



# **Application by National Grid Electricity Transmission (NGET) for an Order Granting Development Consent for the Sea Link Project.**

**East Suffolk Council – Updated Principal Areas of Disagreement Summary Statement (PADSS)**

Deadline 5 (10<sup>th</sup> March 2026)

**Application Reference: EN020026**

**East Suffolk Council IP Reference: [REDACTED]**

<p>The Planning Inspectorate National Infrastructure Planning Temple Quay House 2 The Square Bristol BS1 6PN</p> <p>Email: <a href="mailto:SouthEastAngliaLink@planninginspectorate.gov.uk">SouthEastAngliaLink@planninginspectorate.gov.uk</a></p>	<p>Application Reference: EN020026 ESC Reference: ESC Principal Areas of Disagreement Summary Statement – Sea Link – D5 Date: 10/03/2026 Please ask for: [REDACTED] BSc (Hons) MSc MRTPI – Principal Planner - Energy Projects / Solar Lead [REDACTED] – Assistant Planner Energy Customer Services: Projects 03330 162 000</p> <p>Email: [REDACTED]@eastsoffolk.gov.uk [REDACTED]@eastsoffolk.gov.uk</p>
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# Application by National Grid Electricity Transmission (NGET) for an Order Granting Development Consent for the Sea Link Project – East Suffolk Council’s Updated Principal Areas of Disagreement Summary Statement (PADSS)

## **1. Introduction**

- 1.1 East Suffolk Council (ESC) submitted a Principal Areas of Disagreement Summary Statement to the Planning Inspectorate’s Sea Link Case Team on 26<sup>th</sup> August 2025. This was in response to the Examining Authority’s (ExA’s) “procedural decision to request from each named local authority, Marine Management Organisation and the Environment Agency a principal areas of disagreement summary statement (PADSS)” in its letter issued under s89(3) of the Planning Act 2008, dated 8 July 2025 [[PD-005](#)].
- 1.2 ESC produced its PADSS using the sample table provided in Annex A of [[PD-005](#)], and in accordance with the additional requests from the ExA for the PADSS to address, for each area of disagreement:
- the principal issue in question;
  - a brief explanation of the concerns held by the party which they will report on in full in their Local Impact Report/ Written Representation;
  - on a without prejudice basis what, in that party’s view, needs to change/ be amended/ included so as to overcome the disagreement; and
  - in the opinion of that party, the likelihood of the concern being addressed during the examination stage.
- 1.3 The ExA has requested in the Examination timetable (Annex A to the Rule 8 Letter [[PD-013](#)]) that updated versions of PADSS are submitted at Deadline 3 and Deadline 5, and that a final version is submitted at Deadline 7. ESC therefore submitted an updated PADSS at Deadline 3. This submission is a further update at Deadline 5.
- 1.4 The ExA should be aware that a number of the issues raised in this PADSS fall into a “to be confirmed” (TBC) category. This is because ESC is attempting to assist the ExA, but at the present time it is proving difficult to collaborate with the Applicant on a meaningful level and, as a consequence, ESC does not know whether it is “likely” or “unlikely” that resolution on a number of key issues can be achieved.
- 1.5 Matters that were marked as resolved in the Deadline 3 version of ESC’s PADSS [[REP3-080](#)] have been moved into Annex 1 to this submission. Where matters have been resolved since the Deadline 3 version of the PADSS was submitted, this has

been identified and these matters will be moved into Annex 1 of the final PADSS submitted at Deadline 7.

## 2. Updated Principal Areas of Disagreement Summary Statement (PADSS)

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
<b>Need Case</b>				
D5.1.01	Need for the Project	<p>See Section 4 of ESC’s LIR <a href="#">[REP1-128]</a>.</p> <p>ESC is extremely concerned as to the timing of the delivery of Sea Link and its relationship with the timing of other NSIPs being delivered within the East Suffolk District, in light of the anticipated onshore impacts collectively introduced by these projects. The need case is predicated on the Sizewell Generation Group. However, Sizewell C is approximately 10 years away from generating power. Nautilus is no longer proposed to connect into Suffolk and LionLink has been materially delayed as compared to the assumptions in the needs case and will be 6-7 years away from completion if and when consented. Given the completion timeframes of Sizewell C and LionLink, the project is considered to be premature and, importantly, as a result has missed opportunities for real coordination with future projects.</p> <p>Further, should the identified projects not become operational at the times anticipated or not be delivered at all, then it follows that this fundamentally changes the need for Sea Link.</p>	<p>ESC and the Applicant fundamentally disagree on the need case presented for Sea Link. Agreement on need is therefore unlikely to be reached. This is confirmed by the Applicant’s dismissal of ESC’s concerns in its response to ESC’s LIR <a href="#">[REP2-027]</a>. It is therefore clear to ESC that agreement will not be reached on need case.</p> <p>It is the view of ESC that the Sea Link project is being unnecessarily fast-tracked, the promoter using the issue of funding as its excuse for a worrying lack of co-ordination and genuine collaboration with LionLink. Sea Link is being delivered at pace due to the overarching ‘top-down’ need case narrative which appears to trump any and all local impacts being introduced.</p> <p>This is apparent in the Applicant’s response to ESC’s LIR <a href="#">[REP2-027]</a> where NGET highlights that Sea Link is a Critical National Priority (CNP) project, being cited in National Policy and having the strong support of Government. NGET highlight <i>‘NPS EN-1 further states (at paragraph 3.3.63) that “Government strongly</i></p>	Very unlikely

