	Reptile Surveys With respect to reptile surveys explain: <ul style="list-style-type: none"> What additional information is required to demonstrate that mitigation for reptiles in Area A and C is achievable. What additional information is required to demonstrate why no reptile surveys 	Kent County Council In line with the comments made in our November 2025 Local Impact Report: Area A: To ensure the mitigation is appropriate and effective, we request that the following additional information are included within the full detailed LEMP and	The Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk , submitted at Deadline 4 has been updated to provide a framework for the requested further detail. This will be discussed with Kent County Council and expanded upon as necessary for the final LEMP as requested.

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		<p>were undertaken on the west site of the proposed converter station.</p> <ul style="list-style-type: none"> • What additional information is required in relation to impacts on reptiles in Area D. 	<p>CEMP, with clear responsibilities, timelines, and enforcement mechanisms :</p> <ul style="list-style-type: none"> • Habitat suitability of adjacent areas: a clear assessment of the quality and carrying capacity of the adjacent habitats (e.g. stream corridor, woodland edge, rail corridor scrub) to receive displaced reptiles. This should include vegetation structure and diversity, availability of refugia and basking areas, connectivity to other suitable habitats • Monitoring and management: details of a post-clearance monitoring programme to assess whether reptiles successfully relocate to adjacent habitats with population decline or growth, management measures if mitigation proves ineffective • Timing and weather contingencies : clarification on how the timing of strimming (March or September) will be adjusted in response to weather conditions, which can significantly affect reptile activity and displacement success • Ecological supervision by confirmation of the role and responsibilities of the Ecological Clerk of Works (ECoW) during habitat manipulation, including presence during all clearance activities, authority to stop works if risks to reptiles are identified <p>AREA C: Area C supports three native reptile species, qualifying it for inclusion in the Key Reptile Site Register, which indicates the site is of local conservation importance. This status should be reflected in the mitigation strategy.</p> <p>We acknowledge the applicant's clarification that reptiles will be directed toward adjacent habitats, including semi-natural broadleaved woodland and the stream corridor. We also accept that a two-stage strimming approach may be more proportionate than trapping and translocation, given the reported population density. We are satisfied with the proposal to include the precise method of reptile exclusion within the full detailed Landscape and Ecological Management Plan (LEMP), to be agreed with the relevant planning authorities between the grant of the DCO and commencement of construction.</p> <p>However, we remain concerned about the interim period before newly created habitats become ecologically functional. For a site of local importance with a good slow worm population, we would expect, as a minimum, that:</p> <ul style="list-style-type: none"> • Adjacent habitats are enhanced to support all three reptile species in the long term (at present we do 	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>not know if these habitats are suitable for the three species).</p> <ul style="list-style-type: none"> • A clear timeline and contingency plan is provided to ensure reptiles are not left without viable habitat during the 1–2 year period before habitat creation matures. • A programme of post-construction monitoring is implemented to assess the effectiveness of the mitigation measures and habitat establishment, and to inform any necessary adaptive management. <p>We recommend that these measures be explicitly included within the full detailed LEMP to ensure ecological continuity and compliance with best practice guidance (e.g. Natural England's standing advice on reptiles and BS 42020: Biodiversity – Code of Practice for Planning and Development).</p> <p>We are also satisfied that the scrub habitat along the Minster Stream is to be retained. However, given the proposed construction of a balancing pond, and converter station, we anticipate the presence of heavy machinery on site. Therefore, we advise that strong precautionary measures, such as protective fencing, be maintained throughout the construction phase to prevent harm to reptiles and other wildlife. This should clearly appear within the full detailed Construction Environmental Management Plan (CEMP).</p> <p>AREA D: The area in question supports suitable scrub habitat and is known to host good populations of slow worms and common lizards, both of which are protected under UK wildlife legislation.</p> <p>We note that approximately 600m² of suitable reptile habitat is proposed to be temporarily removed to facilitate the installation of a cable trench and haul road.</p> <p>While we acknowledge that the area of habitat loss is relatively small and temporary, it is important to recognise that:</p> <ul style="list-style-type: none"> • The habitat will still be directly impacted during construction. • Reinstatement will take time, and ecological functionality may not be immediately restored. • The presence of reptiles cannot be ruled out, and precautionary measures are therefore necessary. <p>We advise that this habitat area should be explicitly included within the proposed two-stage reptile habitat manipulation strategy, and this should be clearly set out in the full detailed Construction Environmental Management Plan (CEMP).</p>	

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			<p>Furthermore, we expect the applicant to demonstrate that appropriate habitat compensation, even if temporary, is provided to support the continued viability of the local slow worm and common lizard populations during the construction phase. This should include, as a minimum:</p> <ul style="list-style-type: none"> • Creation of temporary suitable habitat prior to the commencement of works, allowing time for it to establish and become ecologically functional. • Enhancement of adjacent habitats to increase their carrying capacity and connectivity. • Post-construction monitoring to assess habitat recovery and the effectiveness of mitigation measures. 	
			<p>CPRE</p> <p>CPRE have repeatedly set out its concern that the applicant is relying on incomplete protected species evidence/surveys and likewise has not set out sufficient detail with regards to anticipated mitigation measures to be able to make any informed opinion as to likely effectiveness.</p> <p>We therefore reiterate that comprehensive surveys must cover all affected land, with the results informing a clear and secured mitigation strategy that is secured within the DCO, rather than being deferred as a post consent matter.</p>	<p>Comprehensive reptile surveys have been undertaken and are documented in the Kent Ecology Chapter in Application Document 3.1 (F) Draft Development Consent order [REP3-006] and Application Document 6.3.2.2.E ES Appendix 2.2.E Reptile Survey Report [APP-103].</p>
1ECOL17.	Applicant Local authorities	Tree pruning Paragraph 1.2.11 of the Arboricultural Impact Assessment [APP-294 https://nsip-documents.planninginspectorate.gov.uk/publications/publications/EN020026-000404-6.10%20Arboricultural%20Impact%20Assessment%20Part%201%20of%202.pdf] 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>Applicant</p> <p>East Suffolk Council</p> <p>ESC would expect all tree works to be carried out to guidance contained in BS3998:2010 Tree Work – Recommendations. ESC also expects that tree works contractors would have VETcert qualification (VETcert is an EU funded programme of training on ancient and veteran tree management overseen in the UK by the Ancient Tree Forum).</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] commitment ID A01 commits to undertaking all tree works in accordance with British Standard Institute BS3998:2012 Tree Works – Recommendations.</p> <p>The Applicant has reviewed the online list of VETcert accredited (practising level) people within the UK, and this list includes approximately 15 people. Therefore, the Applicant does not consider this request to be reasonable. However, all tree pruning works will be detailed within the Arboricultural Method Statement which is included as Requirement 8 within Schedule 3 of Application Document 3.1 (F) Draft Development Consent Order [REP3-006] and this document will require approval from the relevant planning authority prior to the commencement of the authorised development.</p> <p>The Applicant responded to the comment comments provided by East Suffolk Council relating to BS5837. In their latest Principal Areas of Disagreement Summary</p>
			<p>Suffolk County Council</p> <p>Ancient and Veteran trees would need to be pruned according to the British Standard (“BS”) 3998 for tree work</p>	

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			<p>recommendations and BS 5837 for trees in relation to design, demolition and construction recommendations. The Council notes that the cited BS are currently being reviewed having gone through the consultation process and are due for updates soon. Should the standards be updated prior to commencement, the Applicant's control documents should be updated to reflect this before approval.</p> <p>Details need to be provided of what is happening both below and above ground to ensure the trees are protected in terms of their RPAs as far as possible. Details of the clearance requirements would assist the Council in understanding the likely impacts on these trees and it should be demonstrated that the trees can be retained with these clearance requirements. The Arboricultural method statement must ensure these trees are protected including where incursions into RPAs are required. For instance, if a permanent bellmouth is required within an RPA then a permeable surface should be implemented.</p> <p>The final designs of site accesses should include detail of how the bellmouths would superimpose on affected ancient and veteran trees. The final design of site accesses should also seek to minimise impacts on ancient and veteran trees as far as possible.</p>	<p>Statement [REP3-080] East Suffolk Council have recognised that it is not possible for surveys to be updated to an as yet unpublished standard, stating:</p> <p><i>"3.05 Previously, ESC advised the ExA that it expects the Applicant to re-submit all tree survey information in compliance with the new BS 5837 guidance once it has been published. This was expected within the examination period; however ESC now understands that this revised guidance will be published in November 2026 as set out within 6.2.2.2 of [REP2-027]. ESC understands that any revised assessment will not be possible within the examination period as this closes prior to the revised guidance being published. This matter is therefore closed."</i></p> <p>The Applicant does not intend to update the arboricultural surveys, in line with new version of BS5837, when published; however, if there are other aspects of the new guidance that may be beneficial to adopt, the Applicant will give them further consideration.</p> <p>Commitment A01 within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] commits to the undertaking of all tree works in accordance with BS3998:2010. However, should a new version of BS3998 be published prior to pruning works, the new standard will be adopted where possible.</p> <p>The Applicant notes the points raised about RPA incursions for veteran and ancient trees.</p> <p>Application Document 6.10 Arboricultural Impact Assessment Part 1 and 2 of 2 [APP-294 & APP-295] provides information for each RPA incursion for veteran and ancient trees. The majority of which are to facilitate construction access along existing access routes, currently utilised by agricultural machinery. The final specification for mitigation measures for these trees will be detailed within the Arboricultural Method Statement which is to be provided under Requirement 8 within Schedule 3 of the draft DCO [REP3-006].</p>
			<u>Kent County Council</u>	No response received.
			<u>Thanet District Council</u>	The final extent of tree pruning will be detailed within the Arboricultural Method Statement secured by Requirement 8 within Schedule 3 of Application Document 3.1 (F) Draft Development Consent Order [REP3-006] and this document will require approval from the relevant planning

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			<p>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>	<p>authority prior to the commencement of the authorised development.</p> <p>The route of the proposed monitoring and maintenance access adjacent to these trees is part of a fairway associated with the St Augustine's Golf Club. Therefore, as this area is currently maintained by the golf club it is likely that any crown pruning works identified within the Arboricultural Method Statement will be minor. As detailed within Section 6.3 of Application Document 6.10 Arboricultural Impact Assessment Part 1 of 2 [APP-294] access would be for all-terrain vehicles and pedestrian access only which is unlikely to differ from the current situation on site. The Applicant has previously responded to the point raised about TPO (TH/TPO/10 (1984)) in Application Document 7.4.5 (C) Draft Statement of Common Ground Between National Grid Electricity Transmission and Thanet District Council (Clean) [REP3-034].</p>
			<p>Dover District Council</p> <p>Deterioration, which could potentially lead to loss that could take several years, of irreplaceable habitats should only be a last resort and the avoidance of impacts, as sought by the ExA, should be first addressed.</p>	<p>The likely impacts to irreplaceable habitat (veteran and ancient trees) are detailed within Section 6.3 of Application Document 6.10 Arboricultural Impact Assessment Part 1 of 2 [APP-294]. Due to the current land use within the root protection areas (RPA) of T614K and T612K the Proposed Project is considered unlikely to significantly change how the land is used within the RPAs of these trees. However, where ground conditions could increase the likelihood of soil compaction mitigation measures are proposed.</p>
1ECOL23.	Applicant Kent Wildlife Trust Natural England	<p>REAC provision B45 – impacts on breeding birds from OHL and pylon installation</p> <p>Provision B45 of the REAC [CR1-043] references works above 60dB. The ExA considers that specific noise indices should be stated to make this provision clear. The ExA also notes that the provision retains the option for works to occur during two months of the breeding season. KWT and NE are requested to comment on the appropriateness of this provision and whether any particular two months during this period would be preferable.</p>	<p>Applicant</p> <p>Kent Wildlife Trust</p> <p>KWT strongly objects to any construction works taking place during the breeding bird season, which for the purposes of ecological protection runs from 1st March to 30th September. This period encompasses nesting, incubation, chick rearing and post-fledging dependency for a wide range of species. Noise, vibration and visual disturbance associated with construction works, particularly activities generating sound levels above 60dB, such as piling, heavy machinery operation and vehicle movements, are well evidenced to cause disturbance to breeding birds. Peer-reviewed studies demonstrate that disturbance during the breeding season can result in nest abandonment, reduced feeding rates, increased predation risk and lowered reproductive success, even where direct nest destruction does not occur (e.g., Reijnen et al., 1995; Gill et al., 2001; Halfwerk et al., 2011). These effects are</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant has already agreed a 60 dB LAmax threshold for significant disturbance with Natural England as set out in commitment B45 within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-079]. That commitment ensures that works that will exceed that threshold will not occur during the March to September period, as requested by Kent Wildlife Trust in their comment.</p> <p>Works that will not elevate noise levels above 60 dB LAmax at the SSSI do not require a prohibition during the nesting season since no significant disturbance will arise, although the restriction on pylon base installation adjacent in B45 to the SSSI to a maximum two-month window in the nesting season will minimise the duration of activities during that period.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>not confined to a narrow window within the breeding season and can occur whenever birds are engaged in breeding behaviours. KWT therefore does not consider it appropriate for provision B45 to retain flexibility for works to take place during any part of the breeding season. From an ecological perspective, the most robust and precautionary approach would be to exclude all works generating noise levels above agreed thresholds from 1st March to 30th September, unless it can be demonstrated beyond reasonable scientific doubt that no breeding birds would be affected. This is particularly important given the proximity of the works to designated sites (SSSI, SPA, SAC) and FLL to the SPA. If, notwithstanding this objection, the ExA were minded to allow limited flexibility, KWT considers that works undertaken very early or very late in the breeding season (i.e., early March or late September) may present a lower risk than works undertaken during peak breeding months, as some species may not yet have established territories or may have completed breeding. However, KWT emphasises that this is not risk-free, as a number of species commence breeding early in the season and remain highly sensitive to disturbance at that time (e.g., owl species, grey herons, robins, blackbirds). As such, this should not be interpreted as endorsement of works during the breeding season, but rather a relative assessment of risk should exclusion not be secured. In all cases, provision B45 should be strengthened by:</p> <ul style="list-style-type: none"> • Specifying clear and measurable noise indices (e.g., LAeq,T and LA Max) rather than a general reference to “above 60dB”; • Requiring site-specific assessment of breeding bird sensitivity; • Mandating pre-works breeding bird surveys immediately prior to construction; and • Securing ecological supervision with the authority to halt works if breeding activity is identified. <p>Given the ornithological importance of the area, RSPB should have also been consulted on question 1ECOL23 and should also be formally consulted on the appropriateness of any seasonal restrictions, noise thresholds and mitigation measures proposed under this provision.</p>	<p>Commitment B45 is also within the context of commitment B02 which sets out an assumption that vegetation with the potential to support breeding birds will not be removed during March to August inclusive. If any vegetation clearance works become necessary during the breeding bird season, works will be supervised by an ECoW.</p> <p>Since Weather Lees Hill (the relevant part of the SSSI) is a woodland, birds in the SSSI are already visually screening from works. Pre-construction bird surveys of the SSSI are not considered necessary as the SSSI itself is the sensitive receptor rather than particular species within the SSSI.</p> <p>A blanket prohibition on construction works across the Order Limits between March and September would leave only October to February inclusive (five months) for all construction, at least doubling total construction programme and ensuring the Proposed Project does not come online when required by government. It is also not legally or ecologically required as the Proposed Project already includes numerous measures to minimise disturbance during construction including seasonal restriction on the most disturbing elements of works at the most sensitive locations, and use of best available techniques including fencing to control noise to below the acceptable threshold agreed with Natural England for the SSSI.</p>
			<u>Natural England</u>	Natural England will be responding to ExQ1 at Deadline 4

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>CPRE</p> <p>The following response is addressed to questions 1ECOL23 – 1ECOL34.</p> <p>CPRE fully endorses KWT's responses to these question in their entirety. When read as a collective response, it becomes abundantly clear that the current drafting is overly flexible and does not provide the necessary certainty needed to protect Pegwell Bay and the wider designated sites.</p> <p>Whilst we will not repeat the comments made by KWT, we do wish to highlight the following points which we are in particular agreement with:</p> <ul style="list-style-type: none"> • Works likely to cause disturbance absolutely must be excluded during the breeding season. • The breeding season dates must be amended to 1st March -30th September, with meaningful surveys to be carried out either side where relevant/appropriate. • Method statements must be shared early for meaningful scrutiny and be subject to consultation and agreement with NE, KWT (as landowner/manager), RSPB and other relevant bodies. • We completely agree that Hoverport access proposals cannot be “designed around” without full botanical, invertebrate and reptile baselines, and secured INNS management where appropriate. • Intertidal access routes, excavation/laying and stand-off distances for temporary working areas must be defined and assessed pre-consent. 	See responses in this document to points raised by Kent Wildlife Trust.
1ECOL25.	Applicant Kent Wildlife Trust Natural England	<p>REAC provision B50 – disturbance to breeding birds</p> <p>Provision B50 of the REAC [CR1-043] references March to June as the breeding season. Confirm whether this should read March to September. The ExA notes that provision B65 also references March to June.</p>	<p>Applicant</p> <p>Kent Wildlife Trust</p> <p>KWT confirms that the breeding season should extend beyond March – June. For the purpose of ecological protection, the breeding bird season is considered to run from 1st March to 30th September. As such, REAC provisions B50 and B65 (and any other relevant documents) should be amended to reference 1st March to 30th September to ensure adequate protection of breeding birds and compliance with environmental legislation. However, it is important to note that this period does not encompass all breeding activity. Some bird species commence courtship, nest building and territory establishment earlier in the year, whilst others may breed later into autumn depending on weather and species-specific ecology. For example, tawny owl and barn owl</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>See response to Kent Wildlife Trusts response to ECOL23. Note that commitment B50 relates to Sandwich Bay to Hacklinge Marshes SSSI which is not designated for barn owl or tawny owl.</p> <p>The Applicant has committed to avoid works above 60 dB LAmax during March to June to minimise disturbance to breeding birds during the period when breeding/nesting activity is at its highest, which will therefore minimise potential effects on breeding bird populations. While some bird species do extend their nesting period beyond the end of June, the number of species is less than nest in the core period of March to June and therefore an absolute prohibition through the entire nesting season is considered disproportionate.</p>

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			<p>frequently begin courtship behaviour and nest-site preparation in January and February, and grey heron often starts egg laying from February. As such, breeding activity may be present outside the defined 1st March – 30th September period. Additionally, whilst March – September is commonly referred to as the breeding bird season, this does not remove the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence at any time of year to intentionally damage or destroy an active nest or eggs. Therefore, prior to the commencement of any works immediately outside of this period (i.e., February and October), a suitably experienced ecologist should undertake a survey to confirm the absence of nesting birds. This approach ensures appropriate protection of breeding birds and compliance with environmental legislation.</p> <p>Natural England</p>	<p>Note that the legal protection afforded to nesting birds relates to killing and injury and damage to nests and eggs. These will not arise from disturbance but from vegetation clearance. Commitment B02 already sets out an assumption that vegetation with the potential to support breeding birds will not be removed during March to August inclusive. If any vegetation clearance works become necessary during the breeding bird season, works will be supervised by an ECoW.</p> <p>Natural England will be responding to ExQ1 at Deadline 4.</p>
1ECOL26.	Applicant Kent Wildlife Trust Natural England RSPB	<p>REAC provision B59 – impacts of potential frac out</p> <p>Provision B59 of the REAC [CR1-043] allows for the sharing of an HDD landfall method statement and drilling fluid management plan for information with NE only. Confirm whether other parties such as RSPB and KWT should also be party to this provision. Also comment on whether, in light of the potential for impacts on sites for which NE, KWT and RSPB have responsibility, they should also approve or be consulted on these plans. The provision should be updated to explain when these plans should be made available.</p>	<p>Applicant</p> <p>Kent Wildlife Trust</p> <p>KWT agrees that relevant conservation bodies, including KWT, RSPB and the National Trust, should be formally consulted on all information relating to the HDD landfall, including the HDD Method Statement and Drilling Fluid Management Plan. As a landowner and long-term land manager of Sandwich and Pegwell Bay, KWT has responsibilities for the protection and management of the affected habitats, including internationally and nationally designated sites and Priority Habitats. HDD has potential to directly and indirectly impact protected intertidal and coastal habitats, including through the risk of inadvertent returns (“frac-out”), hydrological disruption, and pollution pathways. KWT further considers that, given the sensitivity of the receiving environment and the potential for irreversible harm, these plans/documents should not merely be provided for information, but should be subject to consultation with, and agreement from, Natural England, KWT, RSPB, Thanet District Council and National Trust, prior to commencement of HDD works. The provision should also be amended to clearly specify when these documents must be prepared and shared, namely in advance of construction and sufficiently early to allow meaningful review, consultation and where necessary, amendment, rather than post-consent or immediately prior to works. Therefore, KWT recommends that REAC</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>An amendment to the wording of Provision B59 has been agreed and will be included in an update to the REAC and/or the relevant control document at the next appropriate deadline.</p> <p>The proposed amended wording relates specifically to bullet point 2 of Provision B59: <i>'prepare a HDD Landfall Method Statement and Drilling Fluid Management Plan in consultation with Natural England (NE), Kent Wildlife Trust (KWT), RSPB, National Trust, and Thanet District Council (TDC), for approval by TDC prior to the commencement of any HDD activities'</i>.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>provision B59 be updated to require that the HDD Method Statement and Drilling Fluid Management Plan are submitted to, and consulted on with Natural England, KWT, RSPB, National Trust, and Thanet District Council and that approval is secured prior to the commencement of any HDD activities.</p>	
			<p><u>Natural England</u></p>	<p>Natural England will be responding to ExQ1 at Deadline 4.</p>
			<p><u>RSPB</u></p> <p>We welcome the measures within REAC provision B59 requiring an HDD landfall method statement and drilling fluid management plan as well as committing to carry out hydrofracture modelling in advance of works. Section 2.2.2.2 of our Written Representations stated that:</p> <p><i>"We request that Natural England and ourselves are consulted with regard procedures within RSPB North Warren/Leiston-Aldeburgh SSSI to ensure measures are in place which recognise the sensitivities of the site and difficulties of access and would minimise ecological impacts as far as possible; also that these procedures should include notification of both NE and ourselves of any incidents at the earliest opportunity."</i></p> <p>We therefore agree that the RSPB should approve or be consulted on plans regarding the RSPB's nature reserve at RSPB North Warren (the Suffolk landfall) sufficiently in advance of construction for our comments to inform methods and mitigation.</p> <p>In addition, we explained in our Written Representations (again in section 2.2.2.2) that we also consider that a report detailing the outcomes of hydrofracture modelling should be a required Obligation to be discharged before construction commences.</p>	<p>An amendment to the wording of Provision B59 has been agreed and will be included in an update to the REAC and/or the relevant control document at the next appropriate deadline.</p> <p>The proposed amended wording relates specifically to bullet point 2 of Provision B59: <i>'prepare a HDD Landfall Method Statement and Drilling Fluid Management Plan in consultation with Natural England (NE), Kent Wildlife Trust (KWT), RSPB, National Trust, and Thanet District Council (TDC), for approval by TDC prior to the commencement of any HDD activities'.</i></p>
1ECOL28.	Applicant Natural England RSPB	<p>REAC provision B60 – impacts of potential frac-out</p> <p>Provision B60 of the REAC [CR1-043] allows for notification of NE and RSPB in the event of a frac-out. In light of the sensitivity of the designated sites, is there a need for a more active role in this provision than currently worded for NE and RSPB? For example, to control routing of spotters and agreement of vehicle use on existing accesses.</p>	<p><u>Applicant</u></p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
			<p><u>Natural England</u></p>	<p>Natural England will be responding to ExQ1 at Deadline 4.</p>
			<p><u>RSPB</u></p> <p>The RSPB welcomed the opportunity to discuss procedures and routes for access relating to monitoring of drill progress and spotting of incidents such as frac-outs</p>	<p>The Applicant refers to the response provided in in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] which confirms that RSPB will be consulted on the access routes in the unlikely</p>

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			with the Applicant at RSPB North Warren on 21st August 2025. Given the usefulness of this conversation for both parties in discussing approaches to access constraints and ecological issues, we agree that the RSPB should continue to have an active role in this discussion. Whilst we acknowledge that provision B60 does require notification of RSPB of any incident and methods proposed and for the Applicant to “ <i>take into consideration any comments received</i> ”, we recommend that the provision be clarified to include prior consultation with RSPB to agree general principles for monitoring and access in the drilling fluid management plan as discussed above and early consultation with RSPB regarding specific access needs in the event of an incident.	event of a frac out and also in the development of the HDD landfall Method Statement and Drilling Fluid Management Plan.
1ECOL29.	Applicant Natural England RSPB	REAC provision B62 - impacts of HDD on Site of Special Scientific Interest (SSSI) Provision B62 of the REAC [CR1-043] allows for preconstruction botanical surveys to support monitoring of any impact of HDD. Should this provision be to support ‘monitoring and mitigation’ of any impact of HDD, since the location of plants might dictate routes of access and priorities for mitigation amongst other things?	<u>Applicant</u> <u>Natural England</u> <u>RSPB</u> We raised a concern in section 2.1.7 of our Written Representations that: <i>“The decision not to survey the vegetation across the [Leiston-Aldeburgh] SSSI does not reassure us that any impacts on the vegetation, including due to proposed access routes or potential incidents such as frac-out, will be reliably understood”.</i> We therefore support the inclusion of pre-construction botanical surveys at this site. Given the SSSI status of the site and the presence of botanical interest features (also noting their importance in providing supporting habitat and function for bird features), the outputs of any such surveys should be used where appropriate to inform mitigation of impacts of construction on the site, including of potential incidents such as drilling fluid frac-out.	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] . Natural England will be responding to ExQ1 at Deadline 4. This is noted by the Applicant. REAC measure B62 was amended at Deadline 3 in Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-079] to include the words ‘monitoring and mitigation’.
1ECOL31.	Applicant Kent Wildlife Trust Natural England	REAC provision B66 – impact on former hoverport ecology Provision B66 of the REAC [CR1-043] allows for botanical survey to inform the construction access route within the hoverport and references foodplants of ‘rarest vertebrates’. The ExA assumes that this should read ‘invertebrates’. The ExA requests comment on whether this provision should also include reptile survey and whether the provision could	<u>Applicant</u> <u>Kent Wildlife Trust</u> KWT agrees that the reference in RAEC provision should be “invertebrates”, not “vertebrates”. The ecological sensitivities of the former hoverport site relate primarily to invertebrate species and their larval foodplants, several of	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] . Commitment B66 already refers to including survey for rare or notable plants ‘such as orchids’ in addition to larval foodplants. Note that in the Applicant’s response to 1ECOL5 there are photographs which show clear intact tarmac and concrete routes without significant cracks and crevices.

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		be expanded to more proactively remove INNS as an improvement measure.	<p>which are fully protected or of high conservation concern, as set out in our response to question 1ECOL6. KWT considers that all necessary ecological surveys must be carried out at the hoverport site prior to any construction access route being identified or relied upon. Provision B66 should be expanded to require not only a botanical survey to identify larval foodplants for rare invertebrates, but also rare botanical species which are known to be present onsite, such as lizard orchid, targeted terrestrial invertebrate surveys and reptile surveys, undertaken at an appropriate time of year. The absence of these surveys at present reinforces that it is not yet possible to conclude that there will be no loss of vegetation or no impacts on species at the hoverport. Reliance on the presence of hardstanding alone is insufficient, as the degraded nature of the hardstanding has meant ruderal plants, including larvae foodplant species such as docks, are growing between cracks and crevices. Disturbance from construction traffic, vibration and compaction could therefore result in habitat loss and direct mortality even where formal vegetation clearance is not proposed. Given the known presence and high likelihood of protected and priority invertebrates at the site, as well as protected vertebrate species such as common lizards, and the acknowledged lack of survey data, KWT does not agree that impacts can be adequately assessed or mitigated without a more comprehensive baseline. KWT also considers that provision B66 could be appropriately expanded to include proactive management of INNS as a potential enhancement measure, but only where this can be delivered without harm to protected species and is informed by the results of the botanical, invertebrate and reptile surveys. Any INNS management proposals should be developed in consultation with relevant stakeholders such as Thanet District Council and KWT and secured through the REAC.</p>	Regarding management of INNS, see the Applicant's response to ExA first written question 1ECOL6.
			Natural England	Natural England will be responding to ExQ1 at Deadline 4.
1ECOL32.	Applicant Kent Wildlife Trust Natural England	<p>REAC provision B67 – impact on saltmarshes</p> <p>Provision B67 of the REAC [CR1-043] requires confirmation of an access route across the intertidal area to be defined post consent and informed by surveys. No reference is made to consent or approvals from KWT or NE, should it? The ExA notes that B67 seems to overlap with</p>	<p>Applicant</p> <p>Kent Wildlife Trust</p> <p>KWT considers that REAC provision B67 should be strengthened and clarified. The access route across the intertidal area should not be left to be defined post-consent, as this creates a material risk that habitat loss and ecological impacts associated with access, plant</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant can confirm that Commitment B67 was updated in Application Document 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] to include specific reference to consulting with Natural England and KWT post consent on</p>

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		provision B70, can the two provisions be merged?	<p>movement and ground disturbance are not fully scoped, assessed or secured within the DCO. Intertidal habitats, including saltmarsh and mudflats, are highly sensitive and form qualifying features of nationally and internationally designated sites. Any access route has the potential to result in habitat loss, compaction, disturbance to birds and invertebrates, and hydrological change, even if intended to be temporary. For this reason, the indicative access route should be identified pre-consent and fully assessed in the Environmental Statement and Habitats Regulations Assessment. KWT also notes that SSSI consent from Natural England will be required for works affecting the saltmarsh and intertidal habitats within the Sandwich Bay to Hacklinge Marshes SSSI. Therefore, provision B67 should explicitly require consultation with, and approval from Natural England. Given that KWT is a landowner and long-term land manager of parts of the affected area, and hold detailed ecological knowledge of the site, KWT should also be formally consulted on, and able to comment on, the proposed access route. This is particularly important to ensure that access avoids the most sensitive areas and that any unavoidable impacts are properly mitigated before consent is given.</p>	the locations and widths of the access routes across the mudflats.
			Natural England	Natural England will be responding to ExQ1 at Deadline 4.
1ECOL33.	Applicant Kent Wildlife Trust Natural England	<p>REAC provision B68 – Impact on Pegwell Bay</p> <p>Provision B68 of the REAC [CR1-043] provides for a Pegwell Bay landfall construction method statement covering the marine cable pull in and cable burial. Should this provision include cable excavation and laying in the intertidal area too and is there a requirement for the provision to include consultation and/or approval with KWT and NE?</p>	<p>Applicant</p> <p>Kent Wildlife Trust</p> <p>KWT considers that REAC provision B68 should include cable excavation and laying works within the intertidal area, in addition to the marine cable pull-in and burial works currently referenced. The intertidal zone at Pegwell Bay comprises internationally and nationally designated habitats, including Priority Habitat intertidal mudflats and saltmarsh that are vital to the integrity to the Thanet Coast and Sandwich Bay SPA, Ramsar and SAC. Cable excavation and laying within this zone represent some of the highest-risk activities in terms of physical disturbance, habitat loss, sediment mobilisation and ecological impact, and must therefore be clearly captured within the scope of the construction method statement. KWT further considers that consultation with, and approval by, Natural England and KWT should be required under this provision. As a landowner and long-term land manager of Pegwell Bay, KWT holds detailed site-specific ecological knowledge and therefore engagement should not be limited to just Natural England. Given the sensitivity of the receiving environment</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant can confirm that Commitment B68 was updated in Application Document 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] to include specific reference to consulting with Natural England and KWT on the preparation of the Pegwell Bay Landfall Construction Method Statement.</p>

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			and the precedent of long-term damage arising from previous intertidal works at Pegwell Bay (i.e., Nemo Link), the provision should be strengthened to ensure that the Pegwell Bay Landfall Construction Method Statement covers all intertidal excavation, laying and reinstatement activities, and is submitted in advance of works for consultation with, and approved by, Natural England and KWT, with sufficient time allowed for meaningful review.	
			Natural England	Natural England will be responding to ExQ1 at Deadline 4.
1ECOL34.	Applicant Kent Wildlife Trust Natural England	REAC provision B69 – impact on saltmarshes Provision B69 of the REAC [CR1-043] requires that trenchless exit pits would be at least 105m seaward from the edge of the saltmarsh, however temporary working areas are stated to be a minimum of 50m from the saltmarsh edge. In light of the potential for disturbance of bird species using the saltmarsh is this a sufficient offset distance?	Applicant Kent Wildlife Trust KWT does not consider the proposed offset distance of 50m is sufficient to avoid disturbance impacts on bird species using the saltmarsh. The saltmarsh habitat at Pegwell Bay supports high densities of breeding, wintering and passage birds, many of which are qualifying features of the Thanet Coast and Sandwich Bay SPA and are highly sensitive to disturbance from noise, visual presence and repeated human activity. A substantial body of scientific evidence demonstrates that disturbance effects on birds frequently extend well beyond 50m, and in many cases beyond 100m, particularly where disturbance is prolonged, noisy, or involves large machinery and repeated activity, as would be the case during HDD construction works and associated temporary working areas. Peer-reviewed studies and established guidance indicate that disturbance buffers for wading birds and wildfowl typically range from 100m to over 300m, depending on species, activity type, noise levels and duration of works. For example, research by Burton et al. (2002) and Gill et al. (2001, 2007) demonstrates that birds may be displaced from otherwise suitable habitat at distances exceeding 200m where disturbance is frequent or unpredictable, leading to reduced foraging efficiency and increased energetic stress. Natural England's own advice on disturbance frequently adopts precautionary stand-off distances of at least 100m, and often greater, for works adjacent to SPA-supporting habitats. In this context, while a 105m offset for trenchless exit pits may be closer to a precautionary minimum, the allowance of temporary working areas as close as 50m to the saltmarsh edge is not supported by ecological evidence and presents a clear risk of disturbance-driven displacement of bird assemblages. Temporary works are not inherently low impact; they often generate the highest levels of noise, visual disturbance and repeated activity, particularly during	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] . The offsetting of exit pits away from the saltmarsh is in place to avoid the potential for any direct impacts on the saltmarsh habitat. Consideration of visual and noise disturbance to birds using all parts of the intertidal area within Pegwell Bay, including where appropriate, areas of saltmarsh, has been informed by the surveys undertaken by the Applicant and existing datasets from third parties, alongside the noise modelling presented in Figure 6.4.4.5.7 and Figure 6.4.4.5.8 in Application Document 6.4.4.5 (C) Environmental Statement Figures Marine Ornithology [REP3-026] and is described in Application Document 6.4.4.5 (C) Environmental Statement Part 4 Marine Chapter 5 Marine Ornithology [REP2-003] . This considers specific- tolerance to various disturbance thresholds. The modelling identifies areas that may be subject to potentially disturbing levels of noise. In some instances, this will include areas of saltmarsh west of the temporary working areas. However, the area of saltmarsh is relatively small. The assessment presented in Application Document 6.4.4.5 (C) Environmental Statement Part 4 Marine Chapter 5 Marine Ornithology [REP2-003] has considered the effect of disturbance based on the worst-case predictions presented in Figure 6.4.4.5.7 and Figure 6.4.4.5.8 in Application Document 6.4.4.5 (C) Environmental Statement Figures Marine Ornithology [REP3-026] . This includes an assessment of disturbance from activities associated with the trenchless crossing exit pits and surrounding cofferdams as well as disturbance within the wider temporary working area and vehicle movements.