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		<p>As stated, this is significant because project prematurity restricts opportunities for meaningful coordination with other projects looking to connect at Friston, such as LionLink, which only accentuates local concerns regarding cumulative impacts.</p>	<p><i>supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible”.</i></p> <p>Whilst ESC acknowledges the central thrust and purpose of the Energy NPSs, they cannot be blindly relied upon if the basis for a given project has shifted and changed, as is the case with Sea Link.</p> <p>In addition, Sea Link’s lack of meaningful coordination with LionLink’s proposed infrastructure will only result in a far greater and longer duration of community and environmental impacts during the construction phases, in an area already experiencing material impacts.</p> <p>Given the completion timeframes of Sizewell C and LionLink, the Sea Link project is certainly considered locally to be premature – and in some scenarios, unnecessary - despite what the Applicant has said on overarching need, and as a result, NGET has missed opportunities for real coordination (as set out in ESC’s LIR <a href="#">[REP1-128]</a>).</p> <p>The timing and need case presented for this project must therefore be balanced against the significant disruption and local impacts the project is set to introduce on the local communities of East Suffolk in conjunction with other consented and proposed large scale infrastructure across the District. Further, the disruption that will be created must all be viewed in the</p>	

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			<p>context of both prematurity and a very questionable need case.</p> <p>ESC objects to this project given the impacts it will introduce on local communities, whether alone or cumulatively with other projects. Should the Secretary of State grant consent for the project, in light of the concerns raised, ESC will expect compensation to be agreed with the Applicant to offset the impacts and disruption introduced.</p> <p>The wellbeing of East Suffolk's local communities is ESC's primary concern given the significant volume of NSIP works anticipated over the next decade within the East Suffolk District.</p>	
<b>Landfall</b>				
D5.2.01	Depth of cable burial	<p>See Section 6.1.4 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>In its LIR submitted at Deadline 1, ESC requested a scaled, cross-sectional diagram of the HDD profile from the offshore cable joint to the onshore TJB. The cable must be buried at a sufficient depth to avoid exposure over the lifetime of the project because of the obvious danger to public health and safety as well as the negative impact that trying to re-bury and protect the cable would have on coastal geomorphology, namely the shingle beach barrier and the coastal protection that feature provides. ESC considers a depth of between 25m and 30m under</p>	<p>ESC has reviewed Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note <a href="#">[APP-321]</a> and is satisfied that the drawing shows a 25m coverage beneath the beach surface height, which is reasonable and just meets the lower end of ESC's desired depth.</p> <p>One of ESC's fundamental concerns with this project is to ensure that there is no risk of cable exposures occurring, given the uncertainties of climate change and noting specifically that Thorpeness is widely considered as one of the most rapidly eroding coastal areas in the UK.</p>	Possible

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		<p>present foreshore levels to be adequate for the long-term avoidance of cable exposure.</p> <p>Following review of the Applicant's submitted commentary on ESC's LIR <a href="#">[REP2-027]</a>, ESC understands that <i>'the cable will be installed in ducts at 16-25m depth below the nearshore' and 'in ducts at 19-25m depth beneath the foreshore'</i>. The Applicant also identified that <i>'the conceptual HDD design drawing in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note <a href="#">[APP-321]</a>...shows the proposed depths of cable installation'</i>.</p>	<p>ESC is not satisfied that the Applicant has provided adequate detail regarding the type of mitigation it proposes in the eventuality that cables are exposed on the foreshore (irrespective of how unlikely it deems this to be).</p> <p>ESC requires the Applicant to provide further detail of mitigation measures in the Outline Offshore Construction Environmental Management Plan during the course of the Examination. Whilst further detail can be approved post-consent through a discharge of Requirement 6 of the draft DCO, it is essential that adequate detail is provided at this stage to reassure ESC and other stakeholders that instances of cable exposure will be appropriately managed.</p> <p>The Shoreline Management Plan policy in (Unit 14.2 Thorpeness Haven Beach) is 'Managed Realignment' to 2105. The intent here is for a natural shoreline, not to encourage new defences.</p> <p>ESC recommends that Sea Link installs the cable as low as practicable under the current and future shoreline, so that the risk of cable exposure is minimised over the 40-60 year lifespan.</p> <p>ESC therefore considers that the only viable mitigation measure would be to rebury the cable. Enough "slack" in the cable is therefore required to allow it to be</p>	

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			<p>reburied at a lower level. If the existing beach material is severely depleted, a recharge <i>may</i> be appropriate. Additional substrate would need to be the appropriate size, angularity and volume. It could be won from a local donor site or be sourced from further afield.</p> <p>The Environment Agency are the primary stakeholders on this stretch of shoreline, with approval and consent required from Natural England and the Marine Management Organisation for any mitigation.</p> <p>ESC also expects the Applicant to share the Final HDD proposed profiles with ESC (as a Coast Risk Management Authority under the Coast Protection Act 1949 and Flood and Water Management Act 2010). Whilst ESC has previously advised that this can be submitted for approval as part of the approval of the Offshore and Onshore CEMPs through a discharge of Requirement 6, in response to ExQ2 Question 1GEN17 submitted at Deadline 5., ESC has now proposed wording for a new Requirement, with the final HDD proposed profiles able to be approved by the relevant planning authority via approval of a landfall construction method statement.</p>	
D5.2.02	Post-installation survey reports	<p>See Paragraph 6.1.4.12 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>The Outline Offshore CEMP <a href="#">[REP4-223]</a> commits to post-installation survey reporting of the HVDC link, but does not appear to require that these survey reports be provided to ESC, and other relevant stakeholders.</p>	<p>ESC expects that it, along with other relevant stakeholders, are given sight of post-installation survey reports. Other energy infrastructure projects share this information with ESC as part of the consented monitoring plan. ESC's Coastal Management Team would take a keen interest in the ultimate depth of</p>	TBC

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		<p>ESC requested in Paragraph 6.1.4.12 of its LIR <a href="#">[REP1-128]</a> that the Outline Offshore CEMP be amended to commit the Applicant to giving ESC, along with other relevant stakeholders, sight of post-installation survey reports. ESC notes that the Applicant does not appear to have provided a response on this matter in its comments on ESC's LIR <a href="#">[REP2-027]</a>.</p>	<p>cable burial beneath nearshore, foreshore and backshore. ESC would expect the surveys to show the burial of the cable at the depth proposed on the design drawings in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note <a href="#">[APP-321]</a>.</p> <p>This should be a formal requirement within the DCO. ESC's proposed wording for a Requirement securing the use of a trenchless landfall technique, provided in response to ExQ2 Question 2GEN17., also requires that a landfall monitoring plan is submitted to and approved by the relevant planning authority. ESC considers that the sharing of post-installation survey reports with relevant stakeholders, including ESC, could be secured through the outline landfall monitoring plan, the detailed version of which would be approved through the discharge of ESC's proposed Requirement.</p>	
D5.2.03	Risk of frac-out	<p>See Section 6.1.7 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>Whilst the use of a trenchless technique (such as HDD) is preferable to an open cut technique, it comes with its own potential construction impacts, such as the risk of 'frac out' of the drilling compound/material (e.g., bentonite). ESC previously raised its concern that the Register of Environmental Actions and Commitments (REAC) does not address this risk satisfactorily. Following changes made to the REAC <a href="#">[REP4-235]</a>, ESC is now largely satisfied, but requests that ESC is included in mitigation measure B59 of the</p>	<p>As noted in ESC's updated PADSS submitted at Deadline 3 <a href="#">[REP3-080]</a>, ESC is largely satisfied with changes made to the REAC <a href="#">[REP4-325]</a> to address the risk of frac-out. However, ESC continues to request that mitigation measure B59 is amended to include ESC, alongside Natural England, as a stakeholder to receive copies of plans/notifications in relation to the trenchless landfall works. If this amendment is made, ESC will be satisfied that the risk of frac-out has been adequately acknowledged by the Applicant, and suitable mitigation measures have been proposed.</p>	Likely

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		REAC as a stakeholder that will receive copies of plans/notifications, alongside Natural England.		
D5.2.04	Access to the landfall	<p>See Section 6.1.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC defers all highway and traffic matters to SCC as the Local Highway Authority. ESC does, however, wish to note its concern that access to the landfall area by large vehicles is very limited. The site is served by narrow roads which either travel through Aldeburgh or Thorpeness, two popular tourist seaside destinations, and ESC is concerned about the difficulties of large vehicles using the A1094/B1122 roundabout at the entrance to Aldeburgh, which was considered in the SPR examinations. Consideration must also be given to potential impacts on the tourism industry resulting from landfall access and associated activities.</p>	<p>ESC requires comprehensive information to be provided in relation to access to the landfall area between Aldeburgh and Thorpeness. Consideration must also be given to potential impacts on the tourism industry resulting from landfall access and associated activities. Given that the Sea Link project proposes a landfall directly adjacent to the B1122, ESC recommends that NGET revisits the constraints pertaining to the proposed use of narrow roads, as highlighted in the SPR examinations, and limits HGV movements as far as practicable, putting the lessons learned from the SPR projects into practice for Sea Link. ESC expects such controls to be contained within the Outline Construction Traffic Management Plan (OCTMP). ESC's position remains unchanged at Deadline 5. The Applicant has stated in its comments on ESC's LIR <a href="#">[REP2-027]</a> that construction traffic through Aldeburgh will be limited to 10 HGVs daily. ESC asks the Applicant to identify where this commitment is secured, as ESC cannot find reference to this constraint in the OCTMP or REAC.</p>	TBC

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<b>Saxmundham Converter Station and River Fromus Crossing</b>				
D5.3.01	Heritage impacts – general	<p>See Section 6.3.6 of ESC’s LIR <a href="#">[REP1-128]</a>.</p> <p>ESC has serious concerns regarding the harm that the converter station and the access over the River Fromus will cause to the significance of designated heritage assets which surround the site, due to the impact of the development on their setting.</p> <p>In particular, Grade II listed Hurts Hall and Hill Farmhouse, as well as the Saxmundham Conservation Area and Grade II* Church of St John the Baptist would be impacted through the changes in their settings.</p> <p>The movement of the River Fromus Crossing 40m north along the river (which ESC did not request) will make it more prominent in views towards these heritage assets, and the Saxmundham Conservation Area. The mitigation planting around the bridge and access where there are currently open views towards those assets may obstruct these views and affect their significance.</p>	<p>Whilst ESC appreciates the need for compliance with the Water Framework Directive, ESC requires that the scale of the bridge is minimised to mitigate impacts introduced on nearby heritage assets. ESC understands from the Environment Agency’s response to ExQ1 Question 1WE6. <a href="#">[REP3-104]</a> that the Environment Agency is ‘willing to accept a 4m soffit height [above the Q95 flow level], subject to the inclusion of a monitoring and contingency plan’. The Applicant has subsequently amended Requirement 3 (Detailed Design) of the draft DCO at Deadline 5 such that it now states that ‘the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level)’. ESC notes, however, that this does not secure a 4m bridge soffit height above the Q95 level. Whilst the Applicant is required to submit a technical statement demonstrating how it has sought to reduce the scale of the bridge, there is no mechanism for the relevant planning authority (ESC) to refuse the bridge design on the basis that it considers efforts to reduce the scale of the bridge have been inadequate. Instead, ESC will merely be required to confirm that the parameters in paragraph (3)(b) of Requirement 3 have been met. ESC therefore remains concerned about the heritage impacts of a larger bridge, and requests that Requirement 3 is reworded to afford the relevant planning authority greater control over the layout, scale and design of the bridge.</p>	Agreement on acceptability of the River Fromus Crossing is highly unlikely