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			<p>construction phases. Furthermore, the proposed offsets do not appear to account for the use of the hoverport which is immediately adjacent to the saltmarsh, or cumulative disturbance effects, including concurrent works, extended construction duration, or interaction with other nearby development projects. Nor do they adequately reflect the functional use of the saltmarsh by birds, which extends beyond the vegetation edge into adjacent transitional zones and intertidal areas that are critical for foraging, roosting and predator avoidance, particularly at low tide where some of the largest congregations of bird assemblages occur beyond the saltmarsh edge, directly within the works area. Given the sensitivity of the receiving environment and the legal requirement under the Habitats Regulations to remove all reasonable scientific doubt, KWT considers that 50m is not a sufficient distance to offset disturbance and that greater, evidence-based distances are required,</p> <p>supported by species-specific disturbance assessments and, where necessary, seasonal restrictions. Without this, REAC provision B69 does not provide sufficient certainty that disturbance impacts on saltmarsh-associated bird assemblages will be avoided.</p>	
			Natural England	Natural England will be responding to ExQ1 at Deadline 4.
1ECOL47.	Applicant	<p>HRA – management measures for FLL</p> <p>The HRA Report [REP2-009] identifies a 10ha minimum parcel size of arable land to mitigate against the loss of FLL for golden plover associated with Thanet Coast & Sandwich Bay SPA. Information on the management of the mitigation land is set out within the Outline Landscape and Ecology Management Plan (oLEMP) – Kent [PDA-035]. Should specific management measures be set out, for example the enrichment of soil for invertebrates and topping as suggested by the RSPB [REP1-158]?</p>	<p>CPRE</p> <p>The suggested enrichment of soil for invertebrates and topping would theoretically be of value to feeding birds such as golden plovers and lapwings, but it is far from certain that these birds would use such a small site as they need wide expanses of open landscape with a mix of habitat, not something as small as “a 10ha minimum parcel of arable land” surrounded by urban development. The unsuitability of the suggested mitigation site remains.</p>	The proposed mitigation site is 10 ha which is large and of a suitable size for use by golden plover. Natural England were consulted at length over the details, location and size of the proposed mitigation area and have agreed it is suitable.
1ECOL68.	Applicant	<p>Local Nature Recovery Strategy</p> <p>Explain whether the publication of the Kent and Medway Local Nature Recovery Strategy in November has any implications for the applicant's BNG approach and if so, whether any updates to the BNG feasibility report [REP1A-025] are required.</p>	<p>CPRE</p> <p>CPRE Kent note that the publication of the Kent and Medway Local Nature Recovery Strategy in November is now a material planning consideration. We therefore expect to see the applicant now set out how its BNG approach aligns with the strategy's mapped priorities and reserve the right to further comment upon this.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>As noted in previous responses to Local Impact Reports from Kent County Council [REP2-028] and Local Impact Report from Thanet District Council [REP2-029]. The Applicant has made a commitment to delivering BNG that is in-line with published and incoming Local Nature Recovery Strategies, with an aim of delivering off-site BNG within a</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				<p>suitable location relative to the location of the impacts. The Kent and Medway Local Nature Recovery Strategy (LNRS) is to be reviewed and will be used to inform BNG delivery off-site. The Applicant will also utilise the LNRS to update strategic significance in further iterations of the BNG assessment. The Applicant will not be issuing further iterations of the BNG assessment until detailed design.</p>

4. Cultural Heritage

4.1 Cultural Heritage

Table 4.1 Cultural heritage

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CH2.	Applicant	<p>Heritage asset assessment</p> <p>A number of heritage assets, such as listed buildings, have been scoped out of the ES for further assessment. Provide a list of all heritage assets (designated and non-designated) that are within the study areas, with an explanation as to why they were individually scoped out for further assessment and what level of impacts the proposed development would have on them, if any.</p>	<p>SEAS</p> <p>The Question is not addressed to SEAS, but in light of previously submitted relevant evidence, SEAS offers brief comments to assist the ExA.</p> <p>The Examining Authority's request for a comprehensive list of heritage assets scoped out of further assessment is strongly supported by the matters set out in the SEAS Rebuttal of NGET's Cultural Heritage Responses (REP2-116)</p> <p>As demonstrated in that rebuttal, the Applicant has repeatedly relied on distance, assumed screening, selective viewpoints and speculative future planting to justify scoping out both designated and non-designated heritage assets, without providing a transparent, asset-by-asset explanation of how those conclusions were reached.</p> <p>The SEAS Rebuttal identifies a consistent pattern of methodological failure, including:</p> <ul style="list-style-type: none"> • The reduction of "setting" to narrow questions of visibility, contrary to national policy and Historic England guidance; • Reliance on summer-only photography that misrepresents year-round and winter conditions; • Failure to assess experiential, sequential and gateway views where multiple assets are perceived together; • Scoping out of assets that are demonstrably experienced in conjunction with the proposed converter station, access road and River Fromus bridge; • Failure to consider foreseeable cumulative impacts, including the acknowledged intention to co-locate Sea Link and LionLink at Saxmundham. <p>In several cases highlighted in the SEAS Rebuttal, assets scoped out of full assessment are</p>	<p>The requested information on scoped out heritage assets and the rationale behind scoping them out has been provided to ExA in answer to Q1CH2 in Application Document 9.73 Applicant's Responses to First Written Question [REP3-069] and Appendix F in Application Document 9.73.1 Applicant's Responses to First Written Questions - Appendices [REP3-070].</p> <p>The Applicant's Response to January Hearing Actions including Appendix B submitted at Deadline 4 also provides further information on the assessment of cumulative effects arising from the Suffolk Onshore Scheme in combination with other developments. This is supported by updated cumulative visualisations of the Suffolk Onshore Scheme in combination with LionLink, presented in Appendix A of Application Document 9.90 Applicant's Response to January Hearing Action Points CAH1 ISH2 submitted at Deadline 4.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>subsequently shown through site evidence and expert analysis to experience low to moderate adverse effects on their settings. This calls into question the robustness and consistency of the Applicant's scoping decisions.</p> <p>Without a clear schedule identifying:</p> <ul style="list-style-type: none"> • all heritage assets within the study areas, • the specific justification for scoping out each asset, and • the level of impact that would nevertheless arise (including changes to setting). <p>The ExA cannot independently verify that scoping decisions were lawful, proportionate, or policy-compliant.</p> <p>In this context, the Examiner's question is necessary to address deficiencies already evidenced in the Applicant's submissions. It seeks essential clarification, not new assessment, and is required to ensure that heritage impacts, particularly those arising from cumulative change and setting, have not been understated or omitted.</p>	
1CH3.	Historic England Kent County Council Suffolk County Council	<p>Inclusion of heritage assets in the ES assessment</p> <p>Are there any designated or non-designated heritage assets within either county that were not considered within the ES, or that were scoped out for further assessment within the ES, which should have been assessed? Furthermore, were the study areas used sufficient to include all heritage assets which could be impacted by the proposed development?</p>	<p><u>Historic England</u></p> <p>Historic England is not aware of any known designated or non-designated heritage assets which should have been additionally included in the assessment presented in the ES.</p> <p>However, as certain areas have not been fully assessed through archaeological evaluation there is still potential for unexpected discoveries. The significance of any remains which have not been evaluated so far and the level of impact which would be caused by the development to that significance is unknown at present.</p> <p>In case of the designated heritage assets, we can confirm that the scope of the assessment and extent of the study area have been discussed and agreed with Historic England during pre-application engagement.</p> <p>We are satisfied that the extent of the study area and level of assessment of known heritage assets presented in the ES is adequate for the purposes of this examination.</p> <p><u>Kent County Council</u></p> <p>Kent County Council's Principal Archaeological Officer has been involved in detailed pre-submission discussions and engagement with the applicant's archaeological consultants concerning</p>	<p>Historic England's confirmation that they do not have any concerns regarding the scoping in and out of heritage assets for assessment is noted, as are their comments on the unknown significance of as yet undiscovered archaeological assets.</p> <p>Kent County Council's confirmation that they do not have any concerns regarding the scoping in and out of designated archaeological assets is noted. The Applicant also notes their deferral to Thanet and Dover District Councils with regards to the assessment of listed buildings and conservation areas.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>the potential effects of the scheme on archaeological assets . It is our view that suitable study areas have been identified and used in compiling the ES and detailed geophysical surveys and evaluation works have taken place to enhance the baseline and inform the siting of the works to reduce the effects of the scheme on archaeology. Historic England have led on the effects of the scheme on the setting of the Scheduled Monument at Richborough and we asked for the impacts on the setting of the large late Iron Age / Roman defended enclosure at Ebbsfleet hill to be scoped in. The effects on the Built Heritage assets such as Listed Buildings and Conservation Areas would be a matter for the conservation teams at Thanet and Dover District Councils.</p> <p>Suffolk County Council</p> <p>SCCAS are satisfied that all known undesignated assets within the red line boundary (and immediate vicinity) were considered within the ES and that the programme of archaeological evaluation which has been undertaken so far has, for the vast majority of the red line boundary, enabled an understanding of the below ground undesignated heritage assets which could be impacted by the proposed development.</p> <p>Completion of evaluation works for any remaining areas of the Order Limits where this has not yet been undertaken will ensure that all below ground heritage assets which could be impacted by the scheme will be able to be defined and assessed to enable appropriate mitigation strategies to be determined. It is the Council's understanding that remaining areas of evaluation have not been completed due to environmental and ecological constraints and will be completed post-consent.</p> <p>SCCAS defer to Historic England regarding opinions on any additional designated assets which should be assessed.</p>	<p>Application Document Local impact reports (LIR) from any local authorities [REP1-132] from Thanet District Council defers to Kent County Council and Historic England as the relevant statutory bodies and supports their assessment of the application. Local impact reports (LIR) from any local authorities [REP1-132] from Dover District Council [REP1-127] confirmed acceptance of the assessment of designated built heritage assets and non-designated heritage assets provided and defers to Historic England regarding assessment of scheduled monuments.</p> <p>Therefore, no concerns have been raised by Kent County Council, Thanet District Council, or Dover District Council regarding the scoping in and out of assets for assessment.</p> <p>Suffolk County Council's deferral to Historic England on matters of designated heritage assets is noted, as are their comments on the unknown significance of as yet undiscovered archaeological assets.</p>
1CH5.	Applicant Historic England Suffolk County Council Kent County Council	Areas not currently assessed SCC in section 7 of its LIR [REP1-130] states that there are areas within the order limits that have not been included in the trenched evaluations undertaken to this point, such as areas around the proposed Friston substation site, which would still need assessing. For the applicant, provide a plan to show areas that still require archaeological assessment and	<p>Applicant</p> <p>Historic England</p> <p>Historic England can confirm that there are certain areas within order limits which have not been fully assessed through archaeological trial trench evaluation.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant notes the response from Historic England, and acknowledges that any additional archaeological works can be undertaken post-decision.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>confirm when this will be done. Also, explain why this remaining assessment work has not yet been undertaken.</p> <p>For Historic England, SCC and KCC: If there are areas where further assessment work is required, should this be done before the close of examination so that the results can be considered along with any necessary mitigation? Or could this be done after any potential consent through secured commitments/requirements?</p>	<p>Given the access constraints indicated by the applicant [APP-050] and length of time that would be required to undertake further trial trench evaluation it would be unrealistic to expect that this work could be done within the examination of this project.</p> <p>As per our previous response (REP1-199), we accept that archaeological evaluation of certain areas within order limits will be undertaken post-consent. We recommend that the applicant should clearly identify the areas which require further evaluation within the Outline Written Scheme of Investigation. As further archaeological mitigation might be required in these areas the process for securing appropriate level of mitigation should also be clearly outlined for the avoidance of doubt.</p> <p>In any work undertaken post consent, the applicant will also need to be able to demonstrate they have addressed the policy consideration for asset that are of equivalent value to designated heritage assets through evaluation and characterisation, and that they have appropriate policies to manage this issue should it arise.</p> <p>Historic England would expect to be consulted regarding mitigation measures if remains of national importance are identified in the course of post-consent evaluation.</p> <p>We are content that this work can be secured through appropriately worded commitments/requirements.</p>	<p>The Applicant notes the response from SCCAS, and acknowledges that any additional works can be taken post-decision.</p>
			<p><u>Suffolk County Council</u></p> <p>SCCAS are satisfied that the large majority of the red line boundary has been subject to sufficient archaeological assessment, through desk-based assessment, non-intrusive works such as geophysical survey and intrusive techniques such as trial trenched evaluation.</p> <p>The areas of the scheme where evaluation remains outstanding are fairly limited but include new areas which have been added to the scheme since evaluation work was completed, areas where access was not previously possible or where constraints were present that prevented evaluation works at this stage.</p> <p>As these are relatively small areas which are not currently known to contain, or are immediately adjacent to, designated heritage assets or recorded undesignated heritage assets of high sensitivity, SCCAS do not object to this work being undertaken</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>post- consent and secured through suitable worded Requirements and the OWSI, although it should be completed at the earliest opportunity in order to allow mitigation requirements to be established in a timely manner.</p> <p><u>Kent County Council</u></p> <p>In Kent, it is only the archaeology and geoarchaeology potential of the deeper alluvial deposits (in the marshlands of the former Wantsum Sea Channel that would be affected by the piling for the substation and pylons) deposits that is still to be evaluated. An initial modelling of existing ground investigation (GI) data has been included in the present submissions which is to be enhanced through a round of further monitoring of GI boreholes and subsequent modelling that is presently taking place. It is hoped that this further information and modelling should be available before the close of examination so that impacts on the deeper deposits can be better understood and mitigation requirements understood.</p> <p>The area of the proposed compound at Hollins Bottom / Lord of the Manor lies close to a recognised Neolithic causewayed enclosure and is in a location that hasn't been specifically surveyed or evaluated through trenching. The location of the compound does, however, appear from aerial photography to have been partially disturbed through the creation of an earlier compound and lies down slope of the Neolithic enclosure in the valley. The KCC Principal Archaeological Officer is satisfied that any potential scheme impacts in this area can be managed through further survey, evaluation and design or mitigation measures post consent through secured commitments / requirements.</p>	<p>The Applicant notes the response from KCC, and acknowledges that any additional works can be taken post-decision.</p>
1CH8.	Historic England	<p>Wood Farmhouse</p> <p>Wood Farmhouse near Saxmundham has been de-listed. Can Historic England clarify if the building now has any remaining historic value or if it is still a heritage asset?</p>	<p><u>Historic England</u></p> <p>Following an extensive fire in April 2023, part of Wood Farmhouse was demolished. Only a low proportion of historic fabric survives, and the building no longer has sufficient special architectural or historic interest expected of designated heritage assets.</p> <p>The surviving part of the building therefore lacks architectural interest in the national context and for that reason it has been removed from the National Heritage List for England. This means it is no longer a designated heritage asset.</p>	<p>The Applicant notes Historic England's assessment of the remaining heritage value of Wood Farmhouse. An updated assessment of the effects of the scheme upon this asset will be provided at Deadline 5. This will amend the asset's heritage value in response to its non-designated status and lower heritage significance. It is anticipated that the updated assessment of effects will be non-significant in EIA terms.</p>

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			<p>However, the building is still recorded in the Suffolk Historic Environment Record. It is a matter for the Local Authority to decide if the surviving remains of the building are sufficiently important in the local context and how they should be addressed. We note these should be considered as a non-designated heritage asset.</p>	
1CH9.	Historic England Kent County Council	<p>Ebbsfleet Peninsular multi-period complex archaeological site</p> <p>Historic England [REP1-199] describes the Ebbsfleet Peninsular multi-period complex as being of schedulable quality and of national importance. Explain why this is a non-designated heritage asset but not a Scheduled Ancient Monument, given its high value.</p>	<p>Historic England</p> <p>Currently available information indicate that Ebbsfleet Peninsular archaeological site has high potential for the presence of archaeological remains which could be of national importance. This has been recognised in the applicant's assessment contained in the Environmental Statement (APP-063). Because of this potential Historic England considers the site to be likely of schedulable quality.</p> <p>However, the site has never been subject to comprehensive scheme of archaeological investigation which could provide evidence necessary for undertaking scheduling assessment. For that reason, the site has never been formally assessed by Historic England for inclusion on National Heritage List for England. Further archaeological research is likely to add to our understanding of the site's heritage value and its significance. This could potentially lead to the formal assessment for scheduling being undertaken in the future.</p> <p>Kent County Council</p> <p>Kent County Council agree with Historic England that the multi-period complex at Ebbsfleet Hill should be considered to be of national importance and schedulable quality. The recent survey works and evaluation trenching have enhanced our understanding of this complex of enclosures further and reinforced their significance and have allowed us to better understand the extent of the complex.</p> <p>The complex of enclosures has not yet been put forward for scheduling. Kent County Council is presently undertaking a programme of detailed mapping of the archaeology of the Isle of Thanet which will identify sites that merit consideration for designation as one of its outcomes. The enclosure complex at Ebbsfleet will be considered through that project if it has not been proposed for scheduling beforehand.</p>	<p>The Applicant notes the response from Historic England.</p> <p>The Applicant will continue to engage with Kent County Council and Historic England regarding the mitigation for the Ebbsfleet Peninsula area, as well as the engineering team to avoid areas of known archaeology where possible.</p> <p>The large enclosure to the south, deemed to be of most significance, will be avoided.</p> <p>Provisional mitigation areas are depicted on the figure provided in the OSWI (Application Document 7.5.4.2 (C) Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Kent [REP3-050]), and this will be updated as the mitigation is developed with the agreed scope (as far as it has been agreed) detailed in an updated OWSI submitted before the end of examination. The OWSI includes a provision for Site Specific Written Schemes of Investigation (SSWSI) which will be agreed with relevant stakeholders, and will secure any changes in scope.</p> <p>The Applicant notes the response from Historic England.</p> <p>A figure has been provided at Deadline 4 at the request of the ExA which shows the extent of the large southern enclosure (which is the area of greatest heritage significance), as well as the wider Ebbsfleet Complex, and an area of Bronze Age remains to be preserved in situ.</p> <p>This figure has been produced in consultation with Kent County Council.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CH11.	Applicant Local Planning Authorities Historic England	<p>Stakeholder involvement in the converter station design</p> <p>Within its deadline 1 submission, HE [REP1-199] stated it has concern that dDCO [CR1-027] 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 necessary for the local planning authorities to consult also with HE on the design details of the converter stations.</p> <p>HE and LPAs – Are there any comments on the inclusion of HE for consultation as part of this requirement?</p>	<p>Applicant</p> <p>East Suffolk Council</p> <p>Should Historic England (HE) and the Examining Authority consider it appropriate for HE to be consulted on the design details of the converter stations, ESC would have no objection to the wording of Schedule 3 Requirement 3 (Converter Station Design) being amended to make it a requirement for the relevant planning authority to consult HE on the design details of the converter stations.</p> <p>Thanet District Council</p> <p>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.</p> <p>Dover District Council</p> <p>The Council would welcome the suggestion that Historic England are consulted on the converter station design. The Council understands the ExA has suggested the dDCO includes detail on which authorities will be responsible for the discharge of specific requirements and if, in relation to the converter station, this responsibility falls entirely to Thanet District Council, DDC would request that DDC is also consulted alongside Historic England given the scale of the proposal and wider landscape views from within the Dover District.</p> <p>Historic England</p> <p>Since our representations made within deadline 1 submission [REP1-199], Historic England has provided additional comments by deadline 2 [REP2-052] which relate to further consultation on the design details of the Minster converter station.</p> <p>We have proposed inclusion of a further heritage commitment to the REAC Landscape and Visual section, as follows:</p> <p><i>To minimise the change to the setting of heritage assets, the Minster Converter Station and Substation is to be designed in consideration of limiting intrusion into Heritage key views and in consultation with Historic England.</i></p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

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			<p>We consider that further, post consent, consultation with Historic England regarding detailed design of the Minster converter station is necessary to ensure that visual impact on Richborough Roman Fort is minimised. We have noted in our previous representations that some of the designs responses put forward at this stage [APP-365] are likely to be more intrusive within the landscape, and therefore more harmful to the significance of the nationally important designated heritage asset.</p> <p>Historic England will continue to work with the applicant to agree final version of the wording of either DCO or REAC commitment to address this issue.</p>	
1CH12.	Kent County Council	<p>Geophysical surveys in Kent Confirm whether there are any additional geophysical/archaeological surveys needed for areas of Kent that should be undertaken by the applicant.</p>	<p><u>Kent County Council</u> Kent County Council are satisfied with the extent of geophysical survey and evaluation trenching that has been undertaken for the Kent part of the scheme. Geophysical survey has covered the scheme footprint and wider except at Hollins Bottom (as discussed in response to question 1CH5). Evaluation trenching has taken account of both the archaeology on land and in the upper former marshland deposits (to 1m depth). Further work is currently in progress on monitoring and modelling the GI work in the area of the proposed substation / convertor station which should be completed and reported to better understand the impacts on the deeper deposits of the former Wantsum Sea Channel and the potential for archaeology remains in that area.</p>	<p>The Applicant notes the response.</p> <p>All works that were needed to inform the impact assessment, as agreed with the Archaeology Advisor to KCC, have been completed.</p> <p>Additional evaluation and mitigation works that the Applicant has agreed with the Archaeology Advisor to KCC can be carried out post-consent will be covered by the updated OWSI as well as the site specific WSIs that will be developed in consultation with stakeholders. The updated OWSI will be submitted prior to the end of the Examination.</p>

5. Water Environment

5.1 Water Environment

Table 5.1 Water environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1WE1.	Environment Agency Suffolk County Council Kent County Council	<p>Sequential and exception test</p> <p>Provide a response with respect to the acceptability and policy compliance of the applicant's sequential and exception test as included in the Flood Risk Assessment [APP-292]? In answering, although the ExA notes that the proposed substations, converter stations and cable transition joint bays are all located in Flood Zone 1, specifically cover the manner in which the Exception Test has been applied by the applicant regarding the presence of some components of the scheme (construction routes and cables etc) being necessarily in Flood Zones 2 and 3.</p>	<p>Environment Agency</p> <p>The Environment Agency is not the decision-maker as to whether the sequential test has been passed. We have raised the issue of a sequential approach being applied appropriately within issue EA065 of Late Deadline 2 Submission - Accepted at the discretion of the Examining Authority [REP2-144]. Discussions are ongoing on this matter.</p> <p>It is unclear whether the applicant is subdividing their proposal into different vulnerability classifications. Considering Table 2 of the Planning Practice Guidance (PPG), we note that:</p> <ul style="list-style-type: none"> In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood. In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to: remain operational and safe for users in times of flood; result in no net loss of floodplain storage; not impede water flows and not increase flood risk elsewhere. <p>In relation to the Exception Test, we are responsible for assessing part (b) as stated within the NPPF paragraph 178. We need to be satisfied that the development is safe and does not increase flood risk elsewhere. The EN-1 Overarching National Policy Statement for Energy (paragraph 5.8.11) and National Planning Policy Framework (paragraph 179) state that both elements of the exception test must be passed for development to be permitted. Part 2 of the test requires the applicant to demonstrate, via a site-specific flood risk assessment, that the development will be safe, without increasing flood risk elsewhere. Where</p>	<p>The Applicant confirms that the Proposed Project has been categorised as essential infrastructure under the National Planning Policy Framework flood vulnerability categorisation.</p> <p>With regard to the Sequential test and issue EA065, the Applicant wishes to clarify that the approach has been to avoid development in Flood Zone 3 (a and b) and this has been achieved for the vast majority of the temporary works and permanent operational above ground infrastructure. It has not been possible to avoid Flood Zone 3 in all locations. However, the development that is proposed in such locations (small number drainage features, localised sections of 2 No. access routes and pylons) either must be located in the proposed location to fulfil its function (the drainage features), are not essential components to the operation of the Proposed Project (the access routes, where use could be avoided in times of flood), or are not vulnerable to damage if flooding did occur (the pylons).</p> <p>With regard to the exception test and the points raised by the Environment Agency in Responses to ExQ1 [REP3-104] from the Environment Agency, regarding the Suffolk Onshore Scheme the Applicant wishes to provide the following responses:</p> <ul style="list-style-type: none"> EA081 pertaining to the Fromus bridge crossing – the crossing has been located to avoid areas of floodplain and detailed modelling assessments have been undertaken to assess any impacts on flood risk, reported in Appendix B of Application Document 6.8 Flood Risk Assessment [APP-292]. With regard to the Mannings coefficients adopted in the Fromus model, the Fromus channel is subject to seasonal changes in vegetation cover, so roughness values for the flood model were chosen to represent the average state of the channel (supported by site observations in summer and winter 2025). In line with good practice, a sensitivity test was run whereby roughness was increased by 20%. In this event flow remained in channel at the crossing site but exceed the channel upstream of the bridge, flowing

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			<p>possible, the development should reduce flood risk overall.</p> <p>The scheme has been sequentially designed, in the respect that the more vulnerable components of the scheme are to be placed within Flood Zone 1. We believe that all elements of this project should be classed as Essential infrastructure, in accordance with table 2 of the PPG. Development classified as Essential Infrastructure under Annex 3 of the NPPF is only appropriate in these areas if the exception test is passed alongside the sequential test.</p> <p>We do not believe the Flood Risk Assessment [APP-292] to be compliant with the Exception test, due to a number of issues relating to aspects of the development in Suffolk and Kent.</p> <p>Suffolk</p> <p>Assuming the project is Essential Infrastructure, and not subdivided into different vulnerability classifications, we have considered all areas which coincide with Flood Zone 3 below (in accordance with Table 2 of the PPG). To pass the exception test, we require the resolution of the following issues:</p> <ul style="list-style-type: none"> • Fromus crossing (approximate NGR: 638797, 262256) <ul style="list-style-type: none"> ○ Ongoing discussions relating to EA081. See [REP2-051] ○ There is a sensitivity to roughness within the modelling which has implications on the maintenance regime to help ensure no increase in flood risk. • Attenuation basin and outfalls (approximate NGR: 640435, 262030 and 642779, 261374) <ul style="list-style-type: none"> ○ Ongoing discussions relating to EA065, EA091 and EA094. See [REP2-051] and [REP2-144] ○ Attenuation basin and outfalls fall within Flood Zone 3. There remains uncertainty on whether these could impact on flood flows and impact on storage and flood risk. We note that this relates to the vulnerability classification. • Drainage pipes (approximate NGR 641210, 260650 and 639630, 261580) <ul style="list-style-type: none"> ○ It is unclear if these pipelines are buried. 	<p>toward the crossing down the right bank floodplain, to interact with the ramped bridge abutment.</p> <p>The abutment does not block flows, which can pass freely around the structure and continue down the floodplain. Minor water level increases are restricted to land within the Order Limits of the development, with no increase in flood risk to third party land.</p> <p>The Applicant also notes that the Environment Agency undertook a review of the Fromus flood model, raised comments on this matter, which the Applicant responded to in July 2025. In August 2025, the EA responded that they were satisfied that these comments had now been addressed and resolved.</p> <ul style="list-style-type: none"> • Attenuation basin and outfalls – the Applicant confirms that one temporary drainage pond would be located in Flood Zone 3. The pond cannot be relocated without inhibiting its intended function and increasing impact on the landowner. • The indicative construction programme estimates that the attenuation pond would be required for approximately 2 years. The Applicant can confirm that all temporary drainage features will be removed following completion of the works, with a specific commitment to the removal of this pond being added to the REAC submitted at Deadline 3 as follows: <p><i>"W31 - Drainage ponds serving temporary works during construction of the Project would be removed following construction, and the land reinstated."</i></p> • Drainage pipes will be buried. <p>Additional narrative on Flood Zone 3a versus 3b in the context of the proposal, is provided in Application Document 9.4 Supplementary Environmental Information - Flood risk assessment [AS-099].</p> <p>With regard to the exception test and the points raised by the Environment Agency in Responses to ExQ1 [REP3-104] from the Environment Agency, regarding the Kent Onshore Scheme the following comments are made:</p> <ul style="list-style-type: none"> • Detailed design of the temporary river crossing of the Stour: the crossing of the Stour would be subject to securing a Flood Risk Activity Permit from the Environment Agency. This application will be made by the appointed contractor and will be bound to provide detailed design information and evidence that the temporary crossing will not increase flood risk. Commitment W04 in Application Document 9.83

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			<p>We note that all construction compounds in Suffolk are outside of Flood Zone 3 and the cable corridor is below ground. The applicant should provide additional narrative within the FRA in relation to all areas, inclusive of those stated above, where Flood Zone 3 coincides with the order limits. The FRA should provide clarification on Flood Zone 3a versus 3b in the context of the proposal, or provide justification for why this isn't necessary.</p> <p>Kent</p> <p>The FRA has confirmed the proposed converter stations and substations are to be situated in Flood Zone 1. The FRA does confirm that some elements of the scheme do fall into Flood Zone 3 – in particular the temporary bridge over the River Stour, access routes/haul roads and pylons. The FRA also states that Part B of the exception test has been met through site-specific drainage schemes and a range of control measures (Section 3.2.30 of the FRA).</p> <p>The scheme has been sequentially designed, as more vulnerable components of the scheme are to be placed within Flood Zone 1. However, the scheme proposes pylon works, haul roads and a temporary bridge crossing within floodplain. Unfortunately, we have not been provided with detailed design of the temporary river crossing, and pylons. Therefore, it is difficult to determine whether this part of the development would increase flood risk elsewhere. Additionally, the application and further responses have not indicated the nature of the haul or access roads across the floodplain, and whether ground raising is proposed, and if so, to what extent.</p> <p>The applicant has stated that their pylon works are water compatible (section 3.3.30 of the FRA). The applicant will need to justify why they deem components such as these to be water compatible. Within our deadline 2 response letter [REP2-144], we stated that any works within fluvial floodplain would require floodplain compensation. For the River Stour floodplain, the applicant has stated in their FRA that they are not providing compensation. We have noted in our response letter, that this floodplain is fluvially-influenced in areas, as well as having areas of tidal/fluvial crossover, and solely tidal influence. We would not be requiring compensation for works in tidal areas or areas which have tidal/fluvial cross-over. However, floodplain compensation is required for any areas of</p>	<p>Outline Code of Construction Practice [REP3-076] has been updated to secure that the bridge would have a soffit height sufficient to meet with navigational requirements and in excess of the 0.5% flood level plus 600 m freeboard.</p> <ul style="list-style-type: none"> • Commitment W06 sets out design principles for haul/access roads across the floodplain. These works would also be subject to securing a Flood Risk Activity Permit from the Environment Agency. • Pylons and water compatibility: pylons subject to periodic inundation would not suffer damages and would remain operational due to their construction material (metal lattice with electrical conductor raised at significant height above ground level). Further, their open lattice design, and small founding feet and the spacing of proposed pylons also ensures that the flow of any floodwater would not be impeded and flood risk would not be increased elsewhere.
				<p>With regard to the River Stour floodplain, it was previously understood through discussion with the Environment Agency that within the Order Limits, the floodplain is tidal. The Applicant notes the Environment Agency's revised view on this matter, described in in Application Document Responses to ExQ1 [REP3-104] from the Environment Agency and is currently working with some new data supplied by the Environment Agency to fully understand if and what permanent and temporary Project infrastructure is located in this zone. A detailed response will be provided to the examination at Deadline 4.</p>

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			<p>development in fluvial areas, to manage the flood risk associated with the River Stour floodplain. This will ensure that the permanent and temporary elements of the scheme are not displacing fluvial flood storage, and thereby increasing flood risk elsewhere. To ensure compliance with exception test, we'd require a commitment to compensation for works within fluvial areas within the River Stour floodplain.</p>	
			<p><u>Suffolk County Council</u></p> <p>SCC considers that the linear nature of the Suffolk Onshore Scheme along with the multitude of social and environmental constraints means that it is inevitable that not all parts of the scheme can reasonably be located within areas at the lowest risk of surface water flooding. The Council is satisfied that the most vulnerable parts of the scheme have been sited to avoid areas at high risk of surface water flooding. However, outstanding concerns regarding the adequacy of the DCO and outline management plans in relation to minimising the residual risk for surface water flooding should be addressed. See SCC's deadline 3 submissions, chapter 8 of [REP1-130] and Table A4 of [REP2-062] for more details.</p> <p>For matters relating to the exception test and flood risk aside from surface water, SCC as the LLFA defers the acceptability and policy compliance of the sequential and exception test to the Environment Agency and would fully support their view.</p>	<p>The Applicant welcomes Suffolk County Council's position regarding application of the Sequential Test, and the sequential approach to siting Proposed Project infrastructure that has been followed.</p> <p>With regard to management plans in relation to minimising the residual risk of surface water flooding these will be prepared by the Applicants appointed contractor, as secured by commitments W14 and W15 in Application Document 9.83 Outline Code of Construction Practice [REP3-076].</p>
			<p><u>Kent County Council</u></p> <p>Regarding 1WE1- Sequential and exception test: the suitability of the application of the sequential and exception tests in relation to planning applications is normally a function undertaken, given their specific greater local knowledge, by the Local Planning Authority and we would not normally make comment. That said we note the FRA states that: "The Proposed Project is classified as 'essential infrastructure', with some areas located within Flood Zone 3. The criteria for the exception test have therefore been assessed and it has been concluded that the sustainability benefits of the Proposed Project outweigh the degree of flood risk and that the Proposed Project will be safe for its</p>	<p>The Applicant welcomes that Kent County Council are content with the Flood Risk Assessment and that, from a surface water perspective, the exception test is deemed to be satisfied. It is also confirmed that the Council would be consulted on surface water drainage detailed designs, as secured by commitments W11 and W14 in Application Document 9.83 Outline Code of Construction Practice [REP3-076].</p> <p>With regard to tidal flood risk, this has been robustly assessed within the FRA Application Document 6.8 Flood Risk Assessment [APP-292], using data supplied from a range of sources. The FRA, together with Application Document 9.4 Supplementary Environmental Information - Flood Risk assessment [AS-099] demonstrate that the Proposed Project design embeds resilience to tidal flooding and would remain</p>

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			<p>lifetime in the context of flood risk, and will not increase flood risk elsewhere.”</p> <p>Whilst the development proposals themselves are classed as essential infrastructure and so <i>acceptable</i> in flood zone 3 the available guidance also states that: <i>“In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood. In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:</i></p> <ul style="list-style-type: none"> • <i>remain operational and safe for users in times of flood;</i> • <i>result in no net loss of floodplain storage;</i> • <i>not impede water flows and not increase flood risk elsewhere.”</i> <p>As previously advised in our LIR response dated 7th November to yourself the provided document 7.5.3.1: Other Documents Vol 7, CEMP Appendix A Outline Code of Construction Practice states:</p> <p><i>“Surface water drainage from permanent above ground infrastructure would be managed and treated using SuDS in accordance with policy and guidance requirements of the relevant Lead Local Flood Authorities to include allowances for climate change in accordance with current (May 2022) Environment Agency guidelines. These SuDS would be maintained over the lifetime of the Proposed Project and the drainage infrastructure would provide the storage necessary to achieve discharges at greenfield rates and would not significantly alter groundwater recharge patterns by transferring recharge quantities from one catchment to another.”</i></p> <p>As part of detailed design submissions going forward (and as required we assume ‘by condition’ if approved) we would ensure that any proposals are designed to remain operational and safe from a Surface Water management perspective.</p> <p>The FRA provided stated that it is evidenced that the proposals demonstrate “a design that ensures the Proposed Project will be safe for its lifetime in the context of flood risk, and will not increase flood risk elsewhere” – and so whilst some confidence is given from this statement (and that we are content with the FRA contents from a surface water perspective), given that the flood areas relate to tidal flood risk and not surface water (being Flood</p>	<p>operational over its lifetime, would not impede water flows not increase flood risk elsewhere.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Zone 3a) we would advise that the Environment Agency should be consulted as the 'governing body' with regards to tidal flood risk and as to the appropriateness of the assessment made with regards to the proposals remaining operational and safe in times of flood specifically in relation to tidal flooding.	
1WE5.	Applicant Kent County Council Environment Agency	Weatherlees Hill Wastewater Treatment Works Confirm if there are any plans to extend the Weatherlees Hill wastewater treatment works, and if so how that could be affected by the proposed development.	<p><u>Applicant</u></p> <p><u>Kent County Council</u></p> <p>With regards to 1WE5 – Weatherlees Hill Wastewater Treatment Works: we were consulted last year by KCC planning on application ref: KCC/TH/0041/2024 regarding the site and the “Proposed installation, operation and decommissioning of ground mounted solar photovoltaic (PV) array with associated infrastructure and biodiversity enhancement at Weatherlees Hill Wastewater Treatment Works, Jutes Lane, Weatherlees Hill, Ramsgate, Kent, CT12 5DJ”. KCC Officers are not aware of any other proposals to extend Weatherlees WwTW at present. Any further questions on this would need to be directed to Southern Water.</p> <p><u>Environment Agency</u></p> <p>We do not hold any information on Weatherlees Hill Wastewater Treatment Works. We believe this question would be better directed at Southern Water. On page 12 of EN020026-000325-6.3.3.13.A ES Appendix 3.13.A Descriptions of Other Projects.pdf it references 1.18 Weatherlees Hill Wastewater Treatment Works (ID 415). This development 'proposes the installation, operation, and subsequent decommissioning of a ground-mounted solar photovoltaic (PV) array, along with associated infrastructure and biodiversity improvements.' We are unsure whether this has already been implemented, but this is the only evidence we can find of any planned works associated with this development.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP-06~9].</p> <p>A response to this question is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. This confirms that discussions between the Applicant and Southern Water have taken place regarding the proposals to expand the Weatherlees Hill Wastewater Treatment Works</p> <p>A response to this question is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. This confirms that discussions between the Applicant and Southern Water have taken place regarding the proposals to expand the Weatherlees Hill Wastewater Treatment Works.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1WE6.	Applicant Environment Agency	<p>Water Framework Directive (WFD) – River Fromus bridge</p> <p>The Environment Agency RR [RR-1586] identified that a crossing over the River Fromus, with a soffit height of 4m, could have an impact on weak dispersing polarotactic invertebrates, leading to a deterioration under WFD. The ExA notes that discussions are ongoing regarding this matter and that the Environment Agency D2 submission [REP2-050] indicates that a soffit height of 4m is acceptable subject to a monitoring and contingency plan for the invertebrates. However, can both parties specifically set out their positions with respect to WFD compliance and any implications arising from an increased soffit level of +0.716m for the 4m option respectively due to the updated Q95 flow level as identified in Table 4.3 in the River Fromus Visualisations document [REP1-298].</p>	<p>Applicant</p> <p>Environment Agency</p> <p>We can confirm that we are willing to accept a 4m soffit height, subject to the inclusion of a monitoring and contingency plan. This will be secured under the following requirement within the draft DCO: No development of the crossing over the River Fromus shall commence until detailed designs have been submitted to and approved by East Suffolk Council following consultation with the Environment Agency demonstrating:</p> <p>(a) layout and scale which has:</p> <p>(i) a soffit height no lower than 4m above the Q95 flow level</p> <p>(ii) a deck width no wider than 6m</p> <p>(iii) abutments set back no less than 8m from the top of the bank</p> <p>Unless a crossing is proposed demonstrating a soffit height of more than 5m, the following must be submitted in conjunction with the above:</p> <p>(b) a macro invertebrate monitoring and contingency plan has been submitted to and approved by East Suffolk Council, following consultation with the Environment Agency. Once approved, these plans need to be complied with for at-least 6 years. If a deterioration is found, then the contingency plans will be activated, and monitoring will continue until a deterioration is no longer present. The monitoring must include Water Framework Directive compliant surveys carried out twice yearly (spring and autumn), upstream and downstream of the crossing</p> <p>This draft of the wording was last shared with the project team on 01 October 2025. The project team replied with proposed amendments to this wording on 28 October 2025, which we are currently checking with our legal department. Within their</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant welcomes the Environment Agency position regarding the compliance of the proposed revised soffit level of the Fromus crossing with the WFD, pursuant to the inclusion of a suitable requirement within Application Document 3.1 (F) draft Development Consent Order [REP3-007], the wording of which is currently being agreed between the parties.</p> <p>With regard to the issues relating to surface water quality, the Applicant is engaging with the Environment Agency and is successfully resolving these issues by making small amendments and updates to commitments within Application Document 9.83 Outline Code of Construction Practice [REP3-076].</p> <p>The Applicant considers that agreement will be reached on all matters related to WFD compliance prior to conclusion of the examination.</p>

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			<p>amendments, they proposed that (a)(i) be amended to "a soffit height of no lower than 10.49 m Above Ordnance Datum (approximately 4 m above the Q95 flow level)."</p> <p>We note that the proposed amended soffit height of 10.49mAOD is inclusive of the +0.716m variation stated in the Late Deadline 1 Submission - 9.48 River Fromus Visualisations Part 1 of 3 - Accepted at the discretion of the Examining Authority [REP1-298]. We would be willing to accept the extension to the soffit height. Once we have official confirmation of approval from our legal department, we will be able to formally request the requirement is input into the latest draft of the Development Consent Order.</p> <p>We believe that the inclusion of this requirement within the draft Development Consent Order will give us confidence that the River Fromus Crossing will be compliant with the WFD.</p> <p>Please note, there are other outstanding issues relating to surface water quality, which are yet to be resolved, before we can declare that the project is WFD compliant in its entirety</p>	

6. Geology and Hydrogeology

6.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

7. Agriculture and Soils

7.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

8. Traffic and Transport

8.1 Traffic and Transport

Table 8.1 Traffic and transport

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1TT1.	Applicant	<p>Peak construction times</p> <p>Within the Suffolk Onshore Scheme Inter-Project Cumulative Effects documents [APP-060] it states that no significant cumulative effects are expected when considering construction/operational traffic associated with all committed developments combined, given that the peak construction phases for each scheme are unlikely to fully overlap. What certainty does the applicant have that the peak construction times are unlikely to overlap, given the number of variables typical in large scale construction programmes? Having identified that a full overlap is unlikely, is it therefore likely that there would be a partial overlap of peak construction times. If so, what would be the implication of this?</p>	<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS does not consider that the Applicant has demonstrated that peak construction activity for Sea Link will not coincide with peak activity from other NSIPs. No combined, evidence-based construction programme has been provided to substantiate this assumption.</p> <p>Baseline traffic flows are derived from unadjusted winter surveys and therefore do not represent peak summer conditions, when background and tourism-related traffic on the A12, A1094 and B1119/B1121 corridors is materially higher.</p> <p>Given the scale and duration of Sea Link alongside Sizewell C, EA1N/EA2, LionLink and associated highway works, there is a realistic prospect of overlapping construction peaks affecting the same highway links and communities.</p> <p>The assessment does not test a realistic worst-credible cumulative scenario in which construction peaks coincide with summer traffic; reliance on non-overlap assumptions does not provide a robust basis for assessing cumulative traffic effects.</p>	<p>The Applicant has responded to ExA Written Question 1TT1 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. The Applicant considers that the other points raised by SEAS in their response to Written Question ITT1 have been raised before in their previous submissions. The Applicant has responded to these points raised by SEAS within Table 30.1 of Application Document 9.36 Applicant's Comments on Other Submissions Received at Deadline 2 [REP3-064] and Table 2.57 of Application Document 9.34.1 (B) Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP2-014].</p>
1TT3.	Applicant Network Rail Sizewell C	<p>Impacts to the rail network</p> <p>Applicant - If Benhall Railway Bridge was being fixed by the applicant under Option 2, would this mean that there would need to be a closure of the railway line under the bridge for up to 28 days?</p>	<p>Applicant</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>Network Rail – Would the railway line under the bridge need to be closed if there were works being undertaken to fix current deficiencies of Benhall railway bridge by the applicant; and if so, what impacts would this have?</p> <p>Sizewell C – If the railway line under Benhall bridge was shut for up to 28 days, could this impact on the construction of Sizewell C due to disruption of freight along this line?</p>	<p>Network Rail</p> <p>Following a review by our asset protection team, they are of the view that such a closure of the railway line beneath may be necessary.</p> <p>Any such closure would be essential to ensure safe access for investigations of the bridge, installation of a mini-bridge (if it oversails the railway) and any required bridge strengthening works. Further, any activities within 10 meters of the NR boundary fence and over the railway corridor would necessitate possession of the railway lines, thus leading to their closure during the works. These closures would pose a clear detriment to safe and efficient running of the railway, as well as potential service impacts.</p> <p>Furthermore, NR would require the applicant to enter into a Basic Asset Protection Agreement (BAPA) with NR's Asset Protection team in order to facilitate the necessary works and possession requirements.</p> <p>Finally, NR's consent to any and all such works on this bridge would be necessary before proceeding, to ensure sufficient controls to preserve the safety of the railway.</p> <p>We reserve the right to make further representations concerning this matter, including in respect of the Applicant's proposed changes. However, we have noted that there is a potential encroachment onto NR land present in one of the provided maps, which we will review further.</p> <p>Should you have any further questions or require additional information, please do not hesitate to contact us.</p>	<p>The Applicant agrees with Network Rail that possessions of the railway will be required to ensure safe access for investigations of the bridge, installation of a mini-bridge (if it over sails the railway) and any required bridge strengthening works. The Applicant is liaising with Network Rail on the proposed works including having submitted an Approval in Principle (AIP) for undertaking survey investigation of the bridge and holding a meeting on 19 November 2025 to discuss the proposed works. The Applicant has agreed with Network Rail that survey works would be undertaken either overnight under a 'rules of the route' access agreement between the last train and first train, or during a weekend possession if necessary. Timing of the works would be agreed with Network Rail to limit any disruption to the railway; the Applicant is aware that SZC will be commencing freight movements in the near future and will work with Network Rail to avoid impacting on the SZC programme. Survey and remedial works would be phased to be undertaken during a series of rules of the route or weekend possessions to minimise the impact of any disruption. As confirmed within Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] the Applicant is not looking for a long term 28-day closure of the railway.</p>
1TT5.	Applicant	<p>Inter-project traffic cumulative methodology</p> <p>In both counties inter-project cumulative effect assessments [APP-060] [APP-073], the applicant states that "Specifically, in relation to traffic and transport in the Stage 4 assessment, where a scheme is expected to be approximately 50% built out, 50% operational trip generation has been adopted, and where the development is expected to be 75% built out, 75% operational trip generation has been assumed, and so on." Explain the basis for this assumption given that the proposed development and other development programmes appear to show peaks and troughs in construction traffic over their</p>	<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>The Applicant's cumulative traffic assessment varies traffic from other schemes according to assumed percentages of construction completion. In SEAS's view, this approach does not reflect how construction traffic is typically generated in practice.</p> <p>Construction traffic commonly exhibits distinct peaks and troughs, with disproportionately high HGV movements during specific phases such as site establishment, earthworks, concrete pours and delivery of abnormal indivisible loads, and can remain high during later commissioning stages.</p>	<p>The Applicant has responded to ExA Written Question 1TT5 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069], which also addresses the response provided by SEAS. For the avoidance of any doubt, a smooth pro-rata relationship between construction progress and construction traffic volumes has <u>not</u> been adopted as part of the cumulative traffic assessment (as suggested by SEAS). Peak construction traffic forecasts have always been adopted for a cumulative scheme (where the information is available) when the cumulative scheme could potentially be under construction during the build-out phase of the Proposed Project. This offers a robust approach by adopting peak construction traffic forecasts in all instances and accounts for the peaks in construction traffic over the respective construction periods, rather than troughs.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		respective construction periods rather than a progressive decrease in traffic over time? Would it depend on the type of development?	By assuming a smooth pro-rata relationship between construction progress and traffic volumes, the assessment risks underestimating coincident peak flows, masking short but severe impacts, and failing to identify critical periods of high HGV intensity on constrained rural roads. As a result, the cumulative traffic assessment does not provide a robust basis for evaluating worst-credible cumulative effects, and the extent of cumulative impacts may be materially understated.	
1TT8.	Applicant	Safety of cyclists The proposed traffic routes would use some more minor rural roads with narrow carriageways. What can be done to ensure the safety of cyclists on these routes, as they could be considered vulnerable in such circumstances where there is a notable increase in HGV traffic?	SEAS The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA. SEAS remains concerned that the transport assessment does not adequately reflect the safety risks to cyclists and pedestrians arising from increased HGV movements on narrow rural roads such as the A1094 and B1121/B1119. These routes are heavily used by cyclists, including recreational and tourism users, particularly during the summer months, yet traffic modelling is based on winter baseline data and does not assess peak seasonal conditions. The interaction between large construction vehicles and vulnerable road users on constrained road geometry has not been robustly evaluated, and mitigation measures appear largely generic rather than tailored to specific high-risk locations. SEAS considers that without a more realistic assessment of seasonal usage and conflict risk, the conclusions on cyclist and pedestrian safety are not sufficiently robust.	The Applicant has responded to ExA Written Question 1TT8 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] . The Applicant considers that the other points raised by SEAS in their response to Written Question ITT8 have been raised before in their previous submissions. The Applicant has responded to these points raised by SEAS within Table 30.1 of Application Document 9.36 Applicant's Comments on Other Submissions Received at Deadline 2 [REP3-064] and Table 2.57 of Application Document 9.34.1 (B) Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP2-014] . To reconfirm, the routing strategy is designed to minimise the number of construction vehicles using less suitable routes including the B1119 Church Street through Saxmundham. No physical mitigation is expected to be needed at the B1121 Main Road/ B1119 Saxmundham traffic signals, as this route will only be used for a short period early in the programme, with an hourly maximum of 15 movements and up to 4 daily HGV movements. Furthermore, the assessment within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] does not identify the potential for any significant effects on the A1094 including the A1094/B1069 Church Common junction, based on construction traffic forecasts during the peak construction phase, including with respect to Road Safety. The Applicant considers the committed mitigation proposed within Application Document 7.5.1.1 (B) Outline Construction Traffic Management and Travel Plan – Suffolk [CR1-041] and Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] to be sufficient for mitigating the potential impacts of the Proposed Project, including from a Traffic and Transport perspective.
1TT9.	Applicant	A12/B1119 junction at Saxmundham HGV traffic is proposed to use the A12/B1119 junction at Saxmundham. SCC [REP1-130] has expressed concern with the use of this junction, even with the planned improvements. Explain in detail (using diagrams to show the junction where possible to demonstrate the points made) why the use of this junction	Saxmundham Town Council Whilst the question is addressed to the applicant, Saxmundham Town Council considers it is imperative that the Examining Authority are made aware of the following: On 4 December 2025, a fatal crash occurred at the B1119/A12 staggered junction. The Town Council	The Applicant has responded to ExA Written Question 1TT9 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] , which also addresses the point raised by Saxmundham Town Council in relation to increased traffic at the A12 / B1119 junction. In summary, the A12 / B1119 junction is not expected to be adversely affected by HGV traffic associated with the Proposed Project, given that the majority of HGVs will not pass through this junction and those that do, will not

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		would be acceptable in terms of capacity and safety.	<p>considers that this is a tragic consequence of the combination of increased traffic and extremely poor junction layout. Whilst the A12 was closed, traffic was diverted through Saxmundham, via Rendham Road, Mill Road and Chantry Road and created severe vehicle congestion. Moreover, Chantry Road has 7.5 tonne weight limit and HGV's are not permitted. Considering capacity and safety aspects we make the following observations:</p> <ol style="list-style-type: none"> 1. Due to the implications of increased road closures to strengthening Benhall Bridge to accommodate Abnormal Indivisible Loads, we consider that an alternative diversion route is established. 2. To accommodate the general increase in traffic associated with the project that the B1119/A12 junction is re-modelled with a roundabout to prevent further accidents and in the meantime a 50mph speed limit is implemented. 	<p>turn to / from the B1119. This includes during the proposed temporary closure(s) of Benhall Bridge, when HGVs associated with the Proposed Project will not be diverted through Saxmundham.</p> <p>Further to the above and in response to Saxmundham Town Council on diversion routes during the proposed temporary closure(s) of Benhall Bridge, Table 3.9 of Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055] shows that negligible increases in traffic are expected through the A12 / B1119 junction as a result of diverted traffic. Several alternative diversion routes are also expected to be used such as the B1121 Main Road to the north of Saxmundham via the northern junction with the A12, and the A1094 between the A12 and the B1121 Aldeburgh Road junction, as set out within Section 3.5 of Application Document 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055]. As above, HGVs associated with the Proposed Project will not be diverted through Saxmundham when Benhall Bridge is closed.</p>
1TT11.	Applicant	<p>Junction modelling</p> <p>The applicant states that it has assessed driver delay at junctions as a result of the proposed development in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Traffic and Movement (IEMA, 2023). However, to supplement this assessment the ExA requires detailed junction modelling of all critical junctions, which should be identified and agreed in advance by the Local Highway Authorities (KCC and SCC), that are to be used by construction phase traffic.</p> <p>This junction modelling should provide key junction performance indicators (including ratio of flow to capacity (RFC)/degree of saturation and corresponding average delay per vehicle durations). This should be produced for appropriate scenarios (also agreed in advance with the Local Highway Authorities) to enable identification of specific proposed development impacts compared to a base scenario, which includes all appropriate cumulative traffic associated with approved developments.</p> <p>This is considered to be necessary so that proposed development traffic impacts can be clearly understood, particularly in junctions/locations which are already predicted to be operating at or above capacity, possibly</p>	<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS remains concerned that the transport assessment relies on very limited junction capacity modelling, with detailed analysis confined to a small number of locations, while many affected junctions on the A12, A1094 and B1119/B1121 corridors are not modelled at all.</p> <p>Where modelling has been undertaken, it is generally based on winter baseline traffic data and does not test peak seasonal conditions or realistic construction traffic scenarios.</p> <p>In the absence of comprehensive and transparent junction modelling, particularly at known constraints and community access points, the assessment does not provide a robust basis for concluding that construction traffic impacts would be acceptable in terms of congestion, delay or safety.</p> <p>SEAS considers that these limitations materially weaken the reliability of the Applicant's conclusions on traffic impacts.</p>	<p>The Applicant has responded to ExA Written Question 1TT11 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. Following this, the proposed scope of junction capacity modelling (three junctions) within Suffolk was put forward to SCC Highways on 22 January 2026 during an in-person meeting. This included the A12/ B1121 Main Road junction (south of Saxmundham), the A1094/ B1121 Aldeburgh Road junction and the A1094/ B1069 Snape Road junction, as these represent the key junctions which will be used by construction traffic associated with the Proposed Project. It is expected the results of the junction capacity modelling for these three junctions will be submitted at Deadline 6, following a further meeting with SCC Highways in February 2026 to review the proposed scope, methodology and scenarios for assessment.</p> <p>The Applicant considers that the other points raised by SEAS in their response to Written Question ITT11 have been raised before in their previous submissions. The Applicant has responded to these points raised by SEAS within Table 30.1 of Application Document 9.36 Applicant's Comments on Other Submissions Received at Deadline 2 [REP3-064] and Table 2.57 of Application Document 9.34.1 (B) Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP2-014].</p>

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		due to the construction activity of Sizewell C for example, and as indicated in the transport model output tables included in the SCC LIR [REP1-130] starting at paragraph 11.106.		
1TT12.	Applicant Suffolk County Council Kent County Council	<p>Overlapping construction programmes</p> <p>Applicant - In the applicant's response to RR [REP2-014] (specifically responding to SCC comments) it is stated that there could be a minor/moderate cumulative effect which could persist for up to nine months in total on the B1121 Main Road to the south of Saxmundham if the programmes for the proposed development and other projects (such as Sizewell C and LionLink) overlapped precisely. A possible moderate cumulative impact would potentially be disruptive for people who live in the area, especially if it lasts for nine months. What more can the applicant provide and secure to ensure that this level of cumulative effect is avoided or further mitigated?</p> <p>Councils – What is the local highway authorities view of this potential situation?</p>	<p>Applicant</p> <p>Suffolk County Council</p> <p>The council maintains its previously stated views made in the Relevant Representation paragraphs 31 & 32 [RR-5209] and Local Impact Report [REP1-130] that the cumulative impacts will significantly affect the communities to the south of Saxmundham, including Benhall and Sternfield.</p> <p>The route along this road provides walking facilities in the form of a narrow footway on one side of the road, from Benhall, Sternfield and the WhiteArch Residential Park into Saxmundham, and a continued use of 9 months or more by construction traffic for several projects would create a detrimental environment for non-motorised users. Due to the lack of crossing facilities in this location there will also be severance between Saxmundham, and the previously mentioned communities as increased traffic counts will make crossing the road significantly more dangerous. This route is a potential walking route used by school children attending the primary school in Benhall.</p> <p>There will also be a cumulative impact on the A12 junctions with the B1121 (Benhall) and B1119 (Saxmundham). The A12 will be used by SPR, SZC and Sealink through traffic with additional joining / leaving movements at the A12/B1121 by Sealink (and potentially Lionlink) construction vehicles, the B1121/B1119 junction in Saxmundham and the A12/B1119 by Sealink / Lionlink construction vehicles and local traffic diverted whenever the B1121 at Benhall is closed. In all cases this will cause significant delays to traffic, potentially being hazardous due to the junction geometry and traffic crossing a dual carriageway. In addition to this, the closure of the B1121 to temporary overbridge or repair the Benhall railway bridge and possibly to build the new access to the River Fromus Bridge</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant has responded to ExA Written Question 1TT12 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. A meeting was held with SCC Highways on 22 January 2026 to review SCC's recent written submissions including with respect to cumulative effects. This topic was also discussed as Item 13.4 during Issue Specific Hearing 2 (ISH2) on 29 January 2026. The Applicant maintains that there is not expected to be the potential for significant Traffic and Transport cumulative effects, and that no additional mitigation is required in this regard. The following key points should also be highlighted:</p> <ul style="list-style-type: none"> • Mitigation – to compulsorily acquire land, the use must be 'necessary' and in the public interest. This is a high bar even for mitigation of significant effects. There is not expected to be the potential for any significant cumulative traffic effects so compulsory purchase of land to 'mitigate' effects would not be defensible. • HGV control caps – the scale of HGV movements does not justify caps, Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] does not identify significant road network performance or road safety effects, based on a robust assessment of the reasonable worst-case. A spread of traffic is expected, with different routes and access points to be used for the linear project. HGV traffic will also be dissipated throughout the construction period. Construction vehicle movements will be monitored as part of Application Document 7.5.1.1 (B) Outline Construction Traffic Management and Travel Plan – Suffolk [CR1-041]. Restricting HGV movements may displace them to other (potentially more sensitive) periods with adverse impacts at those times or elongate the construction programme. Therefore, it is not proposed to adopt HGV caps. <p>In view of the above, SCC's suggested measures represent potential enhancements, rather than necessary mitigation. The following will be considered in this regard:</p>

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			<p>will disrupt the highway network on potential diversion routes, which may include the A12 / B1119 junction and the crossroads in the centre of Saxmundham.</p> <p>Potential solutions are: -</p> <p>Control: caps to be placed on the maximum daily and peak hour movements of HGVs supported by robust monitoring and enforcement. This would ensure the impacts do not exceed those assessed in the ES or traffic modelling (where appropriate).</p> <p>Mitigation:</p> <p>B1121 Benhall: In SCC's view the key improvements that two measures that would help mitigate the impacts of construction traffic on the B1122 in Benhall and towards Saxmundham would be to provide safe crossing points and wider footways, ideally to a standard that would allow conversion to a cycleway. The latter would be difficult to achieve within the existing highway boundary particularly as roots from the hedge may be disturbed by any construction. Choice of the type of crossing will be dependent on the volume and speed of traffic, risk to pedestrians and duration of the impact, if sequential with Lion Link formal traffic control would be considered proportionate.</p> <p>A12/B1121 junction: temporary speed reduction or other safety measures with capacity improvements if identified by modelling.</p> <p>B1121/B1119 Saxmundham traffic signals. Junction modelling at peak and inter peak hours would show if lack of capacity is a constant problem and cannot be reduced by restriction peak hour movements of construction traffic. The junction was upgraded with MOVA and together with constrained geometry few improvement options seem available.</p> <p>A12/B1119 Rendham junctions: Avoidance by removing the need to divert traffic on this route. If this is not possible temporary speed reduction or other safety measures with capacity improvements if identified by modelling.</p>	<ul style="list-style-type: none"> • SCC's suggested enhancement on the B1121 Main Road to the south of Saxmundham (including Benhall and Sternfield) will be considered e.g. to fund maintenance works (cutting back hedge within the highway boundary) to widen the footway. However, widening the footway to create a cycle path involving third party land cannot be considered as it would involve the compulsory acquisition of land and is outside the Order Limits. • SCC's suggested enhancement to implement a temporary speed limit on the A12 corridor between the junctions with A1094 (south) and B1119 to improve road safety during Benhall Bridge works, due to diverted traffic will be considered. This would not be included in DCO, but could be achieved with agreement of the Local Highway Authority (LHA) outside the Order Limits. • SCC's comments relating to the B1121/B1119 Saxmundham traffic signals are acknowledged. This junction will only be used for a short period early in the programme, with an hourly maximum of 15 vehicle movements, and up to 4 daily HGV movements. During the Benhall Bridge works and proposed temporary closure of the B1121 Main Road, the Applicant would not use the proposed diversion through Saxmundham for HGV construction traffic movements. The Applicant's Contractor would programme HGV movements accordingly.
			<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS remains concerned that the transport assessment does not robustly evaluate the traffic</p>	<p>The Applicant has responded to ExA Written Question 1TT12 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. The Applicant considers that the other points raised by SEAS in their response to Written Question ITT12 have been raised before in their previous submissions. The Applicant has responded to these points raised by SEAS within Table 30.1 of Application Document 9.36</p>

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			<p>implications of programme overlap between Sea Link and other major projects, including LionLink, Scottish Power EA1N & EA2, Sizewell C and the extensive Suffolk Water Recycling Project.</p> <p>While the Applicant acknowledges the potential for overlapping construction activity, the assessment relies on assumptions about sequencing and non-coincidence rather than evidence-based combined programme analysis.</p> <p>The absence of a realistic assessment of overlapping construction traffic undermines confidence that cumulative HGV flows, congestion and safety impacts on shared routes have been fully identified.</p> <p>SEAS considers that without explicit testing of overlapping construction scenarios, the cumulative traffic effects on local communities and constrained rural roads may be materially understated.</p>	<p>Applicant's Comments on Other Submissions Received at Deadline 2 [REP3-064] and Table 2.57 of Application Document 9.34.1 (B) Applicant's Detailed Responses to the Relevant Representations identified by the ExA [REP2-014].</p> <p>To reiterate, the traffic and transport cumulative assessment within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] is based on the worst-case assumption that construction peaks of different schemes would fully overlap.</p>
1TT13.	Suffolk County Council Kent County Council	<p>Cumulative traffic assessment</p> <p>Considering all the information submitted up to and including that received from the applicant at deadline 2, what further data or analysis (if any) would the Local Highway Authorities require from the applicant to be satisfied that the cumulative traffic assessment is sufficiently robust?</p>	<p>Suffolk County Council</p> <p>SCC has commented on the cumulative traffic assessment [REP1-110] submitted by the Applicant at Deadline 1 in Table B3 of [REP2-062]. In that response, the Council gives detail on what further information it requires in relation to the cumulative traffic response and will comment further once the Applicant's response and any further information is provided. SCC also expects the methodological issues raised in Chapter 11 of its LIR [REP1-130] in relation to the traffic and transport assessment [APP-054] to be addressed for the cumulative traffic assessment insofar as those issues also apply to that assessment.</p> <p>In terms of further data and analysis, SCC would expect the cumulative impact of Sea Link in combination with SPR EA1(N), EA2, Lion Link and SZC on the A12 to be assessed. The A12 is the main conduit for construction vehicles and in the case of previously consented DCOs restricted to that route. Assessments were undertaken by both SZC and SPR of the combined impacts and it is reasonable to expect Sea Link to undertake a similar exercise.</p> <p>However, SCC recognise that significant changes are being made to the A12 and therefore have undertaken a review of junctions on the A12 to identify those of specific concern and exclude those being changed. See Appendix A: Traffic Assessment for this review which includes actions which should be undertaken to provide the expected</p>	<p>The Applicant has responded to ExA Written Question 1TT13 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. A meeting was held with SCC Highways on 22 January 2026 to review SCC's recent written submissions including with respect to the cumulative traffic assessment. This topic was also discussed as Item 13.4 during Issue Specific Hearing 2 (ISH2) on 29 January 2026. The latest position is as follows:</p> <ul style="list-style-type: none"> • Further information relating to Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] has been provided within Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. • The Applicant has also responded to comments raised in Application Document Local impact reports (LIR) from any local authorities [REP1-130] from Suffolk County Council, within Application Document 9.35.1 Applicant's Comments on Local Impact Report from Suffolk County Council [REP2-026], including with respect to the methodology adopted within Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]. • The cumulative assessment methodology is consistent with and follows that adopted for all environmental disciplines as set out within Application Document 6.3.1.5.A ES Appendix 1.5.A Cumulative Effects Assessment Methodologies [APP-091] and is therefore considered to be appropriate for use. • It would not be reasonable to identify different (potentially significant) effects for a cumulative scheme if

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			<p>level of data and analysis for cumulatively affected receptors on the A12.</p> <p>The scale of impact by this project on the A12 is less than SZC in terms of HGV numbers and duration, but still in SCCs opinion significant. The section of the A12 between the A12/A14 Seven Hills Interchange and A12/A1152 Woods Lane Roundabout is included within SCCs A12 Major Road Network scheme currently seeking planning permission. If successful construction may commence in 2027 with a construction period of 18 months to 2 years. In the SZC examination SCC successfully argued that whilst construction traffic impacts would not trigger mitigation on this part of the A12 there was a measurable delay to traffic on the A12 which can be mitigated by the A12 MRN scheme and thus it was reasonable for SZC to contribute to this scheme. This was secured in the Deed of Obligation Schedule 16 'A12 Contribution'2.</p> <p>Subject to assessment of delay supporting this SCC would seek a proportional contribution towards the A12 MRN scheme by Sealink.</p> <p>SCC also mentioned the A12 MRN in Chapter 11 of its LIR [REP1-130]. It has since been noted that the project has now applied for planning permission. As such, the Applicant should take into account the likely adverse effects arising from the project on the A12 during construction which could combine with Sea Link in the Applicant's cumulative traffic assessment. 3</p> <p>Similarly, the Essex and Suffolk Water pipeline project has since launched and undertaken consultation. A proposed route appears to interact with the Applicant's proposals. Active communication should be sought by the Applicant and consideration given to the need to assess cumulative</p>	<p>these were not identified within the original assessment of that scheme within the respective Environmental Statement i.e. their findings including residual effects and committed mitigation have been adopted.</p> <ul style="list-style-type: none"> • It is reasonable to assume that the embedded (committed) mitigation of other projects will be in place during their peak construction phase (such as A12/A1094 roundabout currently under construction by Sizewell C, the Two Village Bypass expected at the end of 2026 and the Sizewell Link Road expected in 2027) and that this will be delivered as a legal requirement of their DCO, secured through their own management plans. There is also a greater degree of certainty associated with the construction traffic forecasts and the implementation of embedded mitigation for Sizewell C and EA2 given these schemes are already under construction. • If mitigation associated with other projects (such as the Two Village Bypass or Sizewell Link Road) is delayed or not implemented as expected, then this is not within the control of the Applicant. It is also not a requirement for the Proposed Project to implement other scheme's mitigation when this is not required to mitigate the Proposed Project (e.g. the assessment of the Proposed Project's peak construction phase (2028) excluded the Two Village Bypass and Sizewell Link Road and did not identify the potential for significant effects). Therefore, if mitigation associated with other projects is needed to avoid significant effects (with or without the Proposed Project), then this should be implemented by these other projects when required, prior to any impacts being experienced. • In addition, a worst-case traffic and transport cumulative assessment has been carried on the basis that construction peaks of different schemes would fully overlap, even though this is an unlikely scenario (see Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110]). Therefore, excluding committed (embedded) mitigation of other schemes would not represent a reasonable scenario. • A cumulative assessment of the Proposed Project in combination with SPR, LionLink and Sizewell C has been carried out within Application Document 2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060] as requested, including for the A12 within the study area.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<u>Kent County Council</u>	A further meeting will be arranged with SCC in February 2026 to review the matters raised on the cumulative traffic assessment.
			It was our understanding from the Draft Statement of Common Ground (SoCG) that the Transport Assessment Note (TAN) would be accompanied by the relevant supporting evidence of construction traffic flows within the agreed study area, which appears to have informed the cumulative effects assessment. Thus has not been provided, and neither has there been any discussion in the applicant's submission around any required capacity assessment at key junctions, simply the assessment carried out in accordance with IEMA	The Applicant has responded to ExA Written Question 1TT13 within Table 8.1 of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] . The Applicant has also responded to this point raised by KCC within Table 8.1 of Application Document 9.36 Applicant's Comments on Other Submissions Received at Deadline 2 [REP3-064] . A meeting was held with KCC Highways on 15 January 2026 to review and agree the proposed scope of junction capacity modelling, which included the Sevenscore, Ebbsfleet and Minster roundabouts. The results of the junction capacity modelling will be submitted during Examination.