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			<p>The height of the bridge will affect the visual impact of the bridge and retaining walls, as well as the size of the required ramps and bunding. The residual visual impact of the bridge itself will be limited following the establishment of the landscape mitigation planting, however the scale and height of the new landscaping will differ depending on the required ground levels around the bridge. This landscaping and the changes to the ground levels are unrelated to the historic form and layout of the former parkland to Hurts Hall and will be intrusive in views toward Hurts Hall. They will also (to a lesser extent) be intrusive in the landscape setting to Saxmundham Conservation Area.</p> <p>Regardless of the height of the bridge, this part of the development is considered to detract from the setting of Hurts Hall and from the setting of the Saxmundham Conservation Area.</p> <p>Therefore, although ESC requests that it is afforded greater control over the scale of the bridge at the discharge of requirement stage in order to reduce the significant adverse heritage effects, there will in any case remain a significant adverse effect to be carried forward into the planning balance. ESC's view that this aspect of the scheme is unacceptable is therefore very unlikely to be remedied.</p>	

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D5.3.02	Impacts on designated heritage assets	<p>See Section 6.3.6 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC disagrees with the Applicant's assessment of impacts and effects on designated heritage assets.</p> <p>ESC considers that the landscape planting proposed to mitigate the harm to Hurts Hall would not reduce the magnitude of the adverse impact, and so the residual effect would be moderate adverse (significant).</p> <p>For Hill Farmhouse, ESC disagrees that there would be no impact, and instead considers that there would be a moderate adverse (significant) effect on Hill Farmhouse.</p>	<p>ESC requests that the Applicant reconsiders its assessment of heritage impacts on Hurts Hall and Hill Farmhouse, taking into account the Landscape Viewpoints – particularly Updated Landscape Viewpoint 2 <a href="#">[REP1-298]</a> and Additional River Fromus Viewpoint B <a href="#">[REP1-300]</a> for Hurts Hall, and Landscape Viewpoint 5 <a href="#">[APP-209]</a> for Hill Farmhouse.</p> <p>ESC has reviewed the Applicant's comments on its LIR <a href="#">[REP2-027]</a> and strongly disagrees with the statement at Section 6.3.6.9 that "views of the asset [Hill Farmhouse] in the surrounding landscape are not a feature of its setting that contributes to significance". As a historic farmhouse, the rural agricultural setting of the listed building contributes to the historic interest of the building, and the development will, if permitted, undoubtedly detract from this setting.</p> <p>Plate A.1 in Appendix 1 to the Applicant's comments <a href="#">[REP2-027]</a> demonstrates the issue clearly as it shows that the trees to the north of Hill Farmhouse are not a dense woodland, especially in winter.</p> <p>In relation to the Applicant's comment at Section 6.3.6.10 of <a href="#">[REP2-027]</a>, ESC does not disagree with the statement that the Cultural Heritage Viewpoints are most relevant to the heritage assessment, however ESC remains of the view that the Landscape Viewpoints are also important, as they demonstrate that Hurts Hall is widely visible in the surrounding area, which is an</p>	TBC

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			<p>aspect of its setting that contributes to its significance and it would be misleading to attempt to downgrade the importance of these views.</p>	
D5.3.03	Landscape planting	<p>See Section 6.3.8 of ESC’s LIR <a href="#">[REP1-128]</a>, and Agenda Item 9.5 of ESC’s ISH2 post-hearing submission <a href="#">[REP4-117]</a></p> <p>New and comprehensive planting around the Converter Station will be a necessary addition to local green infrastructure and wildlife connectivity. ESC expects and requires the Applicant to undertake early planting around the converter station site at Saxmundham ahead of construction commencing.</p> <p>Provision should represent the maximum possible given the national significance and scale of this Project which contrasts with the introduction of local community impacts (i.e. national benefits, local impacts). This justifies an over and above ‘exemplar’ provision of mitigation planting.</p> <p>ESC largely agrees with the conclusions presented in Tables 1.11 and 1.12 of <a href="#">[REP4-023]</a>. However:</p> <ul style="list-style-type: none"> <li>• ESC considers that Viewpoint 1 could be better mitigated with the addition of additional screening along the length of the PRoW</li> </ul>	<p>Particularly important will be the adoption of an adaptive landscape maintenance programme which will ensure that all new planting receives the full required programme of maintenance, regardless of how long it takes for the plants to successfully establish. ESC acknowledges that a commitment to adaptive management has been included in the Outline Landscape and Ecological Management Plan (OLEMP) <a href="#">[REP4-065]</a>, with further details to be approved in the final LEMP through a discharge of Requirement 6 of the dDCO. ESC will expect that, as part of this programme, where trees must be replaced due to failed establishment, the clock will reset and the committed maintenance period will also apply to the new planting. ESC has suggested amendments to Requirement 6 of the draft DCO to secure this in its Deadline 5 submission titled ‘East Suffolk Council’s comments on the Applicant’s Deadline 4 submissions’.</p> <p>ESC will also expect the Applicant to undertake early planting around the converter station site at Saxmundham ahead of construction commencing. ESC notes that the Applicant has amended the OLEMP so that it no longer commits to advance planting prior to construction where planting areas do not conflict with</p>	Unlikely