- The additional junctions on the A12 identified by SCC within Appendix A of their response to ExA Written Question 1TT13 fall outside the study area but further information will be provided if possible:
 - Proposed Project traffic flows (both peak and average) can be extrapolated from those identified for the A12 to the south of the A1094, which have previously been identified for the A12/ A14 Seven Hills Interchange (informing a meeting with National Highways on 12 December 2025), which includes the section of the Major Road Network (MRN) scheme between the Strategic Road Network (SRN) and A12/ A1152 Woods Lane roundabout.
 - An assessment of 'Driver Delay' based on the methodology within **Application Document 6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054]**, can only be carried out if baseline traffic flows are available for these parts of the network, as these fall outside of the study area (and were not surveyed).
- Additional cumulative schemes for consideration including the A12 MRN (on the A12) and the Essex and Suffolk Water pipeline project will be considered and assessed if there is a potential for a cumulative effect to arise within the Proposed Project study area, subject to information being available to allow a meaningful assessment to be carried out.
- A key point remains that if the Proposed Project results in a Negligible effect, then there would be no potential for a significant cumulative effect to arise as a result of the Proposed Project, irrespective of how many other cumulative schemes are considered (including any new schemes such as the A12 MRN scheme).

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			<p>guidelines. We have not seen the relevant supporting evidence of construction traffic flows for these junctions, nor has there been any discussion around any required capacity assessment. We would consider this level of assessment necessary in order to be satisfied that the cumulative traffic assessment is sufficiently robust.</p>	

9. Air Quality

9.1 Air Quality

Table 9.1 Air quality

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1AQ2	Natural England East Suffolk Council	<p>Air quality modelling for construction compound at Sandlings</p> <p>Suffolk Energy Action Solutions Ltd (SEAS) [RR-5210] suggests that the air quality model is inaccurate and that quantification of emissions from the HDD compound adjacent to Sandlings SPA and from back-up generators is required. Provide comment on the model and explain whether you consider that further quantification is necessary and if not, why not?</p>	<p>East Suffolk Council</p> <p>When considering the submitted information on air quality impacts, ESC has concentrated on the impact on human health or nuisance. Sandlings SPA is an ecological European designation and so ESC defers consideration of air quality impacts on the SPA to Natural England.</p> <p>The accuracy of the air quality model appears to be suitable for use, and suggested mitigation measures reasonable. ESC has not specifically considered the impact of emissions from NRMM at the HDD compound on the Sandlings SPA but note that there is mention of it as a receptor within the document. NRMM emissions are often transient in nature and requiring Stage V/minimum Stage IV NRMM will help control emissions at all areas of the development, including the HDD compound.</p> <p>ESC does not require further quantification on the effects of NRMM emissions on the Sandlings SPA for ESC's purposes, but ESC notes that Natural England may consider otherwise for its purposes with regards to effects on ecological receptors.</p>	<p>The Applicant welcomes ESC comments.</p> <p>With regards to air quality impacts on the SPA, Natural England in their submission REP3-117 has indicated that it will no longer provide bespoke advice on air quality and signposted to its 'Standard Advice for Air Quality Impacts in Nationally Significant Infrastructure Projects (NSIPs)', with further details on the approach to sequential air quality assessment within Annex 1 of [REP3-117]. A response outlining how the assessment is consistent with Natural England's sequential approach is being provided as a Appendix A to Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadline 3 and 3A, submitted at Deadline 4.</p>
1AQ3	East Suffolk Council	<p>Cumulative air quality effects</p> <p>ESC [RR-1420] notes specific concern with cumulative effects arising from construction traffic (including on air quality). Having reviewed the air quality assessment [APP-055] and [APP-068] and the cumulative vehicle emissions assessment [REP1-123], the council should confirm whether it has any residual concerns about specific road links/receptors in light of the limited effects identified in relation to construction traffic emissions and the relatively low background pollutant levels and if not, why not?</p>	<p>East Suffolk Council</p> <p>ESC considers that this question is aimed at SCC, as SCC raised concerns in Paragraph 31 of its Relevant Representation [RR-5209] regarding cumulative effects of construction traffic on air quality.</p> <p>ESC requests confirmation that any traffic data used in the air quality assessment is consistent with that agreed by SCC as Local Highway Authority. Where the impact of additional construction traffic may be locally significant and of concern to SCC but falls outside of the EPUK guidelines for air quality assessment, it should be identified and the impact on local air quality assessed.</p>	<p>Traffic data for the cumulative assessment is outlined in Application Document 6.3.2.13.B ES Appendix 2.13.B Preliminary Cumulative Highway Impact Assessment [APP-142] and is consistent with the dataset used to inform the Proposed Project's cumulative traffic and transport assessment within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. The traffic data for the cumulative schemes was sourced from the latest versions of the planning submission documents available at the time of the cumulative assessment (which was carried out in 2024). For example, Sizewell C peak traffic data was obtained from the latest version of the Sizewell C Consolidated Transport Assessment, as requested previously by SCC Highways (see Table 1.16 of Application Document 5.1.6 Appendix E Statutory Consultation Part 4 of 4 [APP-312] for reference). Therefore, this information is considered to be appropriate for use. Further details of cumulative traffic flows</p>

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			<p>Suffolk County Council</p> <p>In its role as the Public Health authority, SCC offers comment on this question. SCC has commented on the referenced documents from a public health perspective in chapter 12 of its LIR [REP1-130] and Table B6 of [REP2-062]. Here, in response to [REP1-123], SCC noted particular concern with R1 for both NO2 and PM2.5 levels due to the harm these levels pose to human health despite falling under national statutory limits. Similar comments apply to any other receptor where pollutant levels are above the WHO recommended level.</p> <p>The Council reiterates that practicable measures should be taken to minimise pollutants as far as possible to levels recommended by WHO, particularly where high number of people are likely to interact with a receptor or where vulnerable groups may be disproportionately affected.</p>	<p>associated with individual schemes are provided within Application Document 9.26 Traffic & Transport Cumulative Assessment (Suffolk) [REP1-110] for Sizewell C, EA1N / EA2 and LionLink. A meeting was also held with SCC Highways and ESC on 22 January 2026 to review matters relating to the traffic and transport cumulative assessment in further detail.</p> <p>As detailed in Application Document 6.2.2.8 Part 2 Suffolk Chapter 8 Air Quality [APP-055], Application Document 6.3.2.8.B ES Appendix 2.8.B Air Quality Modelling Methodology [APP-133] and Application Document 9.50 Cumulative Vehicle Emissions Assessment [REP1-123], detailed air quality dispersion modelling was undertaken for the most sensitive location within the study area, namely the former Stratford St Andrew AQMA, using the worst-case construction traffic scenario. Whilst the cumulative traffic data represents a highly conservative and unlikely worst-case, all predicted pollutant concentrations were found to be well below the relevant air quality objectives.</p> <p>The Applicant acknowledges the potential health impacts associated with both short- and long-term exposure to air pollution. Accordingly, a range of measures have been proposed to minimise emissions so far as reasonably practicable. These include measures GG12, AQ04 and AQ09, as set out in Application Document 9.83, Outline Code of Construction Practice [REP3-076]. In addition, traffic-related mitigation measures are proposed, including monitoring of HGV movements and compliance with designated HGV routes (TT02).</p>
1AQ6	East Suffolk Council, Thanet District Council, Dover District Council	REAC commitment AQ11 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'.	<p>East Suffolk Council</p> <p>Stage IV NRMM is significantly lower emission than those stages pre-dating it. However, ESC recognises that Stage V is even cleaner and takes emission control further, and as such ESC considers that the aim should be for 100% Stage V NRMM compliance.</p> <p>ESC would therefore wish to see a change in emphasis to require Stage V NRMM use, with Stage IV use approved by the LPA via exemption where Stage V is not available. The Applicant should be required to keep logs identifying why Stage V NRMM was not used on site. These logs should be</p>	<p>The Applicant recognises that Stage V NRMM provides the lowest available emissions and supports maximising its use wherever practicable as per measure AQ09 within Application Document 9.84 Register of Environmental Actions and Commitments (REAC). Stage V will therefore be the default standard for plant used on the Proposed Project. However, for certain specialist highpower or limited availability machinery, Stage V units may not be commercially or technically available. The Applicant can confirm that the use of any Stage IV equipment will be notified to the LPA in advance. Measure AQ09 will be updated to reflect this commitment within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) which will be submitted at a later deadline.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			made available to the local planning authority on request.	The Applicant will maintain an NRMM log throughout construction, recording whether each item is Stage V or Stage IV and the reason for any approved Stage IV use. This log will be made available to the LPA upon request. Measure AQ13 will be updated to reflect this commitment within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) which will be submitted at a later deadline.
1AQ8	East Suffolk Council Natural England Thanet District Council, Dover District Council	Outline air quality management plan (oAQMP) 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 [AS-129] and [APP-347]. 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).	East Suffolk Council With regards to air quality monitoring equipment, ESC assumes that the purpose of recommending use of a Zephyr, rather than proposing it, is due to the changing, relatively new, market for air quality sensors. It is likely too early to commit to a specific type of monitor to be used. It is important that the Applicant commits to using continuous monitors or sensors, and these should be agreed with ESC prior to installation as part of the Air Quality Management Plan to be approved through discharge of Requirement 6. The proposed air quality monitoring locations have been agreed with the Applicant. The Air Quality Management Plan to be approved through discharge of Requirement 6 must include agreement on monitoring locations and allow for review when required by either party. The monitoring location at Stratford St Andrew will not be required once the new bypass is operational. As such, the ability to review all locations and to agree a new monitoring location for this site will need to be available. ESC defers to Natural England on the monitoring location south of the HDD compound. Thanet District Council 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 <1% proportion of HGVs using Jutes lane. 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	The Applicant confirms that continuous air quality monitors or sensors will be used, with the specific technology to be agreed with ESC prior to installation as part of the Air Quality Management Plan (AQMP) (Application Document 7.5.6.1 (B) Outline Air Quality Management Plan – Suffolk [REP3-052]), as secured by Requirement 6 of Schedule 3 of Application Document 3.1 (F) draft Development Consent Order [REP3-006]). Measure AQ02 will be updated to reflect this commitment within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) which will be submitted at a later deadline. Application Document 7.5.6.1 Outline Air Quality Management Plan – Suffolk [REP3-052] states that monitoring locations will be reviewed and moved if required. The AQMP will include the agreed monitoring locations and will provide a mechanism for review and amendment where requested by either party. This is included as a commitment within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) (measure AQ14). The Applicant confirms that the local authorities will be provided with access to real-time monitoring data. Measure AQ02 will be updated to reflect this commitment within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) which will be submitted at a later deadline.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>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>	

10. Noise and Vibration

10.1 Noise and Vibration

Table 10.1 Noise and vibration

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1NV8.	Dover District Council East Suffolk Council Thanet District Council	S61 consents Confirm whether the current wording in section 4.4 of the Construction Noise and Vibration Management Plans [AS-131] and [AS-133] 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 [CR1-043] .	East Suffolk Council ESC has reviewed Section 4.4 of the Outline Construction Noise and Vibration Management Plan (CNVMP) – Suffolk [AS-131] and broadly accepts and encourages the principle of using S.61 to regulate noise and vibration associated with construction of the Sea Link project. This also accords with the process currently being implemented for the comparable Scottish Power Renewables East Anglia ONE North (EA1N) and East Anglia TWO (EA2) Offshore Wind Farm projects. However, ESC does note some potential issues in the implementation of S.61 in the Applicant's case and has provided further comments below. The Applicant states at Paragraph 4.4.1: <i>"With the implementation of noise and vibration control measures, such as those identified in Table 4.1 and Table 4.2, no significant residual effects are predicted based on the outcome of the construction noise assessment conducted as part of the ES. However, as noted above, the contractor will be required to prepare a construction noise and vibration assessment based on their proposed construction methodologies."</i> ESC has raised the issue of insufficient detail in relation to mitigation and significant effects but wishes to use this opportunity to do so again in this context. Tables 4.1 and 4.2 provide examples of mitigation and its efficacy but these examples are very limited and do nothing to assist in promoting the principle of Best Practicable Means. ESC's expectation is that all forms of BPM will be considered and, where appropriate, will be implemented. The adopted noise thresholds are limits rather than targets and BPM should be used irrespective of these to reduce noise levels to the lowest reasonable level. Contractor noise and	The Applicant notes this response. With regards to the level of detail on mitigation at this stage, the applicant acknowledges that details are limited at this stage. However, this is typical of the stage of the assessment. Given this, the purpose of the assessment in the Environmental Statement is to identify locations where there are potential significant adverse effects without mitigation, and set up processes by which those significant adverse effects would be avoided. In all cases, significant adverse effects can be avoided with the implementation of standard best practicable means (BPM). The specific measures are to be determined by the contractor following their detailed assessments. This is such that the contractor has full responsibility and overview of noise and vibration control. Any specific measures stated at this stage may not be appropriate or practicable, and the contractor is based placed to identify specific, practicable measures. The ABC values are thresholds, and not limits, and may be exceeded on occasion. However, the duration of any exceedances would be controlled such that both the noise level and duration does not constitute a significant adverse effect. With regards to Section 61's and the statement at paragraph 4.4.2 of the Outline CNVMP (Application Document 7.5.8.1 Outline Construction Noise and Vibration Management Plan - Suffolk [AS-131]), the following paragraphs (4.4.3 to 4.4.4) state: <i>"4.4.3 If this is the case, the contractor will liaise with East Suffolk Council to discuss the works and determine whether the works would benefit from a Section 61 consent. Where applicable, the contractor will then prepare and apply for Section 61 consent under CoPA (HM Government, 1974) for the applicable construction activities.</i> <i>4.4.4 The number, extent (geographically and in terms of construction activities) and duration of Section 61 applications will be the subject of consultation between the contractor and East Suffolk Council".</i>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>vibration assessments should be prepared accordingly, but the Outline CNVMP should contain sufficient detail in that regard.</p> <p>The Applicant states at Paragraph 4.4.2: <i>“Where the results of the contractor’s assessment indicates the potential for significant effects at NSR, or for working outside of core hours, a Section 61 application may be required.”</i></p> <p>Firstly, this statement should be clear and state S.61 “WILL” be required, rather than “may” be required. However, review of this section has raised an interesting point for consideration. The Applicant has stated that S.61 would only be used where significant effects are predicted or where works outside core working hours are required. Section 4.6 of the Outline CNVMP covers monitoring and states that no routine monitoring will be undertaken and that the need for monitoring would be established through the S.61 process. However, if S.61 is only used for works that are predicted to have a significant effect, that is to say that exceeding the relevant BS5228 ‘ABC’ Methodology threshold, then there will be no monitoring being undertaken to ensure that works are compliant with the threshold as these are not currently covered by S.61 in the Outline CNVMP.</p> <p>The Applicant must be able to adequately monitor for compliance with the relevant ‘ABC’ threshold, and therefore routine monitoring must be undertaken or the S.61 process must be used for all works as is the case for Scottish Power Renewables’ EA1N and EA2 projects.</p> <p>The relevant section of EA2’s CNVMP is included below-</p> <p><i>‘10.2 APPLICATION UNDER SECTION 61 THE CONTROL OF POLLUTION ACT 1974</i></p> <p><i>The Control of Pollution Act 1974 (CoPA) gives the Council powers to control noise and vibration from construction sites and other works. Section 61 allows contractors to apply for Prior Consent and agree working hours, site noise levels and other measures prior to work starting.</i></p> <p><i>The EA2L and NGET Principal Contractors will seek and obtain prior consent(s) from ESC for all works as defined by Section 60 of the COPA (i.e. the erection, construction, alteration, repair or maintenance of buildings,</i></p>	<p>The Applicant notes the local authority’s preference for Section 61 applications.</p> <p>No specific construction noise and vibration monitoring is proposed at this stage. However, monitoring will form part of the Construction Noise and Vibration Management Plan (NVMP) – Suffolk, which is secured by Requirement 6 of the draft Development Consent Order and which will require the approval of East Suffolk Council. Where applicable, this would also form part of requirements under any Section 61 application.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p><i>structures or roads), under Section 61 of the COPA. The application(s) for Section 61 consent will include details of the works, the methods by which they will be carried out and the measures to be implemented to minimise the noise and vibration resulting from the works. This is a proactive approach and regarded as representing best practice for major infrastructure projects.</i></p> <p><i>In recognition of the ESC's preference, the applications for prior consent under Section 61 of COPA will assess the noise impact from construction noise using the ABC assessment method set out in Annex 4 of BS 5228- 1:2009+A1:2014 and as included in Section 9.1.</i></p> <p><i>The contractors will use Best Practicable Means, as defined by Section 72 of COPA, and as set out in Table 10.1 to minimise construction noise as far reasonable and practical to do so.</i></p> <p><i>A template for these applications (combined with that for Out of Hours Working) is included as Appendix 2 of this document and also as an appendix to the Code of Construction Practice (EA2-ONSCNS-REP-IBR000006). The Section 61 applications will include a detailed description of the monitoring and monitoring locations proposed for the particular works covered by the consent application. Provision for noise monitoring at appropriate times and locations and subsequent reporting will be incorporated within the Section 61 consent application(s)'</i></p>	
			<p>ESC is not currently satisfied that the use of S.61 as proposed will provide adequate protection to Noise Sensitive Receptors. The Applicant must commit to either routine monitoring for compliance with the relevant 'ABC' threshold, or commit to using the S.61 process for all works, as is the case for ScottishPower Renewables' EA1N and EA2 projects.</p> <p>The S.61 process also provides an opportunity for the Applicant to demonstrate Best Practicable Means at regular intervals during development.</p> <p>ESC has a strong preference that S.61 is used for all works. This is an established process and the industry standard that is well understood by the</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Applicant, by the contractors, and by ESC to control noise and vibration from construction work.	
			<p><u>Thanet District Council</u></p> <p>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.</p>	The Applicant notes this response. Although the use of Section 61 process is at the discretion of the contractor, in practice these would be undertaken through consultation between the contractor(s) and the local authority. It is agreed that the assessments should be undertaken by a suitable qualified person. The requirements are outlined in paragraphs 4.4.12 to 4.4.13 of the Outline CNVMP (see Application Document 7.5.8.2 (B) Outline Construction Noise and Vibration Management Plan - Kent [AS-133]).
1NV9.	East Suffolk Council Thanet District Council Dover District Council	<p>Construction noise and vibration management plan (CNVMP)</p> <p>Paragraph 1.3.8 of [AS-131] and [AS-133] 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?</p>	<p><u>East Suffolk Council</u></p> <p>ESC assumes that this would result in beneficial outcomes for Noise Sensitive Receptors and would not wish to discourage rapid action to resolve an issue with noise or vibration. However, it is not clear how this could contravene something in the CNVMP. It would be beneficial if the Applicant could provide further clarity in this regard, along with an indication of the type of scenario this is intended to cover and what that scenario may contravene in the CNVMP. In respect to the CNVMP requiring amendment, ESC would encourage the adoption of a set timescale rather than an open ended “reasonable time after the event”.</p>	The applicant notes all responses from the local authorities, and notes Thanet District Council’s interpretation as correct, in response to the query from East Suffolk Council regarding potential contravention of measures detailed in the CNVMP. No specific scenario is envisaged, but as an example, if a specific mitigation measure is identified in the CNVMP and an alternative better practicable solution is identified on site, it may be better to employ the better solution, rather than to stick rigidly to the solution identified in the CNVMP.
			<p><u>Thanet District Council</u></p> <p>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.</p> <p>However, TDC would request tightening wording so that TDC is notified of material deviations within 24hrs and that the deviations are temporary and</p>	<p>Please see response above.</p> <p>With regards to notification of Tendring District Council, in most cases this is likely to be unnecessary, particularly where significant adverse effects are not expected without the mitigation, which would be the case for the majority of the works. However, it is agreed that some changes may require notification. This would principally be the case at locations where the mitigation is required to avoid significant adverse effects, or/and where works are being undertaken in accordance with the Section 61 agreement (noting that the Section 61 agreement would include processes for such a situation). It is therefore suggested that a pragmatic, proportionate approach is taken to notification. In all cases, however, deviation would be documented.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			proportionate and that repeated deviations trigger a formal CNVMP revision.	
1NV11.	Dover District Council East Suffolk Council Thanet District Council	Change of noise indices The ExA's s89(3) letter dated 5 September 2025 [PD-008] 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 [AS-109] and [AS-111]. Do the local authorities have any comments on the applicant's amended assessment?	East Suffolk Council ESC would like to understand if the change in metric has resulted in a change of outcome for the assessment. ESC has no preference other than that the most protective metric be adopted if it is the case that one proves to be so.	The change in metric does not result in a change to the assessment outcomes. The assessment assumes works are conducted over the entire metric time period as a worst-case.

11. Socio-economics, Recreation and Tourism

11.1 Socio-economics, Recreation and Tourism

Table 11.1 Socio-economics, Recreation and Tourism

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1SERT1.	Applicant	The rural landscape and tranquillity are noted as attractive aspects for tourism, particularly for rural areas like East Suffolk. The change to the landscape from the proposed buildings and pylons would be long-term. What impact would this have on the long-term tourism attraction for these areas of Kent and Suffolk, especially when considered cumulatively with other planned developments?	<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS remains concerned that the assessment does not adequately evaluate the cumulative effects on tourism and recreation arising from prolonged and overlapping construction activity in East Suffolk.</p> <p>A succession of major energy projects has the potential to generate long-term negative effects on visitor perception, including re-branding of the Suffolk Coast as an "energy coast", loss of tranquillity due to sustained construction activity, erosion of landscape character and visual amenity, PRow closures affecting walking and nature-based tourism, and cumulative traffic congestion on local roads.</p> <p>These impacts are experienced by visitors as a combined effect, yet the assessment considers tourism, landscape, access and traffic largely in isolation rather than as part of an integrated visitor experience.</p> <p>The assessment does not sufficiently consider the duration and seasonality of impacts, particularly the effect of repeated construction activity, traffic disruption and access constraints during peak visitor periods over multiple years.</p> <p>SEAS notes that the Applicant has provided no meaningful cumulative tourism or brand assessment, with no visitor perception research, no quantitative assessment of visitor spend or business impacts, and no evaluation of how prolonged cumulative disturbance may affect the Suffolk Coast's attractiveness as a destination.</p> <p>As a result, SEAS considers that the cumulative implications for tourism, recreation and the visitor economy are likely to be significantly understated</p>	<p>A response to the Examining Authority's question can be found in Table 11.1 (against <i>Reference 1SERT1</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>A complete assessment of socio-economic effects has been undertaken. This is set out in Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Tourism and Recreation [REP1A-005] and concludes that there are no anticipated significant effects as a result of the Proposed Project. The Applicant is confident that the approach and methodology adopted to assess potential significant effects on socio-economics, recreation and tourism arising from the Suffolk Onshore Scheme is robust.</p> <p>The intra-project cumulative impact is assessed in Application Document 6.2.2.12 Part 2 Suffolk Chapter 12 Intra-Project Cumulative Effects [APP-059]. This assessment considers whether multiple environmental effects from the Proposed Project could combine to worsen impacts on individual receptors. This includes the construction, operational and decommissioning phases, drawing on relevant disciplines such as landscape and transport. The assessment concludes that there is potential for significant effects on PRow 491/010/0 during construction and decommissioning resulting primarily from significant visual amenity effects. However, the Applicant agreed in response to Action Points 8 and 9 of the Issue Specific Hearing 1 to provide further consideration to reporting of the intra-project cumulative effects. Further information is being provided in response to Action Points 111 and 112 following Issue Specific Hearing 2.</p> <p>The Applicant acknowledges that the Suffolk Onshore Scheme will be under construction alongside other NSIPs. The assessment of inter-project cumulative effects is considered within Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. The chapter assesses the impact of the Proposed Project in combination with Sizewell C, EA1N, EA2, LionLink, Norwich to Tilbury and South</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			where impacts are assessed project-by-project rather than in combination.	<p>Saxmundham Garden Neighbourhood and concludes that there are no anticipated significant inter-project cumulative effects on socio-economics, recreation and tourism receptors.</p> <p>Seasonal variation has been considered within the assessment of tourist and visitor accommodation for the Suffolk Onshore Scheme and in combination with other NSIPs. This assessment evaluates whether existing visitor and tourism accommodation within a 60 minute drive of the Suffolk Onshore Scheme could meet demand from the construction workforce, accounting for seasonal variation. The visitor and tourist accommodation capacity available within the 60-minute drive time area takes account of existing visitor and tourist demand for hotels, bed and breakfasts and inns based on seasonal occupancy rates from Visit England 2023 and private rental properties. Under a worst-case scenario where the total peak construction workforce of the Suffolk Onshore Scheme and other NSIPs required accommodation in the seasonal peak of July, there would be spare capacity within the accommodation sector. Therefore, the assessment concludes that there are no significant effects anticipated from the Suffolk Onshore Scheme and no additional mitigation will be required.</p> <p>Application Document 9.40 Visitor and Tourism Assessment Technical Note – Suffolk [REP3-065] presents evidence which indicates that there are unlikely to be material impacts on tourists and visitors from these schemes, post-consent. The Applicant is also setting up meetings with the local planning authorities to discuss the potential for monitoring impacts on visitors and tourism following the grant of development consent (if granted). The Applicant is also reviewing potential opportunities to liaise with tourism related businesses to seek their views on how tourism impacts can be minimised.</p>
1SERT2.	Applicant All County and District Councils	Construction worker spending 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?	East Suffolk Council Introduction Tourism is an important economic sector for East Suffolk, and ESC maintains that Sea Link, whether individually or in combination with other NSIP developments, could adversely affect the sector. Use of visitor accommodation by non-home-based (NHB) workers during the construction period is particularly concerning, disrupting the visitor economy in several ways: 1. Discouragement. The wider environmental impacts of Sea Link could discourage tourists planning to visit East Suffolk, whether through negative visitor perceptions caused by construction activities, or through the	<p>A response to the Examining Authority's question regarding construction worker spending can be found in Table 11.1 (against <i>Reference 1SERT2</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant has recognised that the spending patterns of construction workers differ from those of tourists, and that construction workers are likely to have a lower average spend than tourists. This distinction was set out in the Applicant's response in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]. However, it was also noted that construction workers can provide a more stable and predictable source of expenditure within the local economy over the construction period, without the significant seasonal variation associated with tourism-related spending.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>reduced availability of high quality, affordable visitor accommodation.</p> <p>2. Needs, Behaviours, and Spending. Staying visitors (tourists) and NHB workers have differing needs and motivations for visiting East Suffolk. These affect their behaviours, what they do, and how they spend their money. Put simply, tourists are in East Suffolk to spend money, and NHB workers are in East Suffolk to earn money.</p> <p>To determine the difference in spending locally between NHB workers and staying visitors, the body of this response summarises the well documented needs, motivations, and spending habits of staying visitors to East Suffolk. It then goes on to consider and compare the economic contribution and impact of NHB workers.</p> <p>However, the lack of published data specifically examining the economic impact of NHB workers on local visitor economies necessitates the need to reference known data, to make logical, and sensible, assumptions about NHB worker behaviour, and from these, infer valid conclusions.</p> <p>Visitor Economy: Staying Visitors</p> <p>The <i>Economic Impact of Tourism Research Report for East Suffolk</i> (see Appendix A) shows that in 2024, the total contribution of tourism (day trips and staying trips) to the East Suffolk economy was £729 million. Of which, £553 million is spent directly by tourists during their trip to East Suffolk.</p> <p>Overnight trips (also sometimes referred to as 'staying trips') contribute £146.5 million in value to the local economy and is derived from 0.7 million overnight trips and a total of 2.8 million nights in accommodation. 68% of overnight stays were in paid accommodation.</p> <p>This equates to an average spend per overnight trip of £218 per trip (per person) and an average spend per night (per person) of £53 in 2024.</p> <p>Staying visitor expenditure can be broken down as travel (17%), attractions (9%), food & drink (28%), shopping (13%), and accommodation (33%).</p> <p>Importantly, only 33% of a staying visitors spend is on accommodation (£49m); the remaining 67% is considered discretionary spend which is injected directly into the local economy on food and drink (£40m), shopping (£19m), attractions (£14m), and travel (£25m).</p>	<p>The Applicant is working closely with Sizewell C and SPR to explore ways that the impacts of construction workers travelling to site and staying in the local area could be minimised. The Applicant has had several meetings with Sizewell C, discussing the shared use of the Park and Ride Facilities being built by Sizewell C, the buses that they are providing for workers from Ipswich Train Station and any future initiatives they are planning. The types of construction workers used for the Proposed Project are more likely to stay in hotels within cities and large towns where they have access to other facilities based on experience from other National Grid projects.</p> <p>It is likely that the securing of the above points would be in the form of commitments in the REAC, the details of which will be discussed with the local planning authorities.</p>

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			<p>In addition, the report identifies indirect and induced value of £177m. This is the "hidden" economy of local suppliers (laundry, food wholesalers, maintenance).</p> <p>Tourists tend to spend their money locally, eating out, taking taxis, and visiting diverse sites, spreading money across dozens of local supply chains.</p> <p>Note: the Cambridge Model used to prepare this data assumes that only 40% of travel expenditure accrues to the destination; 60% occurs at trip origin. So, while the 17% travel category is part of staying expenditure, the locally retained portion is smaller.</p> <p>Non-Home-Based (NHB) Construction Workers</p> <p>There is less published data regarding the behaviours, spending patterns, and economic impact of NHB workers on the visitor economy. However, it is possible to infer the potential impact from available sources and draw meaningful conclusions.</p> <p>The SZC Economic Impact Assessment² recognises that NHB workers will have a positive impact on the local economy through expenditure on food and accommodation but cautions that the benefits need to be reconciled with the potentially harmful impacts resulting from the use of tourist accommodation, the discouragement of visitors from the local area, or the displacement of workers to alternative employment.</p> <p>NHB workers will seek temporary accommodation from a diverse range of providers including private sector rented accommodation, serviced, and selfcatering accommodation. A technical note³ for the SZC Gravity Model and Accommodation Strategy identifies the primary drivers affecting the choice of accommodation for NHB workers: the affordability and availability of accommodation, and the cost of the journey to the site of employment.</p> <p>To gain an insight into the affordability of accommodation for NHB workers, the Construction Industry Joint Council - Working Rule Agreement for the Construction Industry (Revised 1st August 2025) states that the 2025 subsistence allowance agreed with HMRC is £51.97 per night and that to claim fare and travel allowances, workers need to satisfy the rule that they are 'living as near to the job as there is accommodation available'.</p> <p>The availability of accommodation is difficult to determine when considered in combination with the</p>	