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		<p>running south from the B1119 towards the site as illustrated by additional tree planting area B in Fig.2 within <a href="#">[REP1-128]</a>.</p> <ul style="list-style-type: none"> <li>• For Viewpoints 4, 5, 20 and 21, ESC considers that further mitigation planting could have achieved enhanced screening.</li> <li>• ESC considers that the moderation of some of the effects on viewpoints is optimistic, as the erratic rainfall patterns and prolonged, very dry periods in East Suffolk have made it exceptionally difficult to establish new planting. In particular, ESC considers that the effects on Viewpoint 21 at Year 15 would remain major adverse, unless the mitigation planting establishes very quickly.</li> <li>• For viewpoints along the B1119, ESC has been requesting enhanced planting along the B1119 (Area C in Figure 2 of <a href="#">[REP1-128]</a>), specifically multi-species tree belts. ESC has reviewed Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 <a href="#">[REP4-065]</a>.</li> </ul>	<p>construction compounds and activities, and instead only commits to this planting in advance of operation (Para 5.8.1 of <a href="#">[REP4-066]</a>). ESC is extremely concerned by this as it appears to be a significant watering down by the Applicant of its previous commitments to advance planting. The Applicant's proposed approach is no longer in line with other projects in the District, and it fails to commit to the widely-accepted standard practice of pre-commencement planting where at all possible. ESC considers that the caveat '<i>where planting areas do not conflict with construction compounds and activities</i>' should provide adequate safeguards against any instances of pre-commencement planting interfering with works. ESC strongly supports the ExA's suggestion for advance mitigation planting to be added to pre-commencement operations in Article 2 of the dDCO, with a requirement that pre-commencement operations cannot be carried out until details of advance planting are approved with a timetable for their implementation. Suggested Requirement wording is provided in ESC's Deadline 5 submission titled 'East Suffolk Council's comments on the Applicant's Deadline 4 submissions'.</p> <p>ESC has reviewed the Applicant's response to ESC's LIR <a href="#">[REP2-027]</a>.</p> <p>With regards to Area A in Figure 2 of <a href="#">[REP1-128]</a>, ESC agrees with the Applicant's assertion that "<i>additional mitigation planting in location 'A', would result in adverse cultural heritage effects</i>" in its response to</p>	

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			<p>ESC's LIR <a href="#">[REP2-027]</a>. ESC is therefore satisfied that its suggestion for additional mitigation planting in area A in Figure 2 of <a href="#">[REP1-128]</a> no longer needs to be pursued.</p> <p>The Applicant states in its response to ESC's LIR <a href="#">[REP2-027]</a> that additional planting in Area B shown on Figure 2 of ESC's LIR <a href="#">[REP1-128]</a> '<i>would entirely enclose views along the existing Public Right of Way (PRoW) and restrict views to the wider landscape</i>'. ESC considers that enclosed views would be preferable to a PRoW user than a wide view of a landscape in which the converter station would be the focus, and so continues to request that the Applicant proposes additional planting along Fristonmoor Lane.</p> <p>ESC notes the Applicant's proposal to plant tree belts along the B1119 to achieve enhanced screening. ESC previously advised in Paragraph 6.3.8.9 of its LIR <a href="#">[REP1-128]</a> that such tree belts need to be at least 15m, if not 20m, wide to be fully effective. ESC understands from Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 <a href="#">[REP4-065]</a> that the tree belts are proposed to be 8.5m wide. ESC therefore considers that this is too narrow to be fully effective and remains of the view that the Applicant has missed an opportunity to increase the Order Limits south of the B1119 via Change 5 of its Change Request 1 to accommodate a wider tree belt. ESC, with some regret, accepts that the Applicant is unlikely to amend the Order Limits to address this at</p>	

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			<p>this stage, despite the obvious detrimental impact that will now be caused to the local community.</p> <p>ESC also requests that the Year 15 assessment for Viewpoint 21 is reconsidered by the Applicant. In Section 6.3.8.4 of its comments on ESC's LIR <a href="#">[REP2-027]</a>, the Applicant states that it is considered that the major adverse (significant) effect reported at Year 1 of operation would be reduced as a result of the landscape planting proposals maturing. As stated in Paragraph 7.1.4 of ESC's LIR <a href="#">[REP1-128]</a>, realistic anticipated growth rates for new planting in East Suffolk are an essential factor informing the Landscape and Visual Assessment. ESC maintains that erratic and unpredictable rain fall patterns can be a very limiting factor in successfully establishing new tree and shrub planting in this region. ESC considers that the Year 15 assessment for Viewpoint 21 should be revised to be a major adverse effect, as unless the mitigation planting establishes very quickly, ESC does not consider that it will lessen the effect to moderate adverse by Year 15.</p> <p>For Viewpoints 4, 5, 20 and 21, ESC notes that there are limited opportunities for additional mitigation planting given the area of land available, but is strongly of the view that the Applicant could have included more land within the Order Limits to allow for planting closer to the receptor. This would have achieved enhanced screening compared to what is now proposed, namely only planting around the converter station itself. ESC</p>	

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			notes, with regret, that the Applicant is unlikely to amend the Order Limits to address this at this stage.	
D5.3.04	Impacts on woodland vegetation	The removal of the mature woodland vegetation along a section of the River Fromus will alter the vegetation network. There are significant concerns in the community – which are shared by ESC – about the potential loss of veteran trees and ancient woodland.	Veteran trees along the River Fromus have been avoided. The veteran Horse Chestnut is being given a 40m wide berth and other veteran trees near the Fromus crossing have been avoided and will be protected during construction. Whilst ESC’s former concerns on this matter have been addressed, ESC did note at Issue Specific Hearing 2 (ISH2) that it is concerned that Article 51, as currently worded, could be used to fell veteran or ancient trees which has not been subject to Environmental Impact Assessment in the project. ESC would welcome amendments to Article 51 such that it does not apply to such veteran trees that have been identified and understood to be preserved in situ for the project. Further detail of ESC’s position in this respect is provided in its ISH2 post-hearing submission <a href="#">[REP4-117]</a> .	TBC
D5.3.05	Design	See Paragraph 6.3.11.5 of ESC’s LIR <a href="#">[REP1-128]</a> , and ESC’s response to Question 1GEN47 of ExQ1 <a href="#">[REP3-085]</a> .  The need for the DCO to include an appropriate consenting mechanism to secure the most appropriate bridge design, including genuine engagement with key stakeholders.	As discussed in ESC’s response to Question 1GEN47 of ExQ1 <a href="#">[REP3-085]</a> , ESC requires that comprehensive and detailed provision is included within the DCO, via a Requirement, to ensure that the proposed Fromus Bridge design is submitted to and approved by ESC’s Design team (in consultation with relevant stakeholders such as the relevant Highways Authority) before any works on the bridge can be commenced.	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>ESC, in collaboration with SCC, has proposed revised wording for Requirement 3 of the draft DCO which would allow ESC as the discharging authority to approve the layout, scale and external appearance of the River Fromus Bridge, provided these details are in accordance with the Critical Design Constraints, Overarching Design Principles, Project Level Design Principles, and (yet to be produced) River Fromus Design Principles. The full proposed wording can be found in ESC's response to actions arising from ISH2 <a href="#">[REP4-119]</a>, and further explanation on behalf of ESC can be found in SCC's post-hearing written submission <a href="#">[REP4-150]</a></p> <p>ESC has also provided comments on the Applicant's revised Requirement 3 (Detailed design) wording at Deadline 5 in response to ExQ2 Question 2GEN6.</p>	
D5.3.06	Operational noise	<p>See Section 6.3.7 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC's stance with regards to operational noise is that a rating level of at least 5dB below the typical background should be the target. Any deviation from this level will require robust justification and the aim should still be to achieve the lowest possible sound level.</p> <p>The Applicant has not, at present, proposed operational noise rating levels for noise sensitive receptors near the converter station site, nor an</p>	<p>ESC requires appropriate noise rating levels to be agreed at representative noise sensitive receptors (NSRs), to form the basis of an operational noise limit requirement in the DCO. ESC has provided suggested wording for this DCO Requirement in response to ExQ2 Question 2NV1.</p> <p>At least 5dB below background should be the target. If this is not possible then the Applicant needs to propose an operational noise rating level that is the lowest that can reasonably be achieved but with full justification as to why that is the case. Even with rating levels agreed,</p>	TBC once the Applicant has provided a detailed response at a later deadline