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			<p>timing of other NSIP developments in East Suffolk. The Sea Link Environmental Statement [REP1A-005] suggests a peak workforce of 327 FTE to be on site for one day during 2028. However, this is expected to average out at 86 FTE over the entire construction period. 70% of these are expected to be NHB workers.</p> <p>The convergence of the Sizewell C (SZC) peak construction phase (2029/2030) and the Sea Link project timeline present a significant risk to the equilibrium of the East Suffolk visitor economy. At the SZC peak, the demand for off-site accommodation is projected to exceed 2,900 non-home-based (NHB) workers. When the additional requirement for NHB workers for the Sea Link project, despite being lower in number, is superimposed onto this peak, the cumulative demand threatens to exceed the total functional capacity of the local rental and serviced accommodation sectors.</p> <p>Emerging (though currently unpublished) evidence suggests that existing stock is already approaching a point of structural saturation. In such a constrained market, the introduction of even a marginal increase in industrial demand acts as a catalyst for visitor dispersal.</p> <p>As price-sensitive long-term contracts offer higher yields and lower turnover costs for providers, traditional leisure visitors are effectively "crowded out" through both lack of availability and significant price inflation. This displacement does not merely shift visitors to neighbouring districts; it risks the permanent loss of a loyal demographic who, unable to secure affordable or suitable accommodation within impact areas, may cease to view East Suffolk as a viable destination. This represents a profound threat to the integrity of the regional tourism offer—a sector characterised by its reliance on a high-quality, accessible accommodation brand—thereby undermining the long-term socio-economic sustainability of the East Suffolk coast.</p> <p>There is little published information regarding NHB worker spend in the local economy. However, using spend profiles for the visitor economy and considering the likely needs and motivations of a typical NHB worker, it is possible to make logical assumptions about their economic contribution locally.</p> <p>Drawing on the known Construction Industry Joint Council subsistence allowance of £51.97 per night,</p>	

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			<p>and assuming that an NHB worker will also need to spend 33% of their budget on accommodation, this leaves a similar 67% available as discretionary spend.</p> <p>However, the difference in local spend between a staying visitor and an NHB worker is that the NHB worker is likely to spend their money differently. Leakage out of the local economy will be high as NHB workers send a significant proportion of their 'discretionary' spend home to their families. They are likely to spend less on high margin goods and services, opting for groceries from national chains, and limiting their leisure activities, particularly if they are in East Suffolk for a five-day week.</p> <p>ESC also wishes to note that it is expected that the 'Retail Spend Insights 2025' Report from Beauclair will be published in March 2026. ESC considers that this is likely to provide useful insights into NSIP-induced retail spending habits locally.</p> <p>Conclusion</p> <p>Evidence from the 2024 Economic Impact of Tourism report for East Suffolk (Appendix A) demonstrates that the local economy is uniquely dependent on a diverse 'staying visitor' spend profile that temporary construction workers do not replicate. While a worker may occupy a bed, they displace a high-value visitor who contributes across five distinct local sectors: accommodation, shopping, food and drink, attractions, and travel.</p> <p>The spending profiles of tourists and NHB workers are not the same. Tourists, by definition, are visiting East Suffolk for pleasure and to spend money in support of that aim. NHB workers are in East Suffolk for employment purposes, to earn money and to provide for themselves and their families at home.</p> <p>Staying visitors generate £146m for the East Suffolk visitor economy, representing 26% of the £553 million spent directly by tourists during their trip to East Suffolk in 2024.</p> <p>Staying visitors spend, on average, £53 per night, per person, the majority of this spend is 'injected' directly into the local economy, on accommodation, shopping, food and drink, attractions, and travel. Often in small, independent businesses offering high-margin discretionary products and services such as tours, gifts, and high-end dining.</p> <p>NHB workers, on the other hand, will seek to retain their earnings, minimising expenditure on high margin or discretionary goods and services, and</p>	

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			<p>utilising their £51.97 per night subsistence allowance on essentials such as accommodation, fuel, and national-chain groceries.</p> <p>In conclusion, for every hotel room or bed lost to a NHB worker, the visitor economy loses a visitor who would have spent 67% (c. £146 per person) of their holiday budget on specialist goods and services, supporting the visitor economy locally.</p>	
			<p><u>Suffolk County Council</u></p> <p>Patterns of spending are different because the demographic characteristics, and the fact this is a transient working population rather than a seasonal tourist population means that local business principally geared to tourist market are unlikely to benefit from the spending of construction workers.</p> <p>So, whilst accommodation providers will receive income downstream spending by occupants of this accommodation, it will not follow established local patterns. For instance, tourists are more likely to spend on recreational goods and activities with repeated spend expected from future visits as opposed to the likely temporary nature of spend coming from construction workers temporarily housed in local accommodation. In general, tourists visiting destinations close to the Order Limits such as Aldeburgh tend to have above average spending power whilst that of construction workers tends to be lower which also influences the spending habits of both groups.</p>	<p>A response to the Examining Authority's question regarding construction worker spending can be found in Table 11.1 (against <i>Reference 1SERT2</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
			<p><u>Thanet District Council</u></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>	<p>A response to the Examining Authority's question regarding construction worker spending can be found in Table 11.1 (against <i>Reference 1SERT2</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
			<p><u>Aldeburgh Town Council</u></p> <p>ATC has already observed subtle changes in the take-up of hospitality offerings in the town as result of SZC workers take-up of rentals that would otherwise go to holiday visitors. It is of course ridiculous to suggest that the spend of someone who has moved to Aldeburgh in the long to medium term for work rather than pleasure will have the</p>	<p>A response to the Examining Authority's question regarding construction worker spending can be found in Table 11.1 (against <i>Reference 1SERT2</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>

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1SERT4.	Applicant	<p>Local tourism sector</p> <p>In response to the SEAS RR [RR-5210] the applicant [REP2-014] states that the local tourism sector remained confident and continued to grow during the construction period for Sizewell B and Hinkley. In this statement, confirm which local tourism sector is being referred to and provide evidence of this confidence and growth.</p>	<p>same level of spend or spend patterns as those on holiday. That they will have different budgets, and less available time for recreation would of course affect the High Street, hotels and hospitality offerings if they displace the existing market.</p> <p>Aldeburgh Town Council</p> <p>ATC considers evidence produced from prior to 1995 (commissioning of Sizewell B) would be a very poor indicator of how the tourism sector would react now. For a very basic example according to the Office for National Statistics, in 1987 at the start of SZB's construction the UK population was around 55,222,000, by 2024 this had risen to 67,353,600, a rise of almost 20%.</p> <p>The response regarding the effect on tourism is not based any rigorous examination of the facts. It uses as an example that local tourism was not negatively affected by the development of Sizewell B. This assertion does not take into account the difference in the tourism offering during those works which happened decades ago, between 1987 and 1995, and the ways in which tourism in this area has changed in the intervening years.</p> <p>The nearest tourism centre to the Sea Link development is Aldeburgh, and the evidence given by a local business which operated in Aldeburgh High Street, the commercial hub of the town throughout the Sizewell B build and does to this day, gives a totally different view.</p> <p>Businesses in Aldeburgh High Street who have traded throughout the development of Sizewell B until the present day, have experienced in real time the changes to the town and can testify to its transition from the town it was during that build and the town it has become today.</p> <p>In 1987 Aldeburgh High Street provided a service to residents and second homeowners. It is important to recognise the difference between second homeowners who use the town and its facilities in much the same way as permanent residents, unlike the holiday lets, where visitors are transient and have no long-term interest in the town.</p> <p>The High Street then had 3 greengrocers, 2 butchers, a dedicated fishmonger, a small supermarket, a baker, newsagent, all practical shops used by the residents and second homeowners alike. It had no businesses devoted to</p>	<p>A response to the Examining Authority's question regarding the local tourism sector can be found in Table 11.1 (against <i>Reference 1SERT4</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The response from Aldeburgh Town Council has been noted. Application Document 9.40 Visitor and Tourism Assessment Technical Note – Suffolk [REP3-065] submitted at Deadline 3 has been produced to support the assessment of visitor and tourism impacts associated with the Proposed Project and respond to concerns regarding potential adverse effects on visitor numbers, spending, and perception. As well as reviewing observed impacts from Sizewell B, the Technical Note also reviewed monitoring reports for Hinkley Point C.</p> <p>The Applicant considers Sizewell B and Hinkley Point C to be appropriate comparators for the Proposed Project. Both projects are energy infrastructure developments located in sensitive coastal environments, including areas with high landscape and environmental value such as Areas of Outstanding Natural Beauty (AONBs), and are therefore relevant when considering potential effects on tourism and visitor assets.</p> <p>Additionally, Sizewell B and Hinkley Point C are substantially larger in scale than the Proposed Project and consequently represent a robust worst-case scenario, with a greater potential for construction and operational effects. In contrast, the Proposed Project is a much smaller scheme with a significantly smaller construction workforce and shorter duration and therefore has the potential for more limited effects in comparison.</p> <p>The Applicant is setting up meetings with the local planning authorities to discuss the potential for monitoring impacts on visitors and tourism following the grant of development consent (if granted). The Applicant is also reviewing potential opportunities to liaise with tourism related businesses to seek their views on how tourism impacts can be minimised.</p>

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			<p>the provision of holiday homes, and no national outlet shops.</p> <p>Today, there is one butcher, no greengrocers, and bakers which relies heavily on its cafe which is used by tourists and day trippers. The newsagent has gone and the outer residential areas are now served by two supermarkets in a secondary area away from the High Street. 30. The day-to-day practical shop premises have been taken over by new shops which rely almost entirely on holiday lets and tourism. Aldeburgh now has a range of clothes shops most of which are national chains and are present in all busy holiday locations. Others are independent businesses which rely on the tourist trade.</p> <p>There are delicatessens, restaurants and upmarket gift shops which did not exist during the build of SZB. There has also been an increase in property investment which has led to several holiday let businesses being established in the High Street.</p> <p>The town, over the decades since SZB, has changed beyond recognition into a dedicated holiday resort, with all the associated facilities. The current multiple Energy Projects are affecting this tourism model in a way that will cause immense damage.</p> <p>The conflation the effect that SZB had on tourism in the area with the effect SZC will have has not been robustly researched, and the superficial conclusions do not give much confidence in the rest of responses by the Applicant.</p>	
1SERT7.	Applicant County and District Councils	<p>Employment and skills plan</p> <p>Applicant - It is acknowledged that the ES for Suffolk [REP1A-005] and Kent [REP1A-007] 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</p>	<p>East Suffolk Council</p> <p>ESC has considered question 1SERT7 in the context of the updated ES for Suffolk [REP1A-005], and the Applicant's response to East Suffolk Council's Local Impact Report [REP2-027].</p> <p>Referencing [REP1A-005], Table 10.1 at Paragraph 5.13.12, ESC notes that the Applicant <i>'has not committed to preparing and implementing a specific Employment, Skills and Education Strategy at a project level, as this is not considered to be an efficient or effective approach bearing in mind the low number of construction workers anticipated and that National Grid has not identified any likely significant effects in relation to this matter'</i>.</p> <p>In addition, within the Applicant's response to ESC's LIR submission [REP2-027], Paragraphs 7.8.9.4 to 7.8.9.7, the Applicant has described their intention to work collaboratively with the Council and with its</p>	<p>A response to the Examining Authority's question regarding Employment and Skills Plans can be found in Table 11.1 (against <i>Reference 1SERT7</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>As set out in Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism [REP1A-005] and Application Document 6.2.3.10 (B) Part 3 Kent Chapter 10 Socio-economics, Recreation and Tourism [REP1A-007] the number of jobs supported by the Proposed Project is relatively low and short-term, when considered in isolation. The average construction workforce required for the Suffolk and Kent Onshore Schemes is 86 and 67 FTE per annum respectively. As a result, when considering the scale of employment in the context of the Applicant's wider projects in the region, there could be alternative approaches explored to leveraging benefits to a specific Skills and Employment Plan at a project level.</p>

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		<p>that a Skills and Employment Plan is not necessary, especially given the scale of the proposal.</p> <p>Councils – 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>main works contractors to develop and implement a Social Value Strategy; as well as <i>‘exploring potential coordination with other projects in Suffolk, such as Sizewell C’s ‘College on the Coast’, to understand if this may be an avenue to deliver wider skills benefits in a coordinated manner’</i>.</p> <p>In response, ESC is both disappointed and in disagreement with the Applicant’s assessment that a ‘project level’ Employment, Skills and Education Strategy is not appropriate; conversely, ESC cautiously welcomes the Applicant’s commitment to a Social Value Policy and intended coordination with Sizewell C to support the ‘College on the Coast’ project.</p> <p>However, in the absence of written guarantees or a tangible Employment, Skills and Education Strategy from the Applicant, ESC remains concerned that the ambitions outlined may not progress and the socioeconomic opportunities for local people will neither be maximised nor realised.</p> <p>Policy Justification for a Skills and Employment Plan</p> <p>A Skills and Employment Plan is necessary from East Suffolk Council’s perspective because, while the Sea Link project may be presented as relatively modest in direct workforce terms, national policy explicitly anticipates that the Secretary of State may secure an employment and skills plan requirement through the Development Consent Order to promote local employment, skills development, apprenticeships and engagement with local education and training providers. This expectation is set out within NPS-EN1 and is reflected within the project’s own socio-economic assessment, which acknowledges the policy basis for such a requirement even where the Applicant considers project-specific commitments to be unnecessary.</p> <p>Securing Genuine Local Benefit and Reducing Labour Market Leakage</p> <p>A Skills and Employment Plan is required to ensure that the headline economic benefits identified in the assessment translate into tangible local outcomes within a constrained labour market. The project’s socio-economic assessment assumes a high degree of labour leakage, alongside displacement and multiplier effects. Without an agreed and enforceable plan, there is a clear risk that construction employment opportunities would be disproportionately taken up by non-local workers, limiting benefits to East Suffolk residents and</p>	<p>However, the Applicant recognises the importance of realising local skills and employment opportunities and is looking to discuss the terms and develop Skills and Employment Plans in liaison with the local planning authorities. The Applicant intends to submit outline Skills and Employment Plans at Deadline 6. The Applicant will arrange meetings to progress and discuss suitable opportunities that will form the outline plans with the local authorities.</p>

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			<p>businesses. A Skills and Employment Plan provides the mechanism to actively manage this risk through targeted local recruitment, skills brokerage, engagement with local providers, and clear entry routes into employment.</p> <p>Delivering Local Plan Objectives Through a Clear Implementation Mechanism</p> <p>The requirement for a Skills and Employment Plan is further supported by local planning policy. Policy SCLP3.4 of the Suffolk Coastal Local Plan⁴ expects major energy infrastructure projects to maximise economic and community benefits, including opportunities for local employment, education, and skills development. A Skills and Employment Plan is the practical delivery vehicle for these objectives, translating policy intent into defined actions, targets, monitoring arrangements and governance structures that can be secured through the Development Consent Order and monitored throughout the construction phase.</p> <p>Managing Cumulative Workforce Impacts in a Constrained Labour Market</p> <p>The plan is also necessary to manage cumulative impacts arising from multiple nationally significant infrastructure projects being delivered within overlapping timeframes. The local and regional labour market is already under pressure, and uncoordinated demand risks exacerbating skills shortages, increasing competition for labour, and displacing workers from existing employers. A Skills and Employment Plan provides a single, coherent interface for aligning workforce demand, training provision, and local engagement across the project lifecycle, helping to smooth peaks and troughs in demand and support a more resilient regional labour market.</p> <p>Using Established Governance: The Role of the RSCF, ASEC, Employment Outreach Fund and Bursary Fund</p> <p>ESC considers that a Skills and Employment Plan can be delivered proportionately and efficiently through existing regional governance arrangements, notably the Regional Skills Coordination Function (RSCF) and the Major Infrastructure Forum, supported by targeted investment through existing skills and employment funds. By way of example, Sea Link could make a proportionate financial contribution towards the Asset Skills Enhancement Capability (ASEC) to support construction skills capacity at local colleges, including investment in</p>	

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			<p>specialist training equipment, short-course provision aligned to site requirements, or additional teaching capacity during peak construction periods. Complementary contributions to the Employment Outreach Fund could support engagement with underrepresented groups, local residents facing barriers to employment, and preemployment support aligned to construction opportunities, while the Bursary Fund could help individuals access training, qualifications or equipment required to enter or progress within the construction workforce. Delivered through the RSCF, these contributions would be coordinated alongside other major projects to avoid duplication, target genuine skills gaps, and leave a lasting skills and employment legacy for the Suffolk labour market and East Suffolk residents beyond the Sea Link construction phase. The Major Infrastructure Forum would provide the mechanism for aligning this approach with wider developer activity, ensuring cumulative workforce needs are addressed collaboratively rather than on a project-by-project basis.</p>	
			<p><u>Suffolk County Council</u> Suffolk County Council considers that an employment and skills plan is both necessary and proportionate for the Sea Link project. While the Applicant's Environmental Statement concludes that there are no likely significant adverse effects on construction employment, this does not remove the obligation under NPS EN-1 Paragraph 5.13.12, which clearly states that the Secretary of State may require an employment and skills plan to promote local employment and skills development opportunities, including apprenticeships and engagement with local schools and colleges. This expectation applies irrespective of whether adverse effects are identified and reflects the national policy objective to secure positive socio-economic outcomes from major energy infrastructure projects. The employment and skills plan is the mechanism to translate national and local policy objectives into tangible outcomes. Suffolk's Local Plan and SCC's Energy and Climate Adaptive Infrastructure Policy require major projects to maximise economic and community benefits, including skills development and local employment. Without a formal plan, these objectives remain aspirational rather than actionable.</p> <p>The Applicant's own socio-economic assessment assumes a 70% leakage rate and significant</p>	<p>A response to the Examining Authority's question regarding Employment and Skills Plans can be found in Table 11.1 (against <i>Reference 1SERT7</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>For a further response, see the response to East Suffolk Council above. The Applicant recognises the importance of realising local skills and employment opportunities and is looking to discuss the terms and develop Skills and Employment Plans in liaison with the local planning authorities. The Applicant intends to submit outline Skills and Employment Plans at Deadline 6. The Applicant will arrange meetings to progress and discuss suitable opportunities that will form the outline plans with the local authorities.</p>

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			<p>displacement, meaning that without intervention, the majority of employment benefits will accrue outside Suffolk. An employment and skills plan provide the practical mechanism to mitigate this risk and ensure that headline economic benefits translate into tangible local outcomes. It would enable targeted local recruitment, skills brokerage, and engagement with Suffolk's education providers.</p> <p>The need for an employment and skills plan is further reinforced by the cumulative context. Sea Link will be delivered alongside numerous other NSIPs in the local area, including Sizewell C, creating unprecedented pressure on the regional labour market, the effects of which are already being reported by local businesses. Without coordinated planning, these overlapping demands risk exacerbating skills shortages, increasing competition for labour, and displacing workers from existing employers. An employment and skills plan, coordinated via Suffolk County Council's Regional Skills Coordination Function (RSCF), provides the governance framework to align workforce demand, training provision, and local engagement across the project lifecycle, helping to mitigate these risks and support a resilient labour market.</p> <p>The Council also considers that an employment and skills plan is essential to deliver a long-term skills legacy. Contributions to initiatives such as the Asset Skills Enhancement Capability Fund, Employment Outreach Fund and Bursary Fund would support local colleges, underrepresented groups, and pre-employment pathways, ensuring that Suffolk residents can access opportunities created by the project. These measures would be proportionate and efficient, using established regional governance structures to avoid duplication and maximise impact.</p> <p>In summary, the Councils believe that an employment and skills plan would provide clear practical benefits over and above the Applicant's current commitments. It would secure enforceable targets for local employment and apprenticeships, embed social value and local procurement obligations within Tier 1 and Tier 2 contracts, and establish a transparent governance framework for monitoring and reporting. These measures are essential to comply with national policy, manage cumulative impacts, and ensure that Suffolk's communities gain a lasting legacy from hosting nationally significant infrastructure.</p>	

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			<p><u>Thanet District Council</u> 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>	<p>A response to the Examining Authority's question regarding Employment and Skills Plans can be found in Table 11.1 (against <i>Reference 1SERT7</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>For a further response, see the response to East Suffolk Council above. The Applicant recognises the importance of realising local skills and employment opportunities and is looking to discuss the terms and develop Skills and Employment Plans in liaison with the local planning authorities. The Applicant intends to submit outline Skills and Employment Plans at Deadline 6. The Applicant will arrange meetings to progress and discuss suitable opportunities that will form the outline plans with the local authorities.</p>
			<p><u>Dover District Council</u> The Council would support any requirement from the ExA for the Applicant to submit an employment and skills plan, however the Council does not have expertise to advise if this would be of practical benefit over and above the commitments already made by the Applicant.</p>	<p>A response to the Examining Authority's question regarding Employment and Skills Plans can be found in Table 11.1 (against <i>Reference 1SERT7</i>) of Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>For a further response, see the response to East Suffolk Council above. The Applicant recognises the importance of realising local skills and employment opportunities and is looking to discuss the terms and develop Skills and Employment Plans in liaison with the local planning authorities. The Applicant intends to submit outline Skills and Employment Plans at Deadline 6. The Applicant will arrange meetings to progress and discuss suitable opportunities that will form the outline plans with the local authorities.</p>

12. Health and Wellbeing

- 12.1.1 No response from Great Oaks Small School was found, but please refer to the response the Applicant provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

13. Cumulative Effects (Intra-Project)

13.1 Cumulative Effects (Intra-Project)

Table 13.1 Cumulative effects (intra-project)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CEIntra1.	Applicant	<p>Significant cumulative intra-project impacts to public rights of way and transport</p> <p>The submitted Suffolk Onshore Scheme Intra-Project Cumulative Effects [APP-059] states that there is potential for a significant intra-project cumulative effect to occur on PRoW users (in the construction and decommissioning phase). Similarly, there is stated to be a significant cumulative effect for some transport routes for all phases of the proposed development, such as to the B1119 and the Suffolk Coastal Cycle Way. However, it is also stated that no mitigation has been confirmed at this stage. The ExA requests the applicant to submit mitigation proposals to address these significant effects, or to explain why further mitigation cannot be achieved.</p>	<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS considers that the Applicant's intra-project cumulative assessment (APP-059) focuses largely on identifying where different effects co-occur, rather than evaluating the combined experience of multiple effects on the same receptors over time (e.g. noise, HGV movements, severance, visual intrusion, dust, night-time lighting).</p> <p>The assessment frequently records individual effects as significant, but then does not clearly explain how multiple significant effects interacting together affect the overall level of impact on affected communities.</p> <p>In particular, the duration and persistence of combined effects arising from concurrent traffic, noise, visual intrusion, land take and construction activity are not evaluated as part of an integrated cumulative experience.</p> <p>As a result, while the presence of overlapping effects is acknowledged, the assessment does not provide a clear or transparent basis for understanding the overall significance of intra-project cumulative impacts on those receptors most exposed to multiple sources of disturbance.</p>	<p>The response provided by SEAS is not a response to the question asked by the ExA. The question asked is not about the adequacy of the assessment; it recognises that the Applicant has, in fact, reported the potential for significant cumulative effects on Public Rights of Way (PRoW) users and users of certain transport routes such as the B1119. The question is about what additional mitigation measures can be identified at this stage to address significant intra-project cumulative effects reported. The Applicant has responded to this question in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Irrespective, the Applicant can respond to the points raised. The intra-project cumulative effects assessment necessarily commences with consideration of the individual effects that may combine to have a cumulative effect. The combined effect is still made up of discrete effects that cannot typically be added together in any quantitative way. The Applicant's assessment does not dismiss combined effects if separate effects do not occur at exactly the same time; irrespective, the main contributing effect in most cases i.e. the effect that is typically significant alone, is the visual effect of construction and operation of the Proposed Project. This effect is assumed to be constant during the construction/operational periods. When other effects occur, they will therefore inevitably coincide with these visual effects.</p> <p>The Applicant responds to the point raised about the overall level of impact in the response to Suffolk County Council (SCC) set out below.</p>
1CEIntra2.	Suffolk County Council, Kent County Council, East Suffolk Council, Thanet District Council	<p>Significant intra-project cumulative impacts and mitigation (ISH1)</p> <p>Can the councils comment on the applicant's response to AP8 regarding identification of significant effects [REP1-124] and AP9 with respect to the applicant's approach to mitigation of identified cumulative intra-project significant effects [REP1A-037]?</p>	<p>Suffolk County Council</p> <p>The Council recognises that the professional judgement involved in drawing such conclusions on combined qualitative effects can be difficult to substantiate. Whilst acknowledgement of uncertainty on the level of effect is preferred over unjustified certainty, it is difficult to see why no indication of magnitude of effect can be given even if a definitive one is not possible.</p>	<p>Although the Applicant has appointed contractors, it is considered that there would be limited value in collaborating with contractors at this stage to help identify mitigation for significant intra-project effects. This is because the contractors have not yet developed the detailed design, detailed programme or detailed construction logistics information, which is the detail that will be required to develop further measures to address what are currently only potentially significant effects.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>SCC considers that a cautious approach should be taken in relation to the classification of these effects to avoid any being interpreted as less severe than they are. As such, effects should be treated as 'major,' rather than 'moderate,' unless there is overriding reason to believe that a major effect can be ruled out. This should also be reflected in the Applicant's approach to mitigation.</p> <p>As stated in the Council's previous representations, it is not acceptable for significant effects to go unmitigated without further measures proposed. Relevant policy and legislation are clear that the mitigation hierarchy must be followed for significant effects. The mitigation hierarchy is defined in EN-1 as "A term to incorporate the avoid, reduce, mitigate, compensate process that applicants need to go through to protect the environment and biodiversity". Paragraph 4.3.4 of EN-1 states that applicants must "show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy." Paragraphs 4.2.10 and 4.2.11 further solidify the fact that applicants must apply the mitigation hierarchy and demonstrate how it has been followed.</p> <p>The Council does not consider that the mitigation hierarchy has been fully followed by the applicant in relation to these significant effects as there does not appear to be evidence of exploration of compensatory measures. The Applicant's response to AP-9 states that it is not possible to detail mitigation measures at this stage. Without this detail, SCC does not see how the decision maker can be confident that significant effects will be sufficiently mitigated which is exacerbated by the lack of any specific commitment within control documents to mitigate such effects post-consent.</p> <p>Given the facts of the scenario, the Council would expect the Applicant to collaborate with contractors to seek to provide details of potential mitigation measures at this stage. Failing this, EN-1 and the EIA regulations are clear that compensatory/offsetting measures must be explored and implemented where feasible. SCC has suggested several such measures in its previous representations such as [RR-5209] and [REP1-130] and has repeatedly communicated the need for enhancement measures, such as through PRow creation, in its pre-application engagement with the Applicant.</p>	<p>The Environmental Impact Assessment (EIA) Regulations do not require that all significant effects are mitigated to a point where they are not significant. The Applicant has identified all possible mitigation measures at this stage that could be confirmed to reduce the potential effects to being non-significant; however in response to the proposal from East Suffolk Council (ESC), an additional measure has been proposed to add to the framework of measures that will ensure the potential for effects, and any associated mitigation measures, are identified once more detailed construction information is available.</p> <p>During ISH2 the Applicant explained the further work that had been undertaken to review the potential significant intra project effects reported in the Application Documents 6.2.2.12 Part 2 Suffolk Chapter 12 Suffolk Onshore Scheme Intra-Project Cumulative Effects [APP-059] and Application Document 6.2.3.12 Part 3 Kent Chapter 12 Kent Onshore Scheme Intra-Project Cumulative Effects [APP-072].</p> <p>The Applicant held a workshop with the topic leads for the topics that were considered to contribute to the potential intra-project cumulative effects on residential receptors. These topics were noise, landscape and visual, traffic and transport, socio-economics and health and wellbeing. During the workshop further consideration was given to all residential (and other) properties within 300 m of the Order limits of the Proposed Project. This distance was agreed upon because it is the study area for noise and vibration effects and, as such, no noise effects would be anticipated beyond this distance. An editable layer was created in the project GIS and each of the teams who originally provided primary assessment results (landscape and visual, traffic and transport, and noise and vibration) reviewed residential properties to report if effects for their topic were likely to occur and, if so, their potential significance. This assessment was largely qualitative and based upon professional judgement, as not every residential property had been subject to quantitative assessment by the contributing topics.</p> <p>The visual, traffic and noise information was then reviewed by the socio-economics team who considered the potential for a combined cumulative amenity effect upon each property. These findings were then reviewed by the cumulative assessment lead.</p> <p>It is important to note that this is not an approach typically undertaken in EIA as EIA considers public/community interests rather than private interests. Although individual residential properties are sometimes assessed as representative receptors, such as the Noise Sensitive Receptors (NSRs) assessed in the Noise and Vibration chapter, the EIA process does not require assessment of every property.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>Notwithstanding SCC's objections, were the Applicant's approach deemed acceptable, SCC does not consider the commitments cited by the Applicant to be sufficient in securing post-consent mitigation for the identified significant effects. Each of these are considered in turn:</p> <ul style="list-style-type: none"> • GG27 does not mitigate effects but secures communication channels for affected members of the public. • GG03 and GG05 relate to monitoring and general worker awareness respectively without securing any measurable reduction of effects in themselves. • TT03 does not guarantee effects on PRow will be lower than assessed and does not reflect SCC's ask for PRow closures to be avoided. • NV03 only requires mitigation action where effects are materially new or different to those assessed and so does not require the significant cumulative effects to be reduced beyond the assessed magnitude of effect. • The CTMTP measures cited also do not require assessed effects to be reduced. Instead, the measures mainly relate to compliance and monitoring with the potential for "areas of improvement" <p>The rest of the Applicant's response reflects an unacceptable approach in SCC's view. The Applicant appears to propose a reactive approach whereby significant effects are mitigated following their observation rather than pre-emptively. Whilst this is understandable where effects exceed the levels assessed (e.g. non-significant effects reported in the ES becoming significant during delivery), it is not acceptable for effects assessed as significant in the ES. The previously made point of policy requirements to implement the mitigation hierarchy are relevant here in addition to the fact that the approach risks significant effects to occurring without mitigation for a temporary period. This is not acceptable when such effects are known to likely be significant in advance and so should be avoided through pre-emptive mitigation. If this is not feasible, or the feasibility is not certain at this stage,</p>	<p>This review did not identify any individual properties that were considered likely to experience a significant intra-project cumulative effect on their amenity. This was typically because one or more of the contributing effects would either not occur or would be negligible, and therefore highly unlikely to contribute to a cumulative effect.</p> <p>On this basis the Applicant considers that if significant effects were to occur in relation to residential receptors, then they would be likely to be moderate rather than major.</p> <p>The measures identified were not intended to be sufficient to secure post-consent mitigation for the identified significant effects, which is why the residual significance of effects reported was not reduced. The measures have been identified to provide further mechanisms for monitoring and addressing cumulative effects as detailed design and construction planning takes place. The Applicant is currently considering additional measures that may strengthen the post consent framework for reviewing mitigation for intra-project cumulative effects and has provided a suggested additional commitment in response to action point AP112 arising from Issue Specific Hearing 2.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>then offsetting measures must be sought as required by EN-1.</p> <p>Finally, whilst the commitment to ensure open lines of communication with affected members of the public is welcome, it cannot be relied upon to be the measure of whether a significant effect has arisen. It is not the responsibility of the public to report effects to the developer. Reports from members of the public should be treated as an impetus to review the monitoring and compliance procedures and investigate whether an instance of non-compliance has occurred which should be immediately rectified.</p>	
			<p><u>Kent County Council</u></p> <p>In our view, cumulative traffic impacts can be combined quantitatively through traffic modelling, and should therefore be subject to further investigation, guided by professional judgement, if mitigation is to be meaningful and effective. We are satisfied in principle with the highway-related mitigation proposed to date, but these are general measures that would be expected of a scheme of this nature. The cumulative effects assessment to date is not sufficient in our view to identify specific mitigation (i.e., by junction) that may be required.</p>	<p>These comments are acknowledged by the Applicant and a meeting was held with Kent County Council (KCC) Highways on 15 January 2026 to review the cumulative effects traffic and transport assessment and approach to traffic modelling. It was agreed that junction capacity modelling will be carried out for the Sevenscore Roundabout, Ebbsfleet Roundabout and Minster Roundabout, which will include scenarios with and without committed development traffic. This will allow any additional (junction specific) mitigation to be identified if necessary.</p>
			<p><u>East Suffolk Council</u></p> <p>ESC has reviewed the Applicant's response to Issue Specific Hearing 1 Action Point AP8 [REP1-124], including Appendix A of this document which provides a summary of the findings of a review undertaken by the Applicant of the approaches taken by applicants of some recently made DCOs to intra-project cumulative effects assessments. ESC agrees with the Applicant that combining quantitative and qualitative effects on a receptor to come to a conclusion on intraproject cumulative effects 'can never...be undertaken quantitatively and can only ever be determined using professional judgement'. ESC is surprised that the Applicant uses this argument, in part, to justify not differentiating between moderate and major intra-project cumulative effects. Environmental Impact Assessment relies on professional judgement for a range of disciplines. Although ESC acknowledges that the intra-project cumulative effect assessment is complicated by requiring a combination of judgements from specialists in different disciplines, ESC considers that more could have been done by the Applicant to come to a conclusion on whether</p>	<p>The comments made above in response to the comments made by Suffolk County Council are considered to address many of the points raised by ESC.</p> <p>The Applicant has given further consideration to potential commitments to review intra-project cumulative effects and mitigation once more detailed information is available. The proposed commitment is as follows:</p> <p><i>"Once detailed design is complete and detailed construction and programme information is available, the undertaker commits to undertaking a review of the intra-project cumulative effects assessment submitted with the application (as amended during the Examination) to consider:</i></p> <ul style="list-style-type: none"> <i>a) if the significant intra-project cumulative effects are still considered likely to occur; and</i> <i>b) if they are still considered likely to occur, what additional appropriate mitigation measures may be applied to reduce their significance"</i>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>the identified intra-project cumulative effects are moderate or major.</p> <p>As the Applicant acknowledges, there are examples of environmental assessments which do differentiate between moderate and major intra-project cumulative effects, which demonstrates that such form of professional judgement is entirely possible. Nevertheless, ESC acknowledges that equally there is precedent for DCO projects not differentiating between moderate and major intraproject cumulative effects, and that the EIA regulations do not require this differentiation. Therefore, ESC does not object to the Applicant's approach. ESC would, however, welcome the provision of any further quantification or clarity where possible to assist all parties in understanding the likely significant effects of the Proposed Development on the environment.</p> <p>ESC has reviewed the Applicant's response to Issue Specific Hearing 1 Action Point AP9 [REP1A-037]. ESC accepts the Applicant's assertion that <i>"there is often little more that can be done as any available opportunities to mitigate the individual significant effects have already been taken"</i>, and that <i>"mitigation would therefore need to focus on reducing one or more of the minor effects"</i>. The Applicant goes on to state that mitigating minor individual effects is likely to require a greater level of detail from the appointed Main Works Contractor than is currently available. ESC welcomes commitments in the Construction Environmental Management Plan Register of Environmental Actions and Commitments [CR1-043] and in the Outline Construction Traffic Management and Travel Plan [CR1-041] to provide local communities and businesses, road users, and PRow users with means to communicate with construction contractors, including via the Transport Coordinator, Environmental Manager and Environmental Clerk of Works. ESC acknowledges that these commitments could provide opportunities for any specific significant intra-project/combined effects that do materialise to be considered on an individual basis and for enhanced mitigation measures to implemented to address them. However, ESC requests that the Applicant commits to a more proactive and less reactive approach to addressing intra-project cumulative effects. For instance, once a greater level of detail can be obtained from the Main Works Contractor, the Applicant must commit</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>to reviewing what specific mitigation measures are practicable and could mitigate the identified intra-project cumulative effects for which “<i>no mitigation has been confirmed at this stage</i>”. This should be included as a commitment in the REAC, with detailed mitigation measures for addressing intra-project cumulative effects secured via the relevant management plans to be approved through a discharge of Requirement 6.</p>	
			<p><u>Thanet District Council</u> AP8: The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires at Regulation 5 (2) that ‘<i>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...</i>’. 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 Applicant notes that Regulation 5(c) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as quoted by Thanet District Council (TDC), does not, in fact, mention any need to report gradations of significance other than whether an effect is significant or not significant. Over the years EIA practice has resulted in environmental effects typically being split into the four gradations of significance, though noting that individual topic guidance does not necessarily require these specific terms to be used. However as set out in Appendix A of Application Document 9.72.1 Applicant's Response to Issue Specific Hearing 1 (ISH1) Action Points [REP1-124], the reporting of intra project cumulative effects is much less consistent, and where significant effects are reported as either moderate or major in Environmental Statements published for other DCO projects, the Applicant has not been able to find an explanation as to how these have been arrived at. The Applicant concurs with the comment from SCC that “<i>uncertainty on the level of effect is preferred over unjustified certainty</i>”.</p>
			<p>The guidance on Cumulative Effects Assessments states ‘<i>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.</i>’ 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: 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</p>	<p>Other responses to SCC and ESC points made above are considered to apply equally to the points raised by TDC.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>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>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS notes that the Applicant's approach to mitigating intra-project cumulative effects (REP1A-037, AP9) relies on the assumption that individual topic effects have already been reduced as far as reasonably practicable, with limited consideration of whether additional mitigation is needed to address the combined effect of multiple impacts occurring together.</p> <p>In practice, the assessment often concludes that no further mitigation is available for cumulative effects, without clearly explaining how the intensity, duration and interaction of those effects on the same receptors have been addressed.</p> <p>SEAS is concerned that reliance on Best Practicable Means, outline management plans and later contractor refinement effectively defers control of cumulative impacts to post-consent stages, rather than demonstrating at examination how cumulative effects would be mitigated in reality.</p> <p>Where multiple sources of disturbance arise concurrently (for example traffic, noise, visual intrusion and temporary land take affecting the same communities), the absence of clearly secured, integrated mitigation means the residual cumulative impacts remain uncertain.</p>	<p>It is considered that the above responses answer the point raised by SEAS.</p>