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>operational noise limit DCO requirement. It is worth noting that East Anglia ONE North (EA1N) and East Anglia TWO (EA2) committed to 31 dBA and 32 dBA noise rating levels at the three Noise Sensitive Receptors closest to the Friston substation site (see Requirement 27 of the EA1N and EA2 DCOs). This demonstrates that ESC's request for the Sea Link Applicant to propose operational noise rating levels for noise sensitive receptors near the converter station site prior to the detailed design stage is precedented and not unreasonable.</p> <p>The co-location of the converter station site with LionLink and a possible third project makes it even more important that the lowest possible operational noise rating level is committed to. This will help to prevent unacceptable noise creep, ensuring that noise levels are not sequentially and cumulatively increased significantly whilst being accepted under policy due to the individually less significant increase, thus helping to protect the residents and acoustic character of the area.</p> <p>Following review of the Applicant's submitted commentary on ESC's LIR <a href="#">[REP2-027]</a>, ESC notes that the Applicant is proposing a noise rating level of ≤34 dBA as the Lowest Observable Adverse Effect Level (LOAEL) for the converter station site, meaning that operational noise levels would not necessarily be kept at or below this level. ESC queries how this 34 dBA</p>	<p>ESC will expect a commitment to go lower, if possible, in the final detailed design.</p> <p>Following review of the Applicant's submitted commentary on ESC's LIR <a href="#">[REP2-027]</a>, ESC notes that the Applicant <i>'acknowledges the comment raised'</i> by ESC on the need for operational noise rating levels and an operational noise limit requirement, and that a <i>'further detailed response will be provided at a later deadline'</i>. This unwarranted delay on such a critical area is unacceptable.</p> <p>Regarding ESC's concerns about noise creep, particularly if the noise rating level is expressed as a LOAEL, the Applicant states in its comments on ESC's LIR <a href="#">[REP2-027]</a> that it <i>'considers that the ≤34 dBA noise rating level threshold should apply cumulatively to this Project and future projects'</i>. ESC is not aware of a mechanism that could place a noise rating level on the site as a whole, making it a site constraint which future projects (one of which (LionLink) is only in the pre-application stage of the DCO process, and the other of which is not yet known) would have to conform to. Whilst ESC would very much welcome a discussion of the principle of this and considers it may be worth exploring, ESC requests further information regarding how this would work in practice. ESC is particularly sceptical of the Applicant's suggestion that this rating level could be applied cumulatively to all projects at the site given it has emphasised throughout <a href="#">[REP2-027]</a> (for example in</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>level has been determined to be a reasonable level, noting that the agreed night time representative background sound levels are low (the lowest being 20 dBA). Previous projects have used BS4142 significance levels as a basis of determining the LOAEL and the Significant Observable Adverse Effect Level (SOAEL), with &gt;5dB indicating an adverse effect and &gt;10dB indicating a significant adverse effect. On this basis, the Applicant's stated rating level is firmly in the significant adverse effect category. ESC is particularly concerned about the proposed noise rating level of ≤34 dBA in the context of its concerns about noise creep at the co-located site. Furthermore, as a LOAEL this will only require projects to mitigate and minimise impact and allow projects, including Sea Link, to exceed this level, therefore any noise limit should be expressed as the SOAEL and avoided in line with policy. A noise rating level expressed as a LOAEL would not provide adequate protection against this noise creep.</p> <p>If the Applicant is using Absolute levels to determine the operational noise limit it should be explained as to why this is as or more protective in terms of impact to Noise Sensitive Receptors as it does not generally take into account any acoustic penalties that a rating would. Given the types of plant to be used, tonality, impulsivity and intermittency are all likely to be considerations. Again, any operational noise limit should be expressed in the form of a SOAEL and</p>	<p>Section 3.0.4) that NGET and NGV are '<i>legally separate entities</i>' and that they have '<i>no influence or control over the decisions made</i>' by one another.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		represent the level that will not be exceeded and therefore the actual practical operational noise limit and not the level at which it will be mitigated and minimised.		
D5.3.07	The use of Benhall Railway Bridge on the B1121 for access to the converter station site, including construction of an overbridge.	<p>See Paragraph 6.3.11.12 of ESC's LIR [<a href="#">REP1-128</a>].</p> <p>ESC has concerns regarding the proposed use of Benhall Railway Bridge for access to the converter station site. The bridge has a weight restriction of approximately 46 tonnes, and so the Applicant has proposed to construct an overbridge for Abnormal Indivisible Load (AIL) movements.</p> <p>ESC largely defers to Suffolk County Council as the Local Highway Authority, but wishes to note its concerns regarding the lack of certainty in relation to the disruption created for the community by the works.</p>	ESC defers to SCC but will expect to be fully consulted on this element on the Project considering the genuine concerns of the local community as well as the practicality.	ESC defers to SCC's judgement regarding the likelihood of resolution – subject to the caveat sounded.
<b>Land for mitigation</b>				
D5.4.01	Reductions applied to the proposed order limits over the pre-application stage	<p>See Paragraph 6.3.8.9 of ESC's LIR [<a href="#">REP1-128</a>].</p> <p>ESC has raised concerns about the size of the Order Limits to the north of the converter station site and whether they are sufficiently sized to accommodate the necessary mitigation planting along the B1119.</p>	As discussed in D5.3.03 above, ESC considers that the 8.5m tree belt proposed is too narrow to be fully effective. ESC remains of the view that the Applicant has missed an opportunity to increase the Order Limits south of the B1119 via Change 5 of its Change Request 1 to accommodate a wider tree belt. be brought forward by the Applicant to achieve more effective screening.	Unlikely

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>The Applicant is now proposing a tree belt along the B1119 to shield views of the converter station site. ESC previously noted in Paragraph 6.3.8.9 of its LIR [REP1-128] that such tree belts need to be at least 15m, if not 20m, wide to be fully effective, but Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 [REP4-065] shows that the tree belt is proposed to be only 8.5m wide. ESC considers this to be further evidence that the Applicant has missed an opportunity to expand the Order Limits in this area to accommodate enhanced tree planting.</p>	<p>ESC notes that the Applicant is unlikely to amend the Order Limits to address this at this stage.</p>	
<b>Construction Working Hours</b>				
D5.5.01	Core working hours	<p>See Section 7.4.2 of ESC's LIR [REP1-128].</p> <p>The proposed 7 days a week working are considered unacceptable by ESC. This is due to significant concerns regarding the lack of respite impacting local residents' mental health and wellbeing (particularly given the number of projects in the District), impacts on socio-economic activity and East Suffolk's tourism industry, and noise and vibration impacts in a noise sensitive area. ESC rejects the Applicant's suggestion in its comments on ESC's LIR [REP2-027] that the identification of Sea Link as critical for the achievement of the Clean Power 2030 target justifies the unacceptable disruption and lack of respite for East Suffolk's communities that would be caused by the proposed working hours.</p>	<p>ESC requires the Applicant to remove Saturday afternoons, Sundays and Bank Holidays from the core working hours in the DCO, to align with the working hours previously examined and agreed for other associated and consented NSIPs, namely SPR's EA1N/EA2 consents. These projects share aspects of the Sea Link infrastructure at Friston and have additional overlap in geospatial terms, together with a similar landfall area. Operations outside of core working hours must be restricted unless otherwise approved by ESC as responsible local planning authority. ESC will not support the currently proposed working hours.</p> <p>Whilst ESC acknowledges that the Applicant has now excluded Bank Holidays from its core working hours for the Suffolk converter station (Work No. 3B), this simply</p>	A significant area of disagreement

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		<p>ESC notes that Paragraph 5.12.17 of NPS EN-1 makes clear that <i>'the Secretary of State should not grant development consent unless they are satisfied that the proposals will...through the effective management and control of noise... mitigate and minimise other adverse impacts on health and quality of life from noise'</i>. ESC considers that the Applicant's core working hours, as currently proposed, fail to adequately <i>'mitigate and minimise'</i> the adverse health and wellbeing effects of project construction in line with national policy (NPS EN-1). Reduced core working hours are an exceptionally important mitigation measure in helping to satisfy Paragraph 5.12.17 of NPS EN-1.</p> <p>In addition, operations allowed outside the core working hours as proposed in the draft Requirements of the DCO are too wide in scope as they effectively allow working to continue outside core working hours, and could have impacts in terms of noise and vibration, dust, light and other environmental impacts. The Applicant suggests that the list of exceptions to working hours in the DCO is comparable to those for EA1N and EA2 <a href="#">[REP2-027]</a>. ESC disagrees and maintains its view that the scope of exceptions to the core working hours is too broad in the Sea Link draft DCO <a href="#">[REP4-217]</a>.</p>	<p>does not go far enough. ESC requires Saturday afternoons, Sundays and Bank Holidays to be removed from the core working hours for all works other than those listed in Paragraph (4) of Requirement 7 (notwithstanding ESC's view that the scope of this paragraph is too wide).</p> <p>ESC notes that other NSIPs in East Suffolk have mechanisms to request working outside of permitted hours. ESC will support this where the need has been justified. ESC would suggest a similar mechanism be employed in the case of Sea Link. Justification of working in these circumstances is a vital step in determining Best Practicable Means, in that it should always be a case that intrusive works can only take place at that time and cannot reasonably be undertaken at a less sensitive time. ESC does not consider the Applicant's justification for not pursuing this approach in its comments on ESC's LIR <a href="#">[REP2-027]</a> satisfactory.</p>	