14. Cumulative Effects (inter-project)

14.1 Cumulative Effects (inter-project)

Table 14.1 Cumulative effects (inter-project)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CEInter1.	Applicant	<p>Coordinated consideration of network projects</p> <p>Having regard to NPS EN1, paragraph 3.3.79 and 3.3.80, can the applicant explain how all avoidable disruption, inefficiency, and visual impacts etc have been taken account in the strategic and detailed stages of the proposed development having regard to other planned and new energy projects in Suffolk? Include both spatial and temporal considerations in your answer. In answering, ensure that the response has regard to the relevant submissions from Suffolk and Essex Coast & Heaths National Landscape Partnership [REP1-270].</p>	<p>Applicant</p> <p>SEAS</p> <p>The question is not addressed to SEAS, but given SEAS's previously submitted relevant evidence, SEAS offers brief comments intended to assist the ExA.</p> <p>SEAS remains concerned that the inter-project cumulative assessment does not adequately reflect the scale, concentration and duration of major infrastructure projects affecting the same communities in East Suffolk. While individual projects are identified, the assessment largely considers effects project-by-project, rather than evaluating how multiple NSIPs (including Sea Link, Sizewell C, EA1N/EA2 and LionLink) would be experienced together by receptors over extended periods.</p> <p>The assessment does not clearly evaluate the duration burden arising from overlapping or sequential construction phases, nor how prolonged exposure to repeated traffic disruption, noise, visual intrusion and access constraints would affect the same communities over many years.</p> <p>In addition, the inter-project cumulative assessment relies on linear scaling of effects by percentage completion, an approach that does not reflect how impacts arise in practice, where disruptive effects often peak during particular construction phases rather than declining proportionately. As a result, the assessment does not adequately capture the combined lived experience of concurrent traffic, noise, dust, lighting, PRoW severance and landscape change affecting the same receptors, nor does it provide robust scenario testing of realistic overlapping construction programmes.</p> <p>Reliance on assumptions about programme separation and limited interaction between projects</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>Taking each of the individual elements in turn:</p> <ul style="list-style-type: none"> The Applicant has sought opportunities to coordinate with other projects wherever possible and, should the DCO be granted, will continue to coordinate through detailed design and construction of the Proposed Project. The Applicant has undertaken an assessment of Inter-Project cumulative effects with other projects in East Suffolk, including EA1N, EA2, LionLink and Sizewell C, as reported in Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter-Project Cumulative Effects [APP-060]. Although the initial assessment stage does assess the cumulative effects of individual projects with those of the Proposed Project separately, in Section 13.3 it moves on to consider total cumulative effects for each topic. For the most part the assessment assumes the effects of each of the contributing projects could be experienced concurrently. The exception is the total cumulative effects relating to traffic and transport, where it was considered reasonable and appropriate to assume that construction traffic peaks for all of the cumulative projects would be unlikely to fully overlap. The Proposed Project has committed to all the measures necessary to reduce any dust impacts as far as reasonably practicable, and in line with the IAQM risk criteria. Construction works relating to two projects happening in the same location at the same time and both generating dust emissions is a highly unlikely scenario. It is possible that trackout onto the highways from two projects could potentially occur; however, control of trackout is the most effective way to address this risk, and the Proposed Project has best practice

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>means that realistic scenarios involving overlapping construction activity are not robustly assessed. As a result, the inter-project cumulative assessment does not provide a clear or transparent basis for understanding the overall significance of cumulative effects on affected communities, and the scale of cumulative impact may be significantly understated. SEAS notes that the current stage of LionLink has been relied upon to limit cumulative assessment, notwithstanding that Sea Link design decisions have already taken potential interaction into account, making cumulative effects with LionLink reasonably foreseeable and appropriate to assess on a precautionary basis.</p>	<p>measures in place to control the risk of track out occurring.</p> <ul style="list-style-type: none"> The limited information available prior to the launch of the statutory Consultation on 13 January 2026 was addressed wherever possible through adopting reasonable assumptions. This allowed for the assessment of cumulative effects on landscape and visual receptors and assumptions regarding the potential construction traffic generated by LionLink. The additional information that has since been published is currently being considered to test whether the assumptions made are supported by the new information, or if there are material differences.

15. Physical Environment

15.1 Physical Environment

Table 15.1 Physical environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1PE2.	Kent Wildlife Trust Natural England Local authorities	Pegwell Bay – previous cable installation works 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).	Kent Wildlife Trust KWT does not agree that it has been demonstrated that there are no residual adverse effects from previous cable installation works within the intertidal area at Pegwell Bay. Since early 2023, KWT has repeatedly requested evidence from the Applicant to substantiate claims that intertidal mudflats affected by the Nemo Link works have restored to pre-construction condition. To date, no empirical evidence has been provided to demonstrate recovery of the physical sediment structure, benthic invertebrate communities, or the broader ecological functioning of the affected mudflats. In the absence of such evidence, assertions of full recovery remain unsubstantiated. Importantly, information relating to the recovery of intertidal invertebrate communities should be available, as both the planning conditions and the Nemo Link Marine Licence imposed explicit requirements for baseline and post-construction monitoring. Planning condition 35 specifically required post-construction invertebrate monitoring reports to assess benthic re-colonisation, community structure and species balance within the mudflats and saltmarsh in years 1 and 3, to ensure that intertidal habitats returned to support the same invertebrate assemblage as existed prior to construction. Marine Licence Condition 5.2.15 required the licence holder to undertake pre-construction baseline invertebrate population surveys within the intertidal zone, with survey specifications and results submitted to and approved by the MMO prior to the commencement of licensed activities, specifically to establish the baseline biotope present. Marine Licence Condition 5.2.23 further required post-construction invertebrate monitoring to assess benthic recolonisation, community structure and species balance, with reports to be submitted to the MMO at one- and three-year intervals following completion	<p>The Applicant would like to re-iterate that Nemo Link was not developed by National Grid Electricity Transmission, therefore any Marine License requirements and planning conditions associated with the Nemo Link consents apply to National Grid Ventures.</p> <p>As set out in Application Document 6.2.4.2 (C) Part 4 Marine Chapter 2 Benthic Ecology [REP1-053] an intertidal survey at the Kent landfall, was conducted on the 13 and 14 June 2023 results from which are presented in Application Document 6.3.4.2.C ES Appendix 4.2.C Intertidal Surveys 2023 [APP-198].</p> <p>A Phase I survey was conducted across the entire area of the Pegwell Bay landfall area to determine biotope composition and distribution. This included recording any features of conservation importance, including Annex I habitats, and notable species.</p> <p>The surveys were conducted in accordance with best practice guidance, including the JNCC Marine Monitoring Handbook Procedural Guidelines (Davies, et al., 2001), Wyn et al. (2000), JNCC (2010), and Nobel-James et al. (2018).</p> <p>Three transects were placed at intervals along the shore. Along each transect, three sediment core samples (0.01 m²) were collected at different shore heights (upper, mid, and low shore). The sediment core samples were collected for macrofaunal analysis and particle size analysis (PSA).</p> <p>Following the surveys, intertidal biotopes were characterised following the Marine Habitat Classification system for Ireland and Britain (Connor, et al., 2004), with reference to Parry (2015) and updated to the EUNIS classification system (EEA, 2021).</p> <p>These surveys were completed six years post installation of the Nemo cable. Except for the residual impacts from the Nemo project on the saltmarsh habitat (which the Applicant has fully taken into account in its project design to avoid the potential for any further impacts on the saltmarsh habitat) no evidence of any residual</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>of intertidal works. Despite these clear and enforceable requirements, no evidence has been presented to KWT demonstrating that post-construction monitoring confirms recovery of intertidal mudflat communities to their baseline condition. Furthermore, as previously noted, KWT has been unable to locate the relevant planning discharge documents on the planning portal, nor the Marine Licence (L/2013/00373/1) or associated case reference (MLA/2013/00072/1) on the MMO public register, further obscuring whether these monitoring obligations were ever formally discharged or complied with. Intertidal mudflats are highly complex and sensitive ecosystems, underpinned by diverse assemblages of macro- and micro-invertebrates that provide essential ecosystem functions. These communities form the foundation of trophic pathways supporting the internationally important bird populations of the Thanet Coast and Sandwich Bay SPA, Ramsar and SAC. Physical disturbance of mudflat sediments through excavation, cable burial, dredging or heavy machinery can fundamentally alter sediment structure, compaction, grain size and oxygenation, all of which directly influence invertebrate community composition, abundance and productivity. Peer-reviewed scientific literature demonstrates that recovery of benthic assemblages following significant physical disturbance can take many years and, in some cases, several decades, particularly where sediment characteristics have been altered rather than temporarily displaced. Of particular relevance at Pegwell Bay is the internationally recognised scientific importance of its microfaunal communities, including foraminifera, which play a critical role in sediment stability, nutrient cycling and trophic support. Extensive research by ██████████ in the 1980s documented highly specialised foraminiferal assemblages within Pegwell Bay's mudflats, including the discovery of a new genus and species endemic to Kent. These organisms are especially sensitive to changes in sediment chemistry, hydrology and physical disturbance, and their degradation can result in cascading effects across the wider ecosystem. Even where intertidal areas may appear superficially reinstated, the underlying biological, chemical and functional integrity of the mudflats may remain compromised for prolonged periods. In the absence of published or shared post-construction monitoring data demonstrating</p>	<p>impacts from the Nemo Project on the intertidal mudflat habitat was identified.</p> <p>It is also noted in Application Document 6.2.4.1 (D) Part 4 Marine Chapter 1 Physical Environment [REP3-020] paragraph 1.7.26 the extent of the intertidal sand and mudflats of Pegwell Bay have remained relatively stable since 2007, with little evidence of notable erosion or accretion having taken place.</p> <p>The impact assessments completed for benthic and intertidal ecology and physical environment, both conclude that there are no likely significant adverse effects on the intertidal mudflat habitat within Pegwell Bay. These conclusions are based on baseline conditions observed during the 2023 intertidal survey and the associated desk study, which showed no evidence of any residual impacts of the Nemo project on the intertidal mudflats.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			recovery in line with the Marine Licence requirements, KWT considers it inappropriate to conclude that no residual adverse effects persist within the intertidal habitats at Pegwell Bay. This uncertainty is highly relevant to the assessment of cumulative impacts and reinforces the need for a precautionary approach, robust baseline evidence and full transparency before any further intertidal disturbance is permitted.	
1PE4.	MMO	<p>Need for designated disposal area</p> <p>[REP1-051] table 1.18 explains that there is no designated disposal area and that dredged sediment would be disposed within the offshore scheme boundary within the area of pre-sweeping. Confirm whether a designated dredge disposal area is required for any element of the proposed cable route.</p>	<p>MMO</p> <p>The MMO notes that for non-trenchless techniques that the Applicant may wish to undertake some sort of bed levelling/sandwave clearance (potentially dredging) for these parts of the route. Therefore, the MMO considers that any area of the cable route using non-trenchless techniques are likely to require designated disposal sites. This is in line with the East Anglian 1 North Export Cable Corridor project which was designated under the code TH082.</p>	<p>The Applicant can confirm that pre-sweeping would be required if areas of large sand waves are identified within the Offshore Scheme which cannot be avoided. Pre-sweeping may be performed using a variety of tools including dredgers, MFE or controlled flow excavators (CFEs). The volume of material requiring disposal for the Proposed Project is up to 250,000 m³.</p> <p>A Designated Disposal Area is not considered to be required for the Proposed Project. The volume of material disturbed by sandwave clearance for the Proposed Project is not comparable to the volumes of material requiring disposal by offshore windfarm projects. For instance, Five Estuaries dredge and disposal activities for their project for sandwave clearing alone is 29,764,502 m³ with the East Anglian North Export Cable Corridor also requiring disposal of 1,000,000 m³ for sand wave levelling alone compared to the Proposed Projects 250,000 m³ for all activities both at landfall and offshore.</p> <p>For the Proposed Project, the sand would be deposited within the Order Limits within the area of pre-sweeping in such a way that the local currents would not backfill the pre-sweep area prior to cable installation and protection. The mechanism to infill the rock trench and allow the seabed to revert to natural bedforms is by natural backfill and sediment circulation / deposition. This method has been applied to a number of other subsea cable projects including Eastern Green Link 1 and 2.</p>

16. Benthic Ecology

16.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

17. Marine Mammals

17.1 Marine Mammals

Table 17.1 Marine mammals

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1MM4.	Natural England Kent Wildlife Trust	<p>Updated information</p> <p>Provide a response to the following updated documents:</p> <ul style="list-style-type: none"> ES Figures Marine Mammals [REP1-011] ES Figures Marine Pegwell Bay Seal Survey Report [REP1-013] Outline Marine Mammal Mitigation Plan [REP1-025] <p>ES Part 4 Marine Chapter 4 Marine Mammals [REP1-055]</p>	<p>Kent Wildlife Trust</p> <p>KWT has reviewed the updated marine mammal documents and does not consider that the new information materially addresses the concerns previously raised regarding baseline adequacy, assessment uncertainty, or the robustness of proposed mitigation. We note that the Marine Mammals chapter (REP1-055) remains largely unchanged from earlier iterations and continues to rely almost entirely on desk-based data, with no project-specific offshore or intertidal surveys undertaken for cetaceans.</p> <p>Whilst the Applicant asserts that sufficient baseline data exists in the literature, KWT does not agree that this is an adequate substitute for site-specific survey data in a dynamic and ecologically sensitive system such as Pegwell Bay and the southern North Sea.</p> <p>The report acknowledges both an increasing population size and expanding range for several marine mammal species, including bottlenose dolphin and grey seal, whilst simultaneously concluding that baseline conditions are unlikely to change substantially over the 40 – 60-year lifetime of the project. KWT considers these positions internally inconsistent and not precautionary, particularly in the context of climate-driven distributional shifts that are explicitly acknowledged within the chapter. KWT welcomes the inclusion of project-specific seal surveys undertaken between September and November 2024, with an additional survey in August 2025. These surveys confirm Pegwell Bay and the lower River Stour as an important haul-out area, with counts of up to 97 individuals and evidence of pupping in multiple years. Anecdotal but credible data from local seal-watching operators, including KWT's Area Warden, indicate substantially higher peak counts in some months, reinforcing the importance of the site at a wider temporal scale. However, KWT is concerned that the assessment</p>	<p>Responses to KWT comments. For ease of reading comments have been divided into main topic areas:</p> <ol style="list-style-type: none"> For an subsea cable project such as the Proposed Project using a desk- based approach for a marine mammal baseline, and not undertaking marine mammal surveys, is a standard industry practice. Such an approach is proportionate to the scale of potential impacts from the construction and operation of a cable project. Robust marine mammal density surveys require both ship-based and aerial surveys carried out over a 2-year period and are a standard requirement for an offshore wind farm project where the scale of effect, particularly from noise from impact piling of foundations, is much higher than for a cable project. There are also industry standard robust data sources available for both cetaceans and seals and the use of these is considered adequate by regulators. <p>Nevertheless, the requirement for surveys was considered, reflecting a precautionary approach to assess baseline data needs on a case-by-case basis. This involved early consideration of the ecological sensitivities of the area and the nature and intensity of the project activities which have potential effects for all marine mammals. Cable installation works are recognised to generate generally low intensity underwater sounds and most activities are non-impulsive in nature, which are generally recognised as being less impactful.</p> <p>The noisiest underwater activity for the project is during geophysical surveys, with the use of a sub-bottom profiler for investigations of the seabed to inform cable installation. For the Proposed Project the most important area for cetaceans is the Southern North Sea SAC, designated for harbour porpoise, and there are reliable industry standard data sets available, that have been used in the baseline, to describe not just the size of the harbour porpoise population size but also the seasonal changes in the distribution of these animals. All baseline data in the assessment has used the highest density estimates available at the time of</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>places disproportionate reliance on distance alone (typically quoted as >670m or >1,000m) to conclude that disturbance risk is “very low” or “negligible”. This approach does not adequately account for:</p> <ul style="list-style-type: none"> • The sensitivity of seals to repeated or prolonged disturbance; • The use of saltmarsh at high tide, when seals may be more exposed to visual and airborne disturbance; • The energetic and reproductive consequences of repeated haul-out disruption, particularly during pupping and moulting periods. <p>The Outline Marine Mammal Mitigation Plan (“OMMMP”) concludes that no mitigation is required for vibratory piling, HDD exit pit works, or intertidal trenching at Pegwell Bay, on the basis that predicted disturbance is negligible due to distance from haul-out sites. KWT strongly disagrees with this conclusion. Harbour porpoise are identified within the ES as being highly sensitive to underwater sound, yet several impact pathways have been scoped out, including underwater sound from UXO detonation and increased suspended sediments. The justification that underwater sound from trenching is “low intensity, transient and short term” is not convincingly supported, particularly given that nearshore trenching and HDD-related activities may occur repeatedly over several months. For seals, the OMMMP focuses narrowly on haul-out disturbance and does not meaningfully consider impacts on foraging/hunting behaviour, prey availability, or functional habitat use within Pegwell Bay and adjacent waters. Nor does it address the potential cumulative effects of visual disturbance, lighting (including night-time vessel activity), airborne noise, and human presence during construction. Whilst the Applicant repeatedly states that a “precautionary approach” has been adopted, KWT does not consider that this is borne out in practice. The absence of comprehensive baseline surveys, scoping out of several impact pathways, and the lack of proposed mitigation measures collectively undermine confidence in the conclusions of negligible or minor adverse effects.</p> <p>The assertion that only a very small number of animals would be affected at any one time, and that any disturbance would be of low magnitude and high recoverability, is not supported by sufficient empirical</p>	<p>writing and have recently been updated to reflect the WINTER SCANS survey data. They cover all species where density estimates are available. Plus, there is a significant amount of information regarding presence and distribution of harbour porpoise in the SNS SAC.</p> <p>Both NE and JNCC have commented on marine mammals and neither has suggested a lack of baseline data or the needed for cetacean specific surveys for the assessments.</p> <p>However, considering the proximity of seals to the LOD in Pegwell Bay, and the Applicant's consideration of potential disturbance to seals, project specific surveys to determine the exact haul-out location of seals were undertaken. This additional information was of key importance in assessing the extent of sound likely to occur at the haul-out location and the potential for disturbance.</p> <ol style="list-style-type: none"> 2. All cetaceans are fully marine species, living entirely in the sea, and so an intertidal (i.e. beach) based survey would never be a reasonable or necessary consideration. 3. There are no hauled-out seals in Pegwell Bay as there are no areas that are suitable. Four surveys, in different months, reflecting different life stages, were undertaken and no suitable hauled-out seals were observed in the bay. All seals were found some distance away in the River Stour, hauled out on the sand banks, or in the water very close to the river channel. 4. In consideration of changing baselines and taking a precautionary approach to assessment, All possible cetacean species are included in the determination of assessment of effect and in all cases the maximum density of animals has been considered as a worst-case scenario, in the impact assessment and is considered sufficient to encompass any changes in density of marine mammals, particularly considering the low level of effect from underwater sound and the adoption of JNCC mitigation measures. 5. The Applicant recognises the importance of this site for harbour seal, as evidenced by engagement with KWT during data collection and the surveys undertaken. As reported in Application Document 6.2.4.4 (F) Part 4 Marine Chapter 4 Marine Mammals [REP3-023], the maximum number of seals observed in this region in recent years is just over 200 individuals, and this is recognised as an important seal population for Kent. However, in context this population represents around 5% of the overall population estimated for the South East Seal Management Unit (3,600) and has only a small proportion of pups and does not have the same level of protection (SAC) as the most important populations are found in other areas,

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>evidence. This is particularly concerning given the recognised importance of Pegwell Bay for seals and the acknowledged presence of sensitive cetacean species within and adjacent to the Offshore Scheme area. KWT considers that the updated documentation does not adequately resolve the risks to marine mammals associated with the Sea Link project.</p> <p>We maintain that a more precautionary approach is required, including mitigation measures, clearer seasonal restrictions linked to seal pupping and moulting, and improved transparency regarding uncertainty and data gaps. Without these measures, KWT does not agree that the conclusions presented in the Marine Mammals chapter and OMMMP can be relied upon to demonstrate no significant adverse effects.</p>	<p>particularly the Wash. The Applicant has however, considered the seals at the landfall to be of very high local importance, and has undertaken a rigorous impact assessment for air-borne sound disturbance involving sound propagation modelling and comparison to industry accepted thresholds for auditory effects.</p> <p>6. The assessment of the impact of air-borne sound does not rely on distance per se ... but considers the fact that airborne sound attenuates over distance and so it was important to determine what the sound levels would be, at the haul-out location, several hundreds of metres from project activities. In consideration of the potential for disturbance to this important seal population the assessment of sound propagation has taken an absolute worst-case scenario for the assessment. The modelling has placed the noisiest activities at the very worst location (with reference to sound propagation) within the LOD to determine likely effects. The modelling indicates that sound levels at the closest part of the haul-out location have attenuated sufficiently to be at a level that is not likely to cause disturbance in this population.</p> <p>7. The air-borne sound modelling and assessment have shown that prolonged disturbance is highly unlikely. The very worst case scenario, which is the focus of the impact assessment regarding noise disturbance would only occur for a maximum of seven days during the construction of one cofferdam or part of it, and thus sound production in the closest location is extremely short-term. All other activities generate lower noise levels and are also limited in duration. The small harbour seal population in the River Stour are also highly habituated to the presence of vessels and associated sound. The sound modelling indicates that sound levels at the haul-out location are unlikely to result in disturbance. This is particularly the case since any airborne sound from Pegwell Bay construction works are not accompanied by any actual presence of plant or vessels in the River itself. Disturbance in seals is a complex mix of both sound and visual disturbance. Considering the low sound levels at the haul out location, the absolute worst case scenario considered as part of the assessment, the lack of any visual disturbance and high levels of habituation to sound, the Applicant confirms that there is not considered to be a likelihood of prolonged or significant disturbance. Thus, the assessment concludes that there will not be repeated disruption to haul-out behaviour, even during sensitive life-cycle stages or during peak numbers in the River.</p> <p>8. UXO clearance is recognised as a source of potential significant impacts to marine mammals. However, given that the presence and location of UXO that may need to be</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				<p>cleared is not known at this time and methods of clearance have not yet been determined, this activity will be subject to a completely separate marine licence application and a bespoke set of assessments, modelling and mitigation based on any actual UXO found to be present that will need clearing. Where possible the Applicant will adopt low order UXO clearance techniques in accordance with the UK Government Policy Paper "Marine Environment: unexploded ordnance clearance Joint Position Statement (Marine environment: unexploded ordnance clearance Joint Position Statement - GOV.UK).</p> <p>9. With regard to suspended sediment concentration (SSC) increases in relation to marine mammals, the Planning Inspectorate agreed with these being scoped out (Scoping Opinion Proposed Sea Link Case Reference: EN020026 dated 01 December 2022). To clarify, SSC is not an issue of concern for marine mammals for two main reasons: (i) marine mammals are not highly sensitive to increases in SSC, as evidenced by the common presence of marine mammals in naturally turbid environments, such as estuaries and tidal rivers, and (ii) the fact that cetaceans are not visual predators, using acoustic means of detecting prey instead). In addition, increases in SSC from cable construction, such as from trenching and ploughing during installation, are very short-term and limited in extent due to the very limited width of the cable trench.</p> <p>10. Underwater sound is produced from a moving vessel for all activities (with the exception of any additional vibrocoring should it be needed) and so any one location experiences an increase in anthropogenic sound for a very short-period only. Considering the maximum modelled impact distance for Temporary Threshold Shift (TTS) this would occur over a period of 1-2 days should that animal remain in the same location without moving.</p> <p>11. The Applicant confirms that it is adopting all necessary measures to minimise injury to marine mammals included in the JNCC guidance documents for all relevant project activities. This includes the transit of seals from haul-out locations in the River Stour into Pegwell Bay and beyond.</p>
1MM12.	JNCC	<p>HRA – Southern North Sea Special Area of Conservation (SNS SAC)</p> <p>Noting paragraphs 4.3.36 to 4.3.37 of the HRA Report [REP2-009], can JNCC expand upon its concerns regarding how conservation objective 3 of the SNS SAC was considered in the applicant's LSE conclusion?</p>	<p>Joint Nature Conservation Committee (JNCC)</p> <p>According to the marine mammal chapter of the Environmental Statement (page 21, paragraph 4.7.5, Document REP1-055), 70km of the offshore part of the proposed scheme shall pass through the Southern North Sea SAC. Conservation Objective (CO) 3 of this site states, "The condition of supporting habitats and processes, and the availability of prey is maintained".</p>	<p>Some more detail regarding the scale of impact has been added to paragraph 9.3.35 in Application Document 6.2.4.4 (G) Marine Chapter 4 Marine Mammals, submitted at Deadline 4.</p> <p>The total length of the cable corridor within the SNS SAC is 70 km. The total area of the SNS SAC is 36,951 km².</p> <p>The maximum zone of influence along the cable route, for any pathway, direct or indirect, is 20 m within the 500 m cable corridor.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>As stated in paragraph 4.9.34 of the ES chapter, cable construction activities which disturb the seabed, e.g. sand wave levelling, route clearance, cable lay and protection may result in disturbance to important habitats for porpoise and their prey, which could impede achievement of CO3. However, only a single sentence is provided to assess this potential impact (paragraph 4.9.35) with no evidence provided to support the assumptions made. This same information has been presented in the Report to Inform HRA (REP2-009) to conclude no LSE for potential impacts to prey species (page 68, paragraphs 4.3.33 – 37).</p> <p>Both assessments could have drawn on the assessment undertaken for fish and shellfish and the evidence used to support conclusions in that assessment. For the HRA, this information could have been presented in the context of this SAC and harbour porpoise behaviour by considering the area or percentage of the site's habitat that shall be affected by the proposed works (including the buffer around the cable that will be altered by construction activities) but this information is not provided. We would not usually consider works such as these as likely to have a significant effect on the SNS SAC when considered alone due to the relatively narrow footprint created by the activities proposed but no information or evidence has been provided to support this.</p> <p>Neither has the Report to Inform HRA (REP2-009) considered this conservation objective in the context of other activities occurring within this site. In-combination impacts are a concern given the scale and number of activities planned to occur within the SNS in the forthcoming years and how cumulative effects could potentially result in an adverse effect on site integrity. For example, eight of the fourteen projects identified in the in-combination assessment (Chapter 8, REP2-009) involve activities which will occur within the boundary of the SNS SAC. In addition to the lack of evidence provided, the format of the in-combination assessment does not allow consideration of potential impacts at a site level or a conservation objective level.</p> <p>As a result, JNCC cannot advise whether CO3 would be maintained during the proposed construction activities and recommend additional information is sought to support the Examination Authority's HRA process.</p>	<p>For indirect effects, the sediment within this 70 km region in the SNS is either coarse sediments or sand, which have been modelled to settle, once disturbed, up to a maximum of 20 m from the activity footprint. For suspended sediment deposition this distance is doubled to allow for changes in the direction of water movement due to changing tides. Considering the total width of disturbance of 40 m (i.e. 20 m either side of the cable corridor) an area of 2.8 km² could be affected by the project, which is < 0.01 % of the habitat of the SNS SAC.</p> <p>Due to the negligible area of effect to the seabed the pathway in relation to Conservation Objective (CO) 3, the impact pathway relating to effects to prey species within the SNS SAC was screened out both the project alone and in combination assessment and therefore not covered explicitly in Application Document 6.6 (E) Habitats Regulations Assessment Report [REP3-028].</p> <p>Given the footprint of the Sea Link project within the SNS SAC is negligible (<0.01%) it is also screened out as it has no potential to add to any in-combination effects.</p> <p>The Applicant maintains that there are no adverse effects on site integrity of the SNS SAC. However, for completeness and to confirm the conclusion that there are no adverse effects, the Applicant will provide an update to the Habitats Regulations Assessment Report at Deadline 5 to include this information.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1MM13.	JNCC	<p>HRA – Southern North Sea Special Area of Conservation (SNS SAC)</p> <p>The applicant in [REP2-016] tables 3.8 and 3.9 and [REP2-009] has stated that less than 2% of the total SNS SAC area could be affected by noise disturbance (applying a 5 kilometre (km) effective deterrent range, which exceeds JNCC's recent guidance of 3km). It states that 581 harbour porpoise could potentially be disturbed, representing a maximum of 3% of the SNS harbour porpoise population. Can JNCC confirm if this information alleviates its concerns regarding noise disturbance to harbour porpoise of the SNS SAC and the need for a seasonal restriction. If not, can JNCC provide further justification as to why it considers a seasonal restriction necessary?</p>	<p>JNCC</p> <p>JNCC do not require a seasonal closure for the Southern North Sea (SNS) SAC. JNCC's previous comments (RR-2635) related to the Applicant's assertion that the seasonal closure of the Outer Thames Estuary would be sufficient to also protect the SNS SAC (paragraph 7.3.20 of REP2-009). While this would restrict offshore cable burial activities between 01 November to 31 March inclusive, we rejected the assertion because the closure is designed for the protection of red-throated divers, and the extent of the overlap between the two sites has not been stated. It cannot be assumed that all proposed works will occur within this area of overlap. A comparison of the proposed cable route within the SNS SAC (REP1-011) and the Outer Thames Estuary (REP2-007) suggests the area of the Outer Thames Estuary does not provide total coverage of the area of the SNS SAC that would be affected. In addition, the proposed works pass through the part of the SNS SAC identified as having higher abundance in the winter season, defined as 01 October to 31 March, The proposed closure period for red throated diver does not cover the full winter season of the SNS, leaving a full month (October) which would be unaffected by this closure. Consequently, it cannot be assumed that the seasonal closure of the Outer Thames Estuary would be adequate for the SNS.</p> <p>The applicant has committed to applying the JNCC marine mammal mitigation guidelines in their Outline Marine Mammal Mitigation Plan (Section 1.9, REP1-025), which will reduce the risk of injury to marine mammals. We also note a condition is included in the deemed Marine licence stating offshore works cannot commence without an approved cable and installation plan document, which is to include a marine mammal mitigation plan. This plan is to be submitted to the MMO and approved in consultation with (amongst others) JNCC and Natural England. This will be sufficient to reduce any risks of injury from the proposed works.</p> <p>The same document (REP1-025) commits to adhering to published guidance to assess noise disturbance within the SNS SAC, however we note the wrong document is referenced. This should refer to the guidance on noise management in harbour porpoise SACs (JNCC 2020 and 2025) not the site advice on operations (JNCC, 2019). This guidance has already been applied (and is referred to in the</p>	<p>The Applicant notes that a seasonal restriction for the SNS SAC is not required in relation to marine mammals, based on the adoption of the required mitigation measures which minimise the potential for injury as a result of underwater sound, as specified in the Application Document 7.5.11 (B) Outline Marine Mammal Mitigation Plan [REP1-025].</p> <p>We note the error in Application Document 7.5.11 (B) Outline Marine Mammal Mitigation Plan [REP1-025] of the reference for JNCC guidance in relation to assessing impacts to SACs designated for harbour porpoise. As this document will inform the production of the final MMMP we have corrected this reference in Application Document 7.5.11 (C) Outline Marine Mammal Mitigation Plan submitted at Deadline 4.</p> <p>The citation has been changed from (JNCC, 2019) to (JNCC, 2020; JNCC, 2025c) to reflect SAC guidance and updated EDR ranges respectively.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>Examiners question) however it will need updating in the final mitigation plan to reflect the most up to date information on other activities occurring in the site at the same time. Developers are expected to liaise with others operating within the site in the same season (via the MMO coordination groups), and if it is predicted that the disturbance thresholds may be breached, coordinate activities to prevent this. Ensuring the thresholds are not breached will ensure no adverse effect on the SNS SAC.</p>	

18. Marine Ornithology

18.1 Marine Ornithology

Table 18.1 Marine ornithology

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1MO1.	Applicant	<p>Effects on bird species using the intertidal area in Pegwell Bay</p> <p>Explain how the marine ornithology assessment's consideration of noise and visual disturbance in section 5.9 of ES Part 4, Marine Chapter 5 [REP2-003] has taken into account the 24 hour and night time nature of disturbance to bird species using the intertidal area.</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO2.	Applicant	<p>Mitigation for effects on bird species using the intertidal area in Pegwell Bay</p> <p>Having provided the updated construction method technical note for Pegwell Bay [REP2-011], confirm whether any more detailed information is available regarding the best practicable means available to mitigate noise impacts from the works in Pegwell Bay.</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO3.	Applicant MMO	<p>Directional lighting on boats</p> <p>Provision O06 of the REAC [CR1-043] suggests that artificial lighting on vessels would be directional and only used when necessary (also noting health and safety requirements). The applicant is requested to comment on the degree to which vessel lighting is directional. MMO may also wish to comment.</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO4.	Applicant	<p>L_{Amax} noise level decay</p> <p>Explain why an L_{Amax} of 91dB@10m is considered to be the 'typical peak' ([REP1A-033] response to supplementary agenda question ISH1.21), when the previous assessment clearly states that noise levels from vibropiling range from 78-104dB@10m in footnote 6 of [AS-115]. Provide substitute noise level decay tables for the higher value (ie updated ES Marine Chapter 5 [REP2-003], tables 5.18 and 5.19).</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1MO5.	Applicant	<p>Joint Nature Conservation Committee comments on RTD</p> <p>JNCC [REP1-120] suggests that the majority of the proposed cable route passes through areas of medium RTD density. Explain what the implication of a medium density assessment would be for the assessed magnitude of effect (and therefore significance). Also provide evidence to support the assertion in your comments on WR [REP2-034] that these are areas of lower occurrence.</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO6.	Applicant	<p>REAC provision O05 disturbance to red-throated diver</p> <p>Provision O05 of the REAC [CR1-043] states that vessels would avoid rafting birds and areas with high densities of birds where practicable. Would vessels be accompanied by an ecological clerk of works, or similar, to ensure that this mitigation can be implemented and if so explain how would this be secured?</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO7.	Applicant	<p>REAC provision O07 cold weather protocol</p> <p>Provision O07 of the REAC [CR1-043] allows for stopping work during freezing conditions to avoid impacts on birds 'where practicable'. What would make a stoppage not practicable?</p>	<u>Applicant</u>	A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069] .
1MO8.	Applicant JNCC	<p>HRA - operation and maintenance effects</p> <p>The applicant makes it clear in its comments on WR [REP2-034] that, although unlikely, works of between 2-6 months duration might be required to maintain the installed cable and these works might be during the overwintering period for RTD. Explain how it is possible to rule out an adverse effect on integrity on the RTD qualifying feature of the Outer Thames Estuary SPA for such works.</p> <p>JNCC is also requested to comment on this and to explain whether there are any potential measures available to address the impact of such works.</p>	<p><u>Applicant</u></p> <p>JNCC</p> <p>In our view, the response provided by the Applicant to the concerns raised at written representations [REP2-034] do not provide the clarity and certainty to allow conclusions on Adverse Effect on Integrity (AEOI): Monitoring surveys may be carried out using a range of autonomous surface vehicles (ASVs) and / or autonomous underwater vehicles (AUVs) which reduce the size of any support vessel and allow frequent surveys to be undertaken over the continuous route, or sections of interest. Developments are underway to have remotely operated vehicles (ROVs) deployed from ASVs which would allow monitoring activities to be carried out with a smaller support vessel and manning levels, as well as less</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant would like to re-iterate that the offshore cable system installation is designed such that a regular maintenance regime is not required to maintain the integrity of the cables and repairs would only be required where unforeseen damage has occurred or remedial works are required to maintain depth of burial.</p> <p>All operational monitoring of the cable system will be as described in Application Document 9.92 Cable Specification and Installation Plan submitted at Deadline 4. There will be no requirement for offshore vessels to undertake regular monitoring, with a focus on the reliance of the land based Digital Temperature and Acoustic Sensing (DTAS) monitoring (linked to the fiber optic cable), to indicate any</p>

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			<p>environmental impact. The suggestion here is that use of autonomous vessels would reduce the impact of surveys on RTD. However, there is currently no certainty that these would be used (Monitoring surveys may be carried out), or details of, for example, where support vessels would be located during survey. No information is provided on whether these would be within or outside the SPA for example, and what the resultant reduction in disturbance might be?</p> <p><i>However, at this stage the frequency of surveys cannot be stated as they will be variable depending on what survey analysis finds. With regard to timescales for completing cable maintenance or repairs, the urgency of maintenance or repair requirements will be based on survey results at the time, and in some instances could become time critical to the operational integrity of the asset.</i></p> <p><i>Emergency repairs are expected to be a rare event. However, if required it would not be possible to work within an imposed seasonal restriction as the repairs may be required at any time and would require immediate attention.</i></p> <p>What is 'rare'? Is the Applicant able provide the frequency that maintenance has been needed for similar transmission assets that might inform the potential frequency in this case? And is there any seasonal pattern?</p> <p><i>The Applicant has committed to the seasonal restriction (1 November – 31 March) for offshore cable installation activities (excluding PLGR), which substantially reduces the risk of cumulative disturbance during the most sensitive period for Red-throated Diver. For other activities that may occur outside this restriction, the Applicant has confirmed that vessel movements are of limited scale and duration, and therefore the potential for significant cumulative effects is low.</i></p> <p>However, 5.9.74 of Environmental Statement Part 4 Chapter 5 Marine Ornithology. Document 6.2.4.5 Sept 2025 [AS-115] explicitly states that maintenance and surveying activities during the operation phase are not proposed to be subject to the same seasonal restrictions as during construction. The paragraph states that 'work between January and March will be avoided, where practicable', but it is difficult to see how this is a commitment that could be adhered to given the statement in REP2-034 that maintenance 'in some instances could become time critical to the operational integrity of the asset'. We also do not consider 2-6 months to be consistent with the statement 'will only be operating in localised areas for short periods of time'. Should maintenance occur during the sensitive period, it could</p>	<p>localised lengths along the cable link where damage may have occurred and repairs would be required. Repair events are typically rare occurrences. Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003] identifies a potential requirement for five repairs over the 40 - 60 year lifespan of the Project, with the Proposed Project designed to minimise the risk of these occurring. As the Proposed Project is inherently designed not to require regular maintenance (through achieving target depth of lowering), can be monitored during operation remotely, without the requirement for offshore vessels and would not typically expect frequent repairs (due to suitable routing and best practice installation), the Applicant maintains that there would be no significant adverse effects on Red-throated Diver distribution within the Outer Thames Estuary SPA during the operation of the Scheme.</p> <p>Repairs will be similarly rare for other cable projects such as Neuconnect, reducing the potential for there to be any in-combination effects on the OTE SPA.</p> <p>The Applicant will continue to engage with JNCC to provide further clarification on activities set out in their Deadline 3A response.</p>

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			<p>occur for two thirds of the most sensitive period identified by the Applicant if two months (January-March), or for two thirds of an entire non-breeding season if for six months (October-May).</p> <p>This paragraph goes on to make a relative assessment of the impact of maintenance compared to construction and the number of vessels operating within the SPA, but notably does not take account of the Conservation Objectives of the SPA (including the Restore/Reduce objectives) and does not provide the qualitative assessment of both area and numbers affected as previously advised.</p> <p><i>The ES and HRA provide a robust cumulative assessment that considers vessel disturbance across all phases of the project and in-combination with other developments.</i></p> <p>We welcome the commitment to on-going engagement with JNCC and Natural England to ensure that cumulative impacts are fully understood and appropriately mitigated (REP2-034).</p> <p>However, we reiterate the comments made in [REP1-210] where we do not consider the HRA (REP2-009) to currently perform a robust in-combination assessment. Notably it considers each relevant project individually (as laid out in REP2-009, Section 8.3) and, in our view, does not consider the sum total of potential impacts and the implications of this for conclusions of Adverse Effect on Integrity.</p> <p>As an example, in REP2-009, paragraph 8.3.7, it is proposed that the distance of Sizewell C Offshore Works from the proposed project rules out any cumulative effects of disturbance. However, the potential for projects to act in combination is not dependent on the proximity of other projects to the proposed project but rather on the proximity to protected sites that the projects may cumulatively impact upon. Furthermore, consideration of the impact of vessel disturbance from the NeuConnect Interconnector project has not been included within the assessment (REP2-009, paragraph 8.3.8).</p> <p>In our view, mitigation measures could be implemented that would reduce impact, and we welcome the commitment to the measures within the Red-throated Diver Protocol (APP-361). We recommend that all the key principles of the Wildlife Safe (WiSe) Scheme (https://www.wisescheme.org/) are adopted. However, it should be noted that the extent to which this would avoid an AEOL on the SPA is not currently clear, given our comments on the lack of a quantified displacement assessment and insufficient in-combination assessment.</p>	

19. Marine Archaeology

19.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

20. Shipping and Navigation

20.1 Shipping and Navigation

Table 20.1 Shipping and navigation

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1SN1.	Applicant	<p>Baseline depths</p> <p>Provide the relevant Admiralty chart extracts at a resolution that shows baseline depths.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>LGPL looks forward to reviewing the charts that will be provided by the Applicant.</p>	This is noted by the Applicant.
1SN2.	Applicant	<p>Depth of lowering (DoL) in the Sunk</p> <p>Provide a timescale for the assessment of the engineering implications of the additional cable DoL set out in [REP1A-038] paragraph 2.3.9 that may be required in the areas of the Sunk Pilot Boarding area that are already shallower than the 22m safeguard level, including the submission of updated documents.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>LGPL looks forward to receiving clarification on the engineering implications of the additional depth of lowering at the earliest opportunity to ensure there is sufficient time during the Examination for the parties to exchange considered responses. It is LGPL's understanding that engineering solutions are available to achieve the necessary dredge depth (i.e. to dredge to 22 metres below CD across the Sunk Pilot Boarding Area (with an allowance of 0.5 metres for over dredging)).</p>	This is noted by the Applicant.
1SN3.	Applicant and relevant stakeholders	<p>Depth of lowering</p> <p>Provide an update on reaching an agreement with the relevant stakeholders on safeguarding current and future navigable water depths. In responding, explain how DoL commitments can most effectively be secured in order to secure existing and reasonable future under keel clearance requirements. If this is to be through protective provisions, provide suggested wording for how this can be appropriately secured. Also explain any alterations or additions to the REAC, for example MPE02.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>The Applicant confirmed at a meeting with shipping and navigation stakeholders on 19 December 2025 it is aiming to submit revised protective provisions to the Port of London Authority (PLA) in late December / early January 2026. LGPL understands the Applicant is seeking broad agreement on the PLA's protective provisions before drafting LGPL's and Harwich Harbour Authority's (HHA) protective provisions in order to maintain continuity across approaches where possible. LGPL would receive a draft of its protective provision at the same time as the PLA and would emphasise it provided the Applicant with example wording for a protective provision on 21 November 2025. LGPL therefore looks forward to receiving copies of both the PLA's and LGPL's protective provisions at the earliest opportunity and with sufficient time during the Examination for the parties to exchange considered responses.</p> <p>The Applicant has confirmed the draft protective provisions currently cover water depth and consultation rights and the Applicant has noted the request to move the water depth requirements to either the DCO or deemed marine licence (DML) and this will be incorporated into the next draft.</p>	<p>The Applicant has agreed to the terms of a commitment to secure the following three Areas of Safeguarded Water Depth:</p> <ul style="list-style-type: none"> • Sunk Pilot Boarding area to a level of 22 m below Chart Datum. • Long Sand Head Two-Way Route crossing area, to a level of 12.5 m below Chart Datum. • North East Spit area to a level of 12.5 m below Chart Datum. • In all cases makes allowance for an 'over-dredge' tolerance of 0.5 m in addition to the stated depths attributable to standard dredging methodology. <p>The three Areas of Safeguarded Water Depth are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan, submitted at Deadline 4, and also included within the</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>However, for the avoidance of doubt, LGPL's clear position is that the potential for future dredge depths must be secured by a Requirement.</p>	<p>Protective Provisions with PLA and LGPL which are currently being developed.</p>
			<p>The requirement not to preclude the specified dredge depth is a fundamental parameter to, or restriction on, the carrying out of the authorised development – it is in a sense akin to an upwards limit of deviation. It is for the Order itself to specify such a restriction – this is in accordance with the Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project [Paragraph 003, Reference ID 04-003-20240430 and Paragraph 008, Reference ID 04-008-20240430] and would follow accepted practice across other development consent orders and harbour orders under the Harbours Act 1964. It is also consistent with the Five Estuaries Offshore Wind Farm Order 2025 (Requirement 2(3) of Schedule 2 to that Order).</p>	<p>However, the Applicant confirms that it is reviewing the Securing Mechanisms for Shipping and Navigation commitments for the Proposed Project, this includes the use of dDCO Requirements and DML conditions. An update to the Draft DCO/DML will be submitted at Deadline 5. An email has been circulated to the ports on 06 February 2026 outlining the current securing mechanisms for Shipping and Navigational commitments.</p>
			<p><u>Maritime and Coastguard Agency (MCA)</u></p>	<p>The Applicant can confirm that a Certified Plan (see Application Document 9.104 Areas of Safeguarded Water Depth Plan, submitted at Deadline 4) has been submitted to define the three Areas of Safeguarded Depth for the purposes of the DCO.</p>
			<p>The MCAs' primary concern is to safeguard navigation safety for current and future vessel traffic, and this is of particular concern within the SUNK precautionary area at KP 33 to KP 45.</p>	<p>A second round of comments on Protective Provisions have been received from the PLA on 20 January 2026 which are being reviewed internally and will be re-issued for PLA's review.</p>
			<p>The MCA requests that the applicant include a DCO-DML condition requiring the cable to be buried to a depth of at least 22 metres below chart datum. For the remaining sections of the cable route, the MCA is satisfied with the approach outlined in the Cable Burial Risk Assessment (PDA-039). If the applicant can commit to the Depth of Lowering (DoL) specified within the CBRA, the MCA considers that the risk to navigation safety will be reduced to As Low As Reasonably Practicable (ALARP).</p>	<p>The Applicant has responded with its position on the topic of safeguarding water depth for future under-keel clearance in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p>
			<p>The applicant has committed to 12.5m depth below chart datum to be maintained within the Long Sand Head (LSH) two-way route and at the Northeast Spit which has been agreed with the ports for their purposes and the MCA fully supports. The MCA would also like a minimum of 12.5m depth to be maintained.</p>	<p>The Applicant is sought further clarity from the MCA on these new areas of concern as detailed here, which are substantially larger and more restrictive in their requirements than those which the Applicant and ports stakeholders have been collaborating on, and on which the Applicant and ports stakeholders have previously reached agreement. The Applicant discussed this matter at a meeting with the MCA on 16 January 2026.</p>
			<p>In addition, from our data we can see vessels of more than 11m draught passing through the LSH in 2024 and considering the water depth available at this location (around 17-18m plus) the 12.5m allows the potential for a 6m plus reduction in navigable depth, which seems excessive considering there are no cable crossings here. Whilst the MCA supports the need for at least 12.5m, we believe the applicant can easily achieve more at this location. We would therefore like the applicant to ensure burial as identified within the CBRA and apply the 5% maximum depth reduction. This is also identified by the applicant in their CBRA. [PDA 039].</p>	<p>The outcome of the call was that the Applicant is in agreement with the MCA that the MCA 5% reduction requirement ("the undertaker must not reduce water depth by more than 5% of navigable depth referenced to chart datum unless discussed with the MCA") applies not just to their areas of interest, but across the whole of the Offshore Scheme (SN22 of REAC). Therefore, the Applicant will indeed engage with the MCA if water depth is reduced by more than 5% at any section of the full cable route.</p>
				<p>Wording securing this is currently included within the DML; however, we are engaging with the MCA to ensure</p>

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			<p>The MCA will need more information and further consultation if there is <u>any</u> depth reduction <u>within KP45 to KP85</u>.</p> <p>It should be noted that the LSH two-way route <u>may</u> be amended in the future because of the active migration of the sandbank. This may affect the existing navigation patterns in the SUNK region near the LSH. We would like to ensure minimal depth reduction to allow deeper draught vessels which may use this route in the future.</p> <p>At the NE Spit area, we can see numerous vessels of more than 11m using this area presently and vessels up to 14.7m have used this area in 2024. However, there are some locations where the water depth is less than 12.5m so the 5% reduction may not be appropriate across this area. Therefore, in discussion and agreement between MCA and the PLA, we would like to propose the following DCO DML condition wording to address this point:</p> <p><i>'For the defined Areas on Interest at the Long Sand Head and North Sea Spit, the works must not exceed a maximum 5% reduction in surrounding depth referenced to chart datum, unless otherwise agreed with the MMO in consultation with the MCA and relevant ports. Any changes to surrounding water depth must not reduce water depth to less than 12.5m'</i></p> <p>To confirm, the MCA and the PLA are fully aligned and in agreement that the MCA requirement of no more than 5% reduction would apply where the depths are greater.</p> <p>Any depth reduction in the area should be minimal and cable burial needs to be ensured as per the CBRA.</p> <p>Where existing cable crossings are necessary, we would expect the applicant to not exceed the 5% maximum depth reduction at any of the cables crossing within the NE spit. If this cannot be achieved, they must consult the MCA as soon as possible to confirm that the risk to navigation safety is ALARP.</p> <p>For any future planned cable crossing, the project should discuss with those owner/operators to determine how best to achieve minimum depth reductions.</p> <p>The MCA has provided the applicant an outline of our Areas of Interest for further discussion as we are responsible for the SUNK VTS and the safety of navigation outside port limits. These Areas of Interest will be updated with the exact locations from the shapefiles for the KPs along the cable route (recently provided by the applicant), and will be discussed further with the applicant on 16th January.</p> <p>The MCA's Area of Interest have expanded from the applicants' original proposals because for example (but not limited to):</p> <ol style="list-style-type: none"> 1) the pilot boarding station is not a specific location point (or definable by coordinates) it is an 'area' and we need to accommodate that 'area'; and 2) These Areas of Interest only apply when there is simultaneous operations with North Falls and Five Estuaries, and when there is restricted visibility. If no concurrent activity is happening and visibility is good this area of interest for these restrictions would not apply. 	<p>that any wording amendments which are required are captured and updated as necessary.</p> <p>The Applicant takes the view that the Proposed Project's oNIP (see Application Document 9.12 Outline Navigation and Installation Plan, submitted at Deadline 4) is the appropriate place to secure the matter of concurrent Restricted in Ability to Manoeuvre (RAM) operations, and this aligns with the approach taken in the Five Estuaries and North Falls DCO applications, as they secure this matter within their NIPs. The Applicant submitted the draft Outline NIP to PINS on 1st September 2025, as part of the Applicant's response to the ExA's s89(3) letter dated 5 August 2025.</p> <p>The Proposed Project's oNIP contains a figure which shows the Sea Link "Concurrent RAM Activity Area" which has been agreed with Port of London Authority (PLA) Harwich Haven (HHA) and the Sunk VTS/ Maritime Coastguard Agency (MCA), Trinity House, Five Estuaries and North Falls during a face to face workshop led by Five Estuaries on 14 June 2024 (Application Document 7.4.9 Draft Statement of Common Ground Harwich Haven Authority [REP1-080] and Application Document 7.4.11 (C) Draft Statement of Common Ground Port of London Authority [REP3-042]).</p> <p>This area also aligns with the Concurrent RAM Activity Areas defined within the Five Estuaries and North Falls NIPs. The Applicant has identified these two developments as the two developments which have the possibility of their construction programmes overlapping temporally with the Sea Link construction programme.</p> <p>The Applicant is in active discussions with the MCA around their new area where Concurrent RAM Operations should be avoided. An email confirming the MCA's current position was received on 21 January 2026 via email.</p> <p>The Applicant is concerned that this increased area proposed by the MCA means that the Proposed Project could be held to a different area for RAM SIMOPS which the other relevant developers, namely Five Estuaries and North Falls are not held to in their DCO. This poses substantial legal risks to the Proposed Project given the temporal overlap of the above-named projects (one of the key reasons as to why a concurrent RAM activity area needed to be identified and agreed between developers in the first place).</p>

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			<p>As MCA has previously explained that the SUNK area is very busy with converging marine traffic with many vessels, including some of the largest in the world. The SUNK region is highly constrained with dense maritime traffic, challenging environmental conditions, specialist pilot boarding arrangements, and the presence of deep-draught vessels potentially up to 20m draught in the future. The risks of collision or running aground here could have catastrophic consequences.</p>	<p>Additionally, the Applicant is not aware of any future developments outside of North Falls and Five Estuaries which would have a possibility of their construction phase coinciding with Sea Link, therefore the Applicant is unsure of which additional projects this new MCA area could apply to.</p>
			<p><u>Port of London Authority (PLA)</u></p>	<p>Previous to this new discussion with the MCA, the Applicant had established in discussion with Harwich Haven Authority, Port of London Authority and Sunk VTS (see Application Document 7.4.9 Draft Statement of Common Ground Harwich Haven Authority [REP1-080] and Application Document 7.4.11 (B) Draft Statement of Common Ground Port of London Authority [REP1-082]) that the Proposed Project should align with the Five Estuaries and North Falls projects' "Concurrent RAM Activity Area" which is shown in each of their NIP documents.</p>
			<p>There is ongoing engagement between the Applicant and Interested Parties including the Port of London Authority (PLA) regarding the water depths that must be safeguarded in the Areas of Interest. This now includes monthly meetings which are attended by the Applicant, the Ports and the MCA.</p>	<p>This would ensure agreement amongst the three developments, and clarity amongst all stakeholders (ports and developers), of a common agreed area where simultaneous RAM operations between any of the three developments should be avoided. The Applicant will review the response to AP98 when received from the MCA and respond at Deadline 5.</p>
			<p>As set out in its deadline 2 response [REP2-060] the PLA believes that the Applicant has agreed in principle the need to safeguard water depths in the Areas of Interest, to ensure sufficient under keel clearance for future deep drafted vessels in key areas. How these safeguards are secured is however yet to be agreed with the Applicant.</p>	<p>The Applicant agrees that the commitment to protect dredging depths within the defined Areas of Safeguarded Depth and in the terms proposed is acceptable in principle. The outstanding question is the appropriate mechanism for securing the commitment, in particular whether this should be through a DCO Requirement or as a condition within the Deemed Marine Licence. The Applicant's current approach is to secure the commitment through the DML.</p>
			<p>The PLA considers that the summary provided by the Applicant at para 2.1.4 of its Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] to be an accurate position, setting out the minimum water depths that need to be preserved and recognising the need for a 0.5m over-dredge tolerance.</p>	<p>Condition 4 of the DML requires the CSIP to be submitted to and approved by the MMO before works can commence. The CSIP needs to be generally in accordance with the outline CSIP (which already features the commitment) and the CSIP must include details regarding the installation depth. Under the Protective Provisions, the Applicant is then again required to ensure that the CSIP includes the commitment and that the Port Authorities are consulted on this to make sure of that before it is submitted to the MMO. This ensures that the Port Authorities have a direct role in validating that the</p>
			<p>The PLA understands from the Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] that the Applicant is currently assessing the engineering implications of the additional cable depth of lowering (DoL) that may be required in areas of the Sunk Pilot Boarding areas that are already shallower than the 22m CD safeguard level and that in the worst case, the depth of lowering may</p>	

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			<p>increase from 2.5m to approximately 4.5m in the shallowest sections of the route (para 2.3.9).</p> <p>Application documents will need to be updated once this has been determined as many documents, including sections of the Technical Note, still refer to a target DoL of 2-2.5m. Documents will also need to be checked for consistency across the documents regarding backfill.</p> <p>The Cable Burial Risk Assessment (CBRA) [PDA-039] assesses the risks to the cables and this informs the cable protection strategy and results in recommended DoL for the cables. This varies along the route of the cable. In the PLA's experience the recommended DoL is not always achieved along the entirety of a cable route and a post lay CBRA is then undertaken to refine the recommended DoL and update the risk assessment with the objective of minimising risk of damage to the cables to as low as reasonably practicable (ALARP). The PLA cannot accept a situation where the Applicant does not meet the recommended DoL and the subsequent CBRA then indicates that the seabed cannot be dredged to the agreed level as dredging would result in insufficient cover over the cable.</p> <p>To reduce the potential for the recommended DoL not to be achieved, there needs to be confidence that the DoL is realistic (see below regarding recommended DoL and cable installation projects in the Southern North Sea struggling to achieve a DoL for a cable in excess of 1.5m). Notwithstanding all of the above, the PLA does not consider that further commitments in relation to DoL need to be made as if a recommended DoL is not reached, it may not be necessary to undertake further works if the post lay CBRA identifies that the risk to the cables at the installed depth is ALARP with the seabed dredged to the agreed level.</p> <p>In the PLA's opinion, the safeguarding of water depths and the ability to dredge to achieve those water depths is critical and is most appropriately secured through Requirements in the DCO, linked to a Certified Plan. The recent decision on the Five Estuaries Wind Farm DCO application [PINS Reference: EN010115] contains a Certified Deep Water Route Cable Installation Area (Future Dredging Depths) Plan [REP6-055] and the DCO as made by the Secretary of State contains within the Schedule 2 Requirements, offshore design parameters, including at Part 1 (3) a requirement that the cable must be installed and maintained so as not to impede dredging to certain depths in certain locations. The locations being shown on the Certified Plan.</p> <p>A Certified Plan and a Requirement is also proposed for the North Falls Offshore Wind Farm DCO application [PINS Reference: EN010119]. The PLA is seeking for the Applicant to take a similar approach with the Sea Link Project so it is clear on the face of the Order what water depths must be protected in what areas. The PLA set out in Section 11 of its Written Representation suggested wording for the Requirement and highlighted the need for the wording to also ensure that GridLink could be accommodated should it be installed after Sea Link.</p>	<p>commitment is properly reflected before approval is sought.</p> <p>Once submitted to and approved by the MMO it forms part of the licenced activities which are enforced by the existing and comprehensive regulatory regime under the Marine and Coastal Access Act 2009. This is all done by reference to the Areas of Safeguarded Depth Plan which is certified so that all parties have certainty on the areas to which the commitment applies.</p> <p>Such a DCO Requirement would need a discharging authority and clear mechanisms to discharge the Requirement (or confirm compliance). Given the Areas of Safeguarded Water Depth are located offshore, there is no relevant planning authority with an existing regulatory scheme so the Requirement would need to be tailored to set out these elements in full. The discharging authority could be one of several parties with overlapping interests (including the PLA, MCA or LGPL) but because only one party can be the discharging authority (with others potentially as 'Requirement Consultees'), the Applicant would expect this Authority to be the MMO.</p> <p>Any such Requirement would then need to set out how the MMO would approve, regulate, and discharge this Requirement. These are all things which already exist in the DML scheme under the Marine and Coastal Access Act 2009.</p> <p>Securing the commitment as a condition in the DML follows a clearer route and ensures that the works can only commence after the CSIP (which must include the depth protection commitment) is approved by the MMO. Enforcement falls to the MMO under s.85 of the Marine and Coastal Access Act 2009. This is a comprehensive statutory framework which grants the MMO enforcement powers including in respect of marine licence conditions.</p> <p>The Applicant can confirm that a Certified Plan (Application Document 9.104 Areas of Safeguarded Water Depth Plan, submitted at Deadline 4) has been submitted to define the three Areas of Safeguarded Depth for the purposes of the DCO.</p> <p>The three Areas of Safeguarded Water Depth are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan</p>

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			<p>The PLA suggest the following wording:</p> <p>" Requirement X</p> <p>That any part of Work No.6, including any associated development or ancillary works, located within the Areas of Interest must be installed at a level which would not impede the dredging of those parts of the Areas of Interest to the following depths:</p> <p>(a) Labelled "Sunk Pilot Boarding area", to a level of 22 metres below Chart Datum; and</p> <p>(b) Labelled "Long Sand Head Two-Way Route crossing", to a level of 12.5 metres below Chart Datum; and</p> <p>(c) Labelled " North East Spit area" to a level of 12.5 metres below Chart Datum; and in all cases (a) to (c) makes allowance for an 'overdredge' tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology.</p> <p>Requirement Y</p> <p>When complying with Requirement [X] the installation level of any part of Work No.6, including any associated development or ancillary work, must be at such a level that case (c) will be achieved even after any part of the works is crossed by the cable(s) for the GridLink Interconnector Project within the Areas of Interest."</p> <p>The PLA suggest the following wording for the definition of GridLink Interconnector:</p> <p>"means the electricity interconnector project designated as a European Union Project of Common Interest, project number No. 2018/540".</p> <p>Requirements (based on the above wording) linked to a Certified Plan is the most appropriate approach as the safeguarding of water depths is a fundamental parameter on the carrying out of the authorised development. As set out by London Gateway in their Written Representation [REP1-142] "it is in a sense akin to an upwards limit of deviation."</p> <p>A remediation clause is then required in the PLA's protective provisions which clearly sets out what will happen if the cable is not installed or maintained at the correct depth. The PLA acknowledges the recent Five Estuaries decision with regard to indemnity in favour of the PLA, but this places greater importance on an enforceable Requirement and remediation clause. The PLA set out at Appendix 3 of its Written Representation [REP1-156] proposed wording for a remediation clause.</p> <p>The PLA set out in section 10 of its Written Representation [REP1-156] its initial comments on the REAC. The PLA will provide further comments on the REAC after it is updated and submitted at deadline 3. It would be appropriate for the various commitments that the PLA are seeking in</p>	<p>submitted at Deadline 4 and also included within the Protective Provisions with PLA and LGPL which are currently being developed.</p> <p>However, the Applicant confirms that it is reviewing the Securing Mechanisms for Shipping and Navigation commitments for the Proposed Project, this includes the use of dDCO Requirements and DML conditions. An update to the Draft DCO/DML will be submitted at Deadline 5.</p> <p>A second round of comments on Protective Provisions have been received from the PLA on 20 January 2026 which are being reviewed internally and will be re-issued for PLA's review.</p> <p>The Applicant confirms that updates to the CBRA are not required as it is based on Anchor Strike risk and is not tied to the technical capabilities of the eventual equipment to be used by the Contractor for the Proposed Project.</p> <p>The CBRA informs assessment of burial risk across the Offshore Scheme. The requirement for safeguarding water depth does not change the information contained within the CBRA but adds an additional commitment which the project must adhere to. The Applicants position on this is outlined above.</p>

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			<p>relation to freespan clearance, wet storage, cable joints, boulders, archaeology etc to be included in the REAC.</p> <p>In relation to MPE02 the PLA would recommend that the commitment needs to apply over the life time of the project and not just for construction, to ensure that it also applies to maintenance. The securing mechanism should also be linked to the Requirement and Certified Plan and the remediation clause that the PLA is seeking.</p>	
1SN4.	Applicant	<p>National Policy Statement for Ports (January 2012)</p> <p>Consider whether the National Policy Statement for Ports (January 2012) (Ports NPS) is an important and relevant matter in relation to the proposed development. If so, provide a summary of which aspects of the Ports NPS are important and relevant and a summary assessment of the proposed development in relation to those aspects as an update to the Planning Statement [AS-057].</p>	<p>London Gateway Port Ltd (LGPL)</p> <p>LGPL looks forward to considering the Applicant's analysis of the Ports NPS and the updated planning statement.</p> <p>LGPL is clear that the Ports NPS is an important and relevant matter within the meaning of s.104(2)(d) of the Planning Act 2008.</p> <p>Should it assist, we refer to paragraph 3.16 to 3.19 of LGPL's Written Representation [REP1-142] where LGPL set out the NPS' recognition of the importance of shipping to the UK economy across both the current and 2025 consultation versions. We also refer to paragraph 3.3 of LGPL's Written Representations which refers to paragraph 4.2.15 of National Policy Statement EN-1 which makes clear impacts which present an unacceptable risk to, or unacceptable interference with offshore navigation are excluded from the presumption that residual impacts are unlikely to outweigh the need for energy infrastructure. We note the same position has been carried across in paragraph 4.2.2 of the updated EN-1 published on 6 January 2026.</p> <p>To note, the Written Representations also set out the relevant parts of the appropriate marine policy documents within the meaning of s.104(2)(aa) of the Planning Act 2008 to which the Secretary of State must have regard (and which are the subject of question 1SN5 below).</p>	<p>This is noted by the Applicant, and the highlighted extracts are considered in the Application Document 9.94 Planning Statement Addendum submitted at Deadline 4.</p>
1SN5.	Applicant	<p>East Inshore and East Offshore Marine Plan</p> <p>Respond to LGP's assessment [REP1-142] that the proposed development is in conflict with policies PS1, PS3, DD1 of the East Inshore and East Offshore Marine Plan. Provide an explanation of how the conflict, if any, can be overcome.</p>	<p>London Gateway Port Ltd (LGPL)</p> <p>LGPL looks forward to considering the Applicant's response.</p>	<p>This is noted by the Applicant.</p>
1SN7.	Relevant stakeholders including London Gateway Port Ltd (LGP),	<p>Cable burial risk assessment (CBRA)</p> <p>Provide comments on the submitted CBRA [PDA-039].</p>	<p>London Gateway Port Ltd (LGPL)</p> <p>The CBRA must be reviewed and reissued in respect of those locations where the Depth of Lowering presently specified would not permit the future dredge depths in the Sunk, NE Spit and Long Sand Head Areas of Interest that LGPL requires to ensure that it does not undermine or preclude the necessary dredge depths. Furthermore, the reduction in DOL</p>	<p>The Applicant has agreed to the terms of a commitment to secure the following three Areas of Safeguarded Water Depth:</p> <ul style="list-style-type: none"> • Sunk Pilot Boarding area to a level of 22 metres below Chart Datum.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
Maritime and Coastguard Agency (MCA), Port of London Authority (PLA), Harwich Haven Authority (HHA)			to 0.5m where competent bedrock subcrops or outcrops the seabed or where there is a thin veneer, cannot apply to those 3 areas.	<ul style="list-style-type: none"> • Long Sand Head Two-Way Route crossing area, to a level of 12.5 metres below Chart Datum. • North East Spit area to a level of 12.5 metres below Chart Datum. • In all cases makes allowance for an 'over-dredge' tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology.
				The Applicant and port authorities are now discussing the most appropriate mechanism to secure this commitment.
				The Applicant confirms that updates to the CBRA are not required at this stage as it is based on Anchor Strike risk and is not tied to the technical capabilities of the eventual equipment to be used by the Contractor for the Proposed Project.
				The Applicant confirms that updates to the CBRA are not required as it is based on Anchor Strike risk and is not tied to the technical capabilities of the eventual equipment to be used by the Contractor for the Proposed Project.
				The CBRA informs assessment of burial risk across the Offshore Scheme. The requirement for safeguarding water depth does not change the information contained within the CBRA but adds an additional commitment which the project must adhere to. The Applicants position on this is outlined above.
			<p><u>Maritime and Coastguard Agency (MCA)</u></p> <p>The SUNK area represents the primary pinch point along the cable route due to its relatively shallow water depth combined with the deep draughts of vessels operating there (see Fig. 6.4.4.7.A.15 of APP-284). In contrast, areas such as North Shipwash (between KP15 and KP20) experience high concentrations of vessels crossing the proposed cable route (see Fig. 6.4.4.7.A.11 of APP-284), but the charted depth is approximately 20 m, and most vessels have a maximum draught of less than 10 m. Consequently, this area is currently considered less critical.</p> <p>The SUNK area of concern extends from KP30 to KP70, where there is a high concentration of commercial traffic, including ultra-large vessels operating mainly within restricted depths; particularly between KP30 and KP40 (as noted in APP-284). From KP40 to approximately KP60–65, water depths are generally greater than 20 m. Provided the applicant achieves cable burial as outlined in Table 24 of the draft Cable Burial Risk Assessment (PDA-039), we would consider this section acceptable. We would expect the project to bury the cable to 22m below Chart Datum from KP33-45 as explained previously.</p>	<p>The Applicant has been in ongoing discussions with the MCA on their additional areas of interest, beyond the ports' three Areas of Safeguarded Depth. A meeting took place with the MCA on 16 January 2026 to further clarify their position on further areas of concern, with the outcome of agreement with the MCA that their "no greater than 5% water depth reduction below Chart Datum" requirement applies to the full length of the cable. If this 5% requirement is not able to be met by the Applicant at a particular location, generally these identified locations are at cable crossings within relatively shallow waters, the Applicant acknowledges the need to discuss such locations with the MCA and reach agreement.</p> <p>Currently frequent meetings are being held between the Applicant and Stakeholders which are proactively addressing their concerns, and which have progressed such that many of the concerns have been superseded,</p>

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			<p>Between KP60 and KP65, most vessels have draughts of 10–15 m (see Fig. 6.4.4.7.A.15 of APP-284). The minimum depth along the cable route in this section is 17.8 m. If the draft CBRA is complied with, we believe the risk of reduced under-keel clearance can be minimised. From KP85 to KP95, most vessels again fall within the 10–15 m draught range, with the minimum depth along the route being a 14 m patch, which vessels generally avoid. The next minimum depth is 17.6 m, and the draft CBRA specifies cable burial to 2.5 m below the seabed in this area, which we consider acceptable.</p> <p>Between KP95 and KP105, west of the Thanet Offshore Wind Farm, lies another chokepoint identified in our written and relevant representations. This area sees vessels with draughts of 10–15 m and occasional transits of vessels exceeding 15 m (see APP-284, Fig. 6.4.4.7.A.15). The draft CBRA proposes burial to 0.5 m below the seabed here; however, we request the applicant to consider deeper burial, as they have identified the presence of deep-draught vessels operating in this area. We expect the project to avoid any further reduction in navigable depth in this area.</p> <p>Finally, west of Goodwin Knoll and approaching Pegwell Bay, water depths are often below 10 m. However, as vessels operating here are of shallow draught, we consider this a lower risk, provided the cable is buried and does not reduce navigable depth.</p> <p>In summary, the minimum depth the cable route passes through within the SUNK Inner Precautionary (within KP33-45) Area is 17.9m, which is West of the SUNK Deep-Water Anchorage. There is a 16.4m depth patch just outside the cable route between the Storm buoy and the SUNK W1 buoy. Where burial depths as informed by the Cable Burial Risk Assessment (CBRA) cannot be achieved in the maintained depth channels, any potential reduction in surrounding depths referenced to Chart Datum will need special attention and further consultation with the MCA, Ports in the area and other relevant stakeholders. Any consented cable protection works must ensure existing and future safe navigation is not compromised.</p>	<p>whilst those remaining are being actively followed up and discussed.</p> <p>The Applicant is submitting a document at Deadline 4, Application Document 9.96 Water Depth Baseline Study, to supplement the Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038], to provide further detail relating to water depth, vessel activity, and stakeholder requirements for areas of concern. Initial outputs from this document have been presented to the MCA at the meeting on 16 January 2026.</p>
			<p><u>Port of London Authority (PLA)</u></p> <p>The CBRA [PDA-039] notes at section 2.6 “To date (November 2024), the Geotechnical Campaign for the Additional Marine Surveys have been completed, but final results are not yet available, nor has the integrated geophysical and geotechnical report been compiled by the Contractor, which will cover the DF3 route through the areas of route improvement. As such the geological ground model is inferred on the extrapolation of the known conditions, from the BGS regional mapping of the southern North Sea.”</p> <p>Following the submission of the Integrated Geophysical and Geotechnical Report [REP2-035], it should be clarified whether the additional information has any material impact on the CBRA.</p> <p>The Integrated Geophysical and Geotechnical Report highlights the presence of clay at or near the surface at the Sunk area of interest and Chalk at the NE Spit area of interest and draws particular attention to the following hazards at both locations “Caution is advised during laying and</p>	<p>The Applicant has agreed to the terms of a commitment to secure the following three Areas of Safeguarded Water Depth:</p> <ul style="list-style-type: none"> • Sunk Pilot Boarding area to a level of 22 metres below Chart Datum. • Long Sand Head Two-Way Route crossing area, to a level of 12.5 metres below Chart Datum. • North East Spit area to a level of 12.5 metres below Chart Datum. • In all cases makes allowance for an ‘over-dredge’ tolerance of 0.5 metres in addition to the stated depths attributable to standard dredging methodology.

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			<p>trenching operations in areas where the hard ... substrate is sub-cropping or outcropping." (Sections 10.5.4 & 10.6.4).</p> <p>Given the importance of not precluding dredging to future navigational requirements in these areas, it is important that the Applicant can practically deliver on any commitments made. Attention is drawn to table 2.4 which provides recommended DoL, but elsewhere in the CBRA there are references to the maximum recommended DoL. In the highest risk areas both the recommended DoL and the maximum recommended DoL exceed the 1.5m depth which it is stated on page 99 "that other cable installation projects operating in the Southern North Sea have struggled to achieve a depth of lowering for a cable in excess of 1.5m, even when using mechanical trenching systems (examples - Britned, NEMO etc)"</p> <p>Requirements in the dDCO linked to a Certified Plan and a remediation clause in protective provisions for the PLA are therefore critical to ensure that the Applicant designs, installs and maintains the cable at a depth that does not preclude dredging to the agreed depths in the Areas of Interest.</p>	<p>The Applicant and port authorities are now discussing the most appropriate mechanism to secure this commitment.</p> <p>The Applicant confirms that updates to the CBRA are not required as it is based on Anchor Strike risk and is not tied to the technical capabilities of the eventual equipment to be used by the Contractor for the Proposed Project.</p> <p>The CBRA informs assessment of burial risk across the Offshore Scheme. The requirement for safeguarding water depth does not change the information contained within the CBRA but adds an additional commitment which the project must adhere to. The Applicants position on this is outlined above.</p> <p>The Applicant confirms that the Integrated Geophysical and Geotechnical Report [REP2-035] does not impact the CBRA.</p>
1SN10.	Applicant	<p>Sediment disposal management plan (SDMP)</p> <p>There is reference in the draft Statement of Common Ground between National Grid Electricity Transmission (NGET) and the PLA [REP1-082] to the submission of a sediment disposal management plan. Provide confirmation that relevant stakeholders will be engaged, including the PLA. Provide an explanation as to whether it should be secured by the dDCO as a certified document.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>LGPL looks forward to considering the Applicant's response. LGPL notes that presently there is no reference to a sediment disposal management plan in the DML in Schedule 16 [CR1-027].</p>	<p>The Applicant can confirm that the approach to Sediment Disposal is presented within the Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4.</p>
1SN11.	Applicant	<p>Cable joints in the areas of interest</p> <p>REAC commitments SN19 and SN20 indicate that cable joints in the Sunk would be avoided where possible and where practicable. Provide a response to the request from the PLA that there would be no planned cable joints within the Areas of Interest due to the disruption to heavily trafficked routes.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>The Applicant confirmed at a meeting with shipping and navigation stakeholders on 19 December 2025 there are no planned cable joints within the Sunk area of interest however it is still in early design stages and this will need to be confirmed at final design stage. The Applicant has confirmed it can agree in principle to "no cable joints within the areas of interest".</p> <p>However, LGPL wishes to reiterate that its principal concern is that the approach adopted by the Applicant should not preclude LGPL's ability to dredge to 22 metres below CD across the Sunk Pilot Boarding Area (with an allowance of 0.5 metres for over dredging) (and the other relevant depths in the other areas of interest). This should be secured by the Requirement. LGPL would also prefer no cable joints in the Areas of Interest due to consequential increased construction and maintenance activities and welcomes the Applicant's agreement in principle to no cable</p>	<p>The Applicant can confirm that there are no planned cable joints within the three Areas of Safeguarded Depth, excluding the need for any unforeseen repairs during installation and/or the operational lifetime. This is currently secured within the Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4.</p>

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			<p>joints in the Areas of Interest. LGPL is happy to discuss the question of cable joints (and crossings) further with the Applicant.</p>	
1SN13.	Harwich Haven Authority and London Gateway Port Ltd	<p>Safety zones</p> <p>Provide comments as to whether REAC commitment SN29 meets your requirements.</p>	<p><u>London Gateway Port Ltd (LGPL)</u></p> <p>The proposed rolling 500 metre radius Recommended Restricted Zones is consistent with Rule 2 of the COLREGs. However, in terms of the commitment actually set out in SN29 in relation to the practical implementation of that Zone, the degree of commitment is currently insufficient. LGPL requests that the commitment is bolstered to provide for far better liaison with the Applicant on the following basis:</p> <p>(a) two weeks prior to works starting in LGPL's Areas of Interest (being the Sunk, North East Spit and Long Sand Head), the Applicant will notify LGPL of that fact and LPGL will in turn provide the Applicant with its schedule of vessel calls. The Applicant will have regard to the schedule in relation to the timings of the presence of its vessels so as to avoid and minimise disruption to vessels navigating to and from London Gateway Port;</p> <p>(b) pre-commencement meetings between LGPL and the Applicant / the Applicant's relevant contractors will take place either one or two days before works begin in each of LGPL's Areas of Interest. Again, the Applicant will have regard to LGPL's representations at those meetings when carrying out activities in the Areas of Interest; and</p> <p>(c) the Applicant will provide LGPL with daily updates whilst activities in the Areas of Interest are carried out to inform LGPL's scheduling.</p> <p>These commitments should be secured in the NIP. LGPL would be happy to discuss the specific detail of these proposals with the Applicant.</p>	<p>The Applicant notes the London Gateway port's requests surrounding adding communication aspects with London Gateway Port to the commitment regarding the 500 m rolling Recommended Restricted Zones.</p> <p>The Applicant will review the requested additional details and discuss with the London Gateway Port to find agreement on this matter, and with the update of the NIP to state these as required and submitted at Deadline 4.</p> <p>The Applicant confirms that is currently reviewing Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] and associated Requirement 6 in light of the points raised at the ISH2, and propose to ameliorate that drafting such that the provisions raised at the hearing are appropriately secured. A new version of the REAC will be submitted at later deadline.</p>
1SN14.	Applicant Harwich Haven Authority, London Gateway Port Ltd, Maritime and Coastguard Agency, Port of London Authority	<p>Exclusion zones</p> <p>The applicant has stated in section 7.3 of ES Part 4, Chapter 7 Shipping and Navigation [REP1-059] that exclusion zones will not be required. Does this need to be added to the REAC to be secured?</p>	<p><u>Applicant</u></p> <p><u>London Gateway Port Ltd (LGPL)</u></p> <p>LGPL agrees with HHA that there should be no permanent exclusion zones anywhere within the Areas of Interest at the Sunk, NE Spit or Long Sand Head given the adverse effects that they would have on shipping. This should be referenced in the REAC, but secured in the NIP or other document approved under the DML.</p> <p><u>Maritime and Coastguard Agency (MCA)</u></p> <p>The MCA agrees with Harwich Haven Authority's recommendation of no exclusion zones within the Sunk Area or channel that would restrict 24/7/365 vessel access requirements or pilot boarding operations. This</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant can confirm that it has not applied for any permanent exclusion zones in the DCO.</p> <p>The Applicant confirms that is currently reviewing Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] and associated Requirement 6 in light of the points raised at the ISH2, and we propose to ameliorate that drafting such that the provisions raised at the hearing are appropriately secured. A new version of the REAC will be submitted at later deadline.</p> <p>The Applicant can confirm that it has not applied for any permanent exclusion zones in the DCO.</p>

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			<p>should be applicable to all RAM activities, including cable laying and survey operations, and the MCA would prefer this to be secured through a condition of the DCO/DML.</p> <p>The applicant has stated within the ES Part 4, Chapter 7 Shipping and Navigation and Part 4 Marine Chapter 7 Appendix 4.7.A Navigational Risk Assessment that a rolling Recommended Restricted Zone (RRZ) may be established around the installation vessel. We note from the Navigation Risk Assessment section 7.9 that the RRZ would not appear to impact the Pilot boarding station at the Sunk, as the Offshore Scheme is 2 km distant from the Sunk pilot station at all points along the Offshore Scheme Boundary.</p> <p>However, these will nonetheless be in force by guard vessel at all times during the operation including whilst passing through the Sunk TSS. RRZs would be established with communication to stakeholders and advanced notice to all and in liaison with Harwich and Sunk VTS. We note from the NRA and consultation from ports that pilots board larger vessels at around approximately 1.5 km east of the charted location of the Sunk pilot station. Therefore, the condition, where secured, should include the above statement stating RRZ should only be established in consultation with HHA and other stakeholders particularly in the vicinity of the SUNK PBG.</p>	<p>The Applicant notes the need for communication with the HHA and other stakeholders particularly in the vicinity of the Sunk Pilot Boarding Station and confirms that such protocols will be captured in the Navigation and Installation Plan (NIP) which has been updated for Deadline 4.</p> <p>The Applicant can confirm that a new version of Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078] will be submitted at a later deadline.</p> <p>The Applicant's approach to safety zones is also secured within Application Document 9.12 Outline Navigation and Installation Plan, submitted at Deadline 4.</p>
			<p>Port of London Authority (PLA)</p> <p>The REAC records "all commitments made by the National Grid during the iterative development of the designs on the Proposed Project"</p> <p>The Applicant has confirmed in Chapter 7 Shipping and Navigation [REP1-059] that no exclusions zones would be sought, the PLA would therefore be supportive of this commitment being included within the REAC.</p> <p>Such a commitment would ensure that no exclusions would be imposed which could result in the approaches or navigation channels from being temporarily blocked.</p>	<p>This is noted by the Applicant.</p>
1SN15.	Applicant Maritime and Coastguard Agency	<p>Magnetic compass deviation</p> <p>In the draft Statement of Common Ground with the MCA [REP1-081], the applicant states that a full update to the Electromagnetic Field report will be carried out once a full analysis update has been carried out pre-construction and will be shared with the consultee at the earliest opportunity. Can the applicant clarify whether this will be submitted to the examination or whether it intends for this to be post consent.</p> <p>Can the MCA comment as to whether it is necessary for this information to be made available prior to the decision being made on the DCO.</p>	<p>Applicant</p> <p>Maritime and Coastguard Agency (MCA)</p> <p>We note that once the technical parameters are finalised, the applicant intends to do a detailed EMF study pre-construction. We are content with this approach as long as there are no significant changes to the proposed installation methodology and parameters as mentioned within the Electric and Magnetic Field compliance report (APP-289), particularly to the bundling of the cable.</p> <p>MCA would require the applicant to ensure that there is no greater than 3 degrees of compass deviation for 95% of the cable route and no more than 5 degrees of compass deviation for the remaining 5% of the route. If the applicant is unable to meet this requirement, a post-installation actual compass deviation study may be required to ascertain the actual compass deviation, and the details should be shared with the UKHO to be included on the relevant navigational charts.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant with the condition already included within the Deemed Marine Licence submitted at Deadline 3.</p>

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			Therefore, nothing further is required prior to the decision being made on the DCO on the understanding that the MCA requirement is made a condition of consent.	
1SN16.	Applicant MCA	<p>Consultation with MCA</p> <p>Provide confirmation that there would be provision for the MCA to be consulted on the discharge of relevant shipping and navigation related conditions in the DML.</p>	<p>Applicant</p> <p>MMO</p> <p>The MMO during the discharge of a return will consult with those stakeholders it considers relevant.</p> <p>In this instance the MMO will consult with the MCA on conditions involving shipping or navigation.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p>
			<p>London Gateway Port Ltd (LGPL)</p> <p>LGPL maintains the position set out in its Written Representations [REP1-142] that it requires approval rights over plans submitted pursuant to the DML.</p>	<p>This is noted by the Applicant.</p>
1SN17.	Applicant and relevant stakeholders	<p>Vessel management plan (VMP)</p> <p>Several stakeholders have requested a VMP. Can the applicant confirm that their proposal is that this takes the form of a navigation and installation plan (NIP), for which an outline version has been submitted [AS-104]?</p> <p>Taking into account that section 1.2 of [AS-104] states that project activities outside of the three defined areas of interest are not covered by the NIP, can the applicant confirm that it does not consider that there is a need for a VMP with a wider geographical scope.</p> <p>Can the stakeholders provide comment as to whether they are satisfied that a separate VMP is not required.</p>	<p>Applicant</p> <p>London Gateway Port Ltd (LGPL)</p> <p>LPGL is of the view that such matters should be dealt with in the NIP and there is no value in an unnecessary proliferation of plans.</p> <p>Maritime and Coastguard Agency (MCA)</p> <p>The current NIP only provides details for the operational aspects of how the installation will be carried out within the SUNK, NE Spit and Kent landfall areas of interest as per section 1.2 of NIP AS-104.</p> <p>The MCA requests specific areas of interest which extend beyond the ports' areas of interest in order to secure our safety of navigation interests. The current NIP boundaries do cover the key areas of concern; i.e, SUNK (KP 35-55), NE Spit area (KP 85-104) and approaches to Ramsgate. However, there are other key areas which fall outside the NIP and are concerning from the safety of navigation perspective, including East of North Shipwash, SUNK outer Precautionary Area, and the Long Sand Head two way route.</p> <p>The MCA would therefore expect a Vessel Management Plan (VMP) which should cover the entirety of the project and focus on the overall coordination and safe operation of all vessels involved in the project. VMPs usually cover the constructional phase and how applicant vessels</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p> <p>The Applicant considers that as this is an offshore cables project rather than a wind farm, and there will only be a limited number of project vessels operating in the cable corridor at any one time, a VTMP for the whole route would not be proportionate.</p> <p>The Applicant has discussed this matter further with the MCA in the meeting on 16th January 2026, and the MCA has indicated that they may be satisfied without an additional document VTMP, if the existing outline NIP document could be further updated and expanded. The Applicant is updating the Outline NIP (Application Document 9.12 Outline Navigation and Installation Plan [AS-104]) accordingly for Deadline 4 and will continue to work with the MCA to reach agreement on this matter.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>(installation vessels) will be managed to reduce the impact on other sea users.</p> <p>We note the applicant is providing a VMP for environmental purposes and the MCA would appreciate the opportunity to review the VMP as it should detail vessel movements. This will be discussed further with the applicant on 16th January.</p>	
			<p><u>Port of London Authority (PLA)</u></p> <p>The PLA would support the production and submission into the examination of a Vessel Management Plan (VMP) in addition to the Navigation and Installation Plan (NIP)</p> <p>A VMP is basically a communication plan and as such it has more detailed information on named vessels, contact details and procedures for managing routine traffic around the construction vessels.</p> <p>A VMP is generally produced post consent, once all the vessels details are known, so its production and details of who would be consulted on the VMP along with who would approve the document would need to be secured at this stage.</p> <p>Other DCO's have sufficiently covered this matter within their NIP, see for example the Five Estuaries NIP which refers to details on how activities will be managed being agreed with Interested Parties and referring to communication plans which may be drawn up for specific activities.</p> <p>Additionally, the Five Estuaries NIP includes the potential for a local pilot to be on board project vessels. The Sea Link NIP does not refer to communication plans or additional mitigation at present so the PLA considers that a separate VMP would be prudent.</p>	<p>The Applicant acknowledges this comment from the PLA and is in agreement that such matters can be covered by the Sea Link NIP.</p> <p>The Applicant asks the PLA for further clarity on the matter of the potential for a local pilot to be on board project vessels. Would this apply to a specific area e.g. within a specific AOI established in the Sea Link NIP? Or at a specific phase or during specific project activities? The Applicant would welcome some further detail from the PLA here on this suggestion. In the Five Estuaries NIP, this is included as an optional requirement which would apply during all Restricted in Ability to Manoeuvre (RAM) vessel activities.</p>
1SN19.	Applicant Port of Ramsgate	<p>Navigational Risk Assessment</p> <p>Port of Ramsgate to provide comments on the NRA [REP1-064] 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 [REP1-162] in relation to ensuring that the risk to shipping and safe navigation is As Low As Reasonably Practicable (ALARP).</p>	<p><u>Applicant</u></p> <p><u>Thanet District Council</u></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> <p><u>Maritime and Coastguard Agency (MCA)</u></p> <p>Although this question is not specifically directed to the MCA, we wish to note that the MCA will continue to engage with the applicant to ensure that appropriate risk mitigation measures are secured within the DCO-DML, thereby reducing risk to ALARP. Further work is required on the DCO-DML to incorporate and secure the MCA's conditions.</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>This is noted by the Applicant.</p> <p>This is noted by the Applicant.</p>

21. Commercial Fisheries

21.1 Commercial Fisheries

Table 21.1 Commercial fisheries

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CF1.	Relevant fisheries stakeholders	<p>Mitigation and compensation</p> <p>Provide comments on the revised section 8.10 of ES Part 4, Chapter 8 Commercial Fisheries [REP1A-009] which sets out additional mitigation for the identified likely significant effects. In your comments include consideration of whether the proposed provisions for securing mitigation and/or compensation are adequate.</p> <p>Provide comments on whether there is adequate consideration of inter project cumulative effects in table 11.24 of [REP1A-011] ES Part 4, Chapter 11 Inter-Project Cumulative Effects and the need for further mitigation.</p>	<p>Eastern IFCA</p> <p>The following constitutes Eastern IFCA's response regarding the Examining Authority's written questions as a relevant fisheries stakeholder, specifically question 1CF1 which requests comment on the revised section 8.10 of ES Part 4, Chapter 8 Commercial Fisheries which sets out additional mitigation for significant effect to commercial fisheries.</p> <p>It is agreed that the inclusion of procedures for compensating impacted fishers through an FLCP reduces risk of impacts as highlighted by the applicant. However, it is noteworthy that the Authority has in other cases been privy to, and had the opportunity to comment on, FLCPs during their development and would appreciate the opportunity to do so in this case.</p> <p>It is important to note that financial compensation to fishers as mitigation for impact on fishing activity can result in increased fishing effort overall as payments may be directed into purchase of more gear. This should be considered in terms of potential environmental impacts.</p> <p>To minimise disruption to fishers, Eastern IFCA would request that communication with fishers and the Authority remains continuous throughout every phase of the development and that we may be able to support communication as appropriate.</p> <p>Please do not hesitate to contact me should you have any queries on the above response.</p>	<p>The Applicant confirms that an Outline FLCP (see Application Document 9.85 Outline Fisheries Liaison and Coexistence Plan) has been submitted at Deadline 4.</p>

22. Other Sea Users

22.1 Other Sea Users

Table 22.1 Other Sea users

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
10SU1.	Applicant Relevant Stakeholders	<p>Cable crossings</p> <p>Applicant - It is stated in the responses to the Supplementary Agenda Additional Questions [REP1A-033] ISH1.03 that the expectation is that there are no areas where the Sea Link cables cannot be buried, and that surveys indicate that existing in-service cables are buried, so that there would not be a scenario where Sea Link cables would cross over unburied cables. Each individual crossing location would be surveyed in detail and would be agreed with each crossing agreement with the third-party asset owner. Provide an explanation of how this will be secured in the dDCO.</p> <p>Applicant - Stakeholders such as London Gateway Port Ltd (LGP) and Port of London Authority (PLA) require that there are no cable crossings at all in the Sunk, Long Sand or North East Spit. Would it be appropriate to include a requirement or DML condition that prohibits cable crossings in these areas?</p> <p>Applicant and relevant stakeholders - Cable crossing agreements with third-party asset owners have not been included in table 2.1 of the Consents and Agreements Position Statement [APP-010]. Give consideration as to whether they should be added.</p>	<p>Five Estuaries</p> <p>In relation to question 10SU1, we do not deem it necessary to include cable crossing agreements within Table 2.1 of the Consents and Agreements Position Statement [APP-010]. We are pleased to provide an update that we are actively in discussions for a cable crossing agreement with the Applicant. We are aiming for the VEOWFL cable crossing agreement with Sea Link to be in place by the end of the Sea Link Examination.</p> <p>Port of London Authority</p> <p>The PLA's position regarding cable crossings is set out in section 7 of its Written Representation [REP1-156].</p> <p>It is not the PLA's position that there cannot be cable crossings at all in the Sunk, Long Sand or North East Spit. The PLA must have confidence that where Sea Link crosses existing cables that the required water depths will be maintained and that the Sea Link cable will be buried at sufficient depth or placed in areas of deeper water so that any cables that cross Sea Link in the future also maintain the required water depths and do not prevent these schemes from coming forward.</p> <p>As highlighted above, the PLA has a specific concern about GridLink. As set out in the Applicant's Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] the Applicant "is satisfied that it has a solution to ensure that the 12.5m depth is preserved even at the GridLink crossing location, by moving the planned Sea Link cable route at this point into deeper waters to the east." Whilst the PLA welcomes this response, wording still needs to be agreed in relation to the requirement and it will specifically need to address how it will be ensured that the</p>	<p>This is noted by the Applicant.</p> <p>This is noted by the Applicant.</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant is committed to securing the three Areas of Safeguarded Water Depth which are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4. A certified plan of these areas has been included in Application Document 9.104 Areas of Safeguarded Water Depth Plan submitted at Deadline 4.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>crossing with GridLink takes place in deeper water so that the first project to be installed does not prevent the second project from coming forward.</p> <p><u>Maritime and Coastguard Agency (MCA)</u> It is MCA's view that these <u>should</u> be included within table 2.1 of the document APP-010. For cable crossings, the cable protection measures installed in cable crossing areas should not reduce the depth of water by more than 5% of chart datum. If the applicant is unable to meet this, they should consult with the MCA and other relevant stakeholders to ensure that the risk to navigation is reduced to ALARP. We would recommend the applicant ensures maximum burial in areas where <u>planned</u> cable crossings are expected so there is minimal reduction in depth.</p>	<p>This is noted by the Applicant. An update to Application Document 3.5 Consents and Agreements Position Statement [APP-010] has been submitted at Deadline 4.</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The 5% requirement requested by the MCA is also already included within the draft DML submitted at Deadline 3 and in Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP3-078].</p> <p>The Applicant is committed to securing the three Areas of Safeguarded Water Depth which are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4. A certified Plan of these areas has been included in Application Document 9.104 Areas of Safeguarded Water Depth Plan submitted at Deadline 4.</p>
			<p><u>London Gateway Port Limited (LGPL)</u> As set out above, LGPL primary concern is that cable crossings in the areas of interest do not preclude LGPL's ability to dredge to 22 metres below CD across the Sunk Pilot Boarding Area (with an allowance of 0.5 metres for over dredging) and 12.5 metres below CD at North East Spit and Long Sand Head (again with a 0.5 metre over-dredge tolerance) . LGPL would also prefer no cable joints in its areas of interest due to consequential increased construction and maintenance activities affecting vessels. LGPL is happy to discuss its position with the Applicant.</p> <p>As noted above, LGPL considers depths should be secured pursuant to a Requirement of the DCO rather than by way of condition of the DML. It is appropriate that these matters be secured by a Requirement as they should be seen as a fundamental parameter to, or restriction on the carrying out of the authorised development – it is in a sense akin to an upwards limit of deviation. It is for the Order itself to specify such a restriction – this is in accordance with the Guidance on the content of a Development Consent Order required for a</p>	<p>This is noted by the Applicant.</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant is committed to securing the three Areas of Safeguarded Water Depth which are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4. A certified Plan of these areas has been included in Application Document 9.104 Areas of Safeguarded Water Depth Plan submitted at Deadline 4.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Nationally Significant Infrastructure Project [Paragraph 003, Reference ID 04-003- 20240430 and Paragraph 008, Reference ID 04-008- 20240430] and would follow accepted practice across other development consent orders including the Five Estuaries Offshore Wind Farm Order made on 17 December 2025 and harbour orders under the Harbours Act 1964.	
10SU2.	Applicant	<p>Cable crossings with third party assets</p> <p>Provide a full response to PLA's concerns expressed in [REP1-155] about GridLink (KP 101.27) and Q&E North (KP 100.151) in paragraph 6.3.</p>	<p><u>London Gateway Port Limited (LGPL)</u></p> <p>LGPL's principal concern is that the approach adopted by the Applicant should not preclude LGPL's ability to dredge to the specified depths in each Area of Interest. This should be secured by a Requirement. LGPL would also prefer no cable crossings in the Areas of Interest due to consequential increased construction and maintenance activities, and this would also be secured by Requirement or DML condition. LGPL would be happy to discuss the detail of this further with the Applicant once the response referred to is provided.</p>	<p>This is noted by the Applicant.</p> <p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant is committed to securing the three Areas of Safeguarded Water Depth which are currently secured within Application Document 9.92 Outline Cable Specification and Installation Plan submitted at Deadline 4. A certified Plan of these areas has been included in Application Document 9.104 Areas of Safeguarded Water Depth Plan submitted at Deadline 4.</p>

23. Climate Change

23.1 Climate Change

Table 23.1 Climate change

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1CC1.	Applicant, Suffolk County Council, Kent County Council, East Suffolk Council, Thanet District Council	<p>R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council judgment</p> <p>Applicant - The Climate Change assessment [APP-085] 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>Councils – Do you agree with the applicant's position and approach? If not, why not?</p>	<p>Applicant</p> <p>Suffolk County Council</p> <p>Whilst electricity transmission, as opposed to generation, does not in itself necessarily preclude the identification of direct and indirect upstream and downstream effects, it is acknowledged that there are various complexities involved. Complexities such as the lack of identification of end users suggest that accurately calculating the likely resulting effects on greenhouse gas emissions would be difficult. However, the Council awaits the response of the Applicant which will provide further information, including on examples of other NSIPs and will comment further as appropriate.</p> <p>East Suffolk Council</p> <p>ESC has reviewed the climate change assessment within [APP-085] and agrees with the Applicant's conclusion set out in Section 1.3.10 which states '<i>...the Proposed Project would increase capacity in the electricity network, meaning that, in theory, more electricity can be transported and used, increasing the potential for additional activities requiring electricity. However, whilst information is available at a high level regarding the amount of electricity that could flow as a result of an enhanced transmission network, it is impossible to quantify the amount of either the increase, or more likely decrease, in greenhouse gases that could result from the use of that additional electricity capacity.</i>'</p> <p>Given the nature of the Sea Link project (if consented), being an onshore network reinforcement project, ESC agrees that it would be impossible to categorically quantify the amount of increase or decrease in greenhouse gases which could result from the use of the additional electricity network. The flow of electrons in either direction</p>	<p>A response is provided in Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069].</p> <p>The Applicant largely agrees with this response but considers that assessment of upstream and downstream direct and indirect effects is not just difficult; it is impossible. The reasons for this are set out in the Applicant's response to question 1CC1 which is set out in Application Document 9.73 Applicant's Response to First Written Questions [REP3-069]. For this reason, it is considered that the ability to identify such effects for an electricity transmission project is precluded.</p> <p>The Applicant notes this response.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>within the Sea Link cable could be from various generation sources or indeed the existing transmission network. ESC considers that it would be impossible for the Applicant (or any other IP) to evidence this beyond doubt and calculate a precise <i>'likely upstream and downstream direct or indirect effects and any resultant increases or decreases in greenhouse gases.'</i></p>	
			<p><u>Thanet District Council</u> 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.</p>	<p>The Applicant notes this response.</p>

24. Other

24.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.73 Applicant's Responses to First Written Questions [REP3-069]**.

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