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D5.5.02	Working hours - coordination	<p>See Section 7.4.2 of ESC's LIR <a href="#">[REP1-128]</a> and ESC's ISH2 post-hearing submission <a href="#">[REP4-119]</a>.</p> <p>The Applicant suggests that longer working hours will result in the Project's construction being completed sooner. Whilst ESC appreciates that there is a balance to be struck, considering the construction impacts of other projects, and the extended duration of works at the co-location site at Saxmundham and convergence of projects at Friston, the duration of associated disturbance to the local communities is expected to be significant if all are consented. Therefore, respite in these extended durations must be given full consideration. Given all other comparable projects provide this respite (including projects promoted by SPR), ESC considers it entirely inappropriate to now start including these periods and creating impact at times where ESC and other projects have deliberately prevented it, particularly given the spatial relationship between SPR's projects and the proposed Sea Link project.</p> <p>Furthermore, ESC queries the Applicant's assertion in response to ExQ1 Question 1GEN49. <a href="#">[REP3-069]</a> that restricting core working hours to exclude Saturday afternoons, Sundays and Bank Holidays '<i>would result in a delay of between 21 and 33 weeks</i>' and '<i>an additional cost would be borne by British energy bill payers of between £443m and £886m</i>'. No justification or evidence has been provided to explain how these</p>	<p>As above, ESC requires the Applicant to remove Saturday afternoons, Sundays and Bank Holidays from the core working hours, thereby following the approach that was taken in SPR's EA1N/EA2 consents. ESC will not support the currently proposed working hours.</p>	<p>A significant area of disagreement</p>

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		<p>figures were reached. Certainly, as far as ESC is concerned, little, or in reality no, weight can be afforded to them.</p> <p>The Applicant also states in its comments on ESC's LIR <a href="#">[REP2-027]</a> that a shorter construction phase would allow for greater colocation and cooperation between projects. ESC would request further explanation of this assertion from the Applicant as it is unclear how this conclusion has been reached.</p>		
<b>Friston substation</b>				
D5.6.01	Legacy benefits associated with reduction in flood risk	<p>See Section 6.5.5 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>If the Project is consented, ESC strongly suggests that reducing existing and known flooding issues in the village of Friston presents a hugely beneficial legacy project opportunity.</p> <p>However, any such legacy benefit would need to be balanced against any other impacts introduced by the Project.</p>	<p>ESC requests that the Applicant assesses the possibility of a legacy project to improve flooding issues in the village of Friston. The existing watercourse in proximity to the substations area and village experiences well-known and regular problems due to silting and lack of maintenance. This presents an opportunity for the Applicant and other project promoters to plan and implement a solution benefiting the local community over and above the needs of the NSIP projects within the area.</p> <p>ESC accepts that the wider watercourse maintenance issue extends beyond the order limits for the project. ESC has raised this matter more than once with the Applicant in project meetings (and with NGV regarding</p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>LionLink) as it presents a valuable opportunity for developers to implement a much-needed legacy benefit within the village of Friston.</p> <p>The Applicant had the opportunity to avail itself of this opportunity but has not done so and now relies on the Order limits which it identified and selected. This of itself demonstrates the detached approach the Applicant has adopted to the impact its proposal will have on the local community and its refusal to consider area within which this impact could be mitigated. ESC does not consider this to be acceptable.</p>	
D5.6.02	Operational noise	<p>See Section 6.5.6 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC notes that the Applicant has scoped operational noise of the proposed Friston Substation out from assessment in the ES. The Applicant states in Part 2 Suffolk Chapter 9 Noise and Vibration (Version B) <a href="#">[AS-109]</a> that <i>'although potential operational noise from the Friston substation was originally proposed to be included in the scope of the ES...it has since transpired that there are no other potential sources of noise proposed during normal operation (i.e. there are no proposed transformers or similar plant)'</i>. ESC does not agree as this substation is subject to a site rating level imposed by East Anglia ONE North and East Anglia TWO DCOs, therefore NGET needs to be very confident that the introduction of further or different equipment will not impact that constraint.</p>	<p>The Applicant stated in its comments on ESC's LIR <a href="#">[REP2-027]</a> that it has noted these points, but no further justification was provided, nor were any suggestions to address ESC's concerns made. ESC requests that the Applicant provides evidence demonstrating that the additional infrastructure required to connect into Friston substation will not result in the site rating level at the site being exceeded.</p> <p>At Deadline 4, the Applicant stated in response to actions arising from ISH2 <a href="#">[REP4-086]</a> that the only noise at the Friston Substation would be <i>'short-term noise from switchgear equipment operating a limited number of times a year'</i>. It goes on to state that <i>'there is therefore very limited potential for the substation to contribute to the cumulative noise level of all projects at nearby receptors'</i> and so it considers that <i>'it is not appropriate for a noise limit for continuous sources to</i></p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p><i>be applied to the switchgear equipment given its occasional short-term operation only</i>. Whilst ESC accepts the principle that very infrequent operation of switchgear is unlikely to pose a significant impact in isolation, the Applicant should quantify what it means by <i>'a limited number of times a year'</i>. The Applicant should demonstrate that the additional number of operations associated with the inclusion of Sea Link at the site does not result in impacts that are not present with the current consented projects alone. Whilst this was accepted in terms of EA1N and EA2, additional "limited numbers of times a year" could cumulatively amount to a significant impact and ESC needs to be confident this is not the case with the additional operations created by Sea Link at this site.</p> <p>ESC has provided suggested wording for an operational noise DCO Requirement in response to ExQ2 Question 2NV1.</p>	
<b>Project-wide: Socio-economics, leisure and tourism</b>				
D5.7.01	Baseline conditions and request for ongoing monitoring	<p>See Section 7.8.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC is deeply concerned that the assessment of baseline conditions fails to account for an increasingly dynamic economic environment in East Suffolk.</p> <p>East Suffolk is unusual, and perhaps unique, in the number and scale of energy NSIPs and other major</p>	<p>ESC is firmly of the view that the desk-based methodology is insufficient for the conditions described, and requires the Applicant to work with ESC and commit to the following:</p> <ol style="list-style-type: none"> <li>1. To review and update their assessment of baseline conditions immediately prior to commencement of construction of the Suffolk</li> </ol>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>developments either being constructed or planned for construction over the next decade.</p> <p>ESC considers it essential to understand the changing baseline conditions during the construction period of the Suffolk Onshore Scheme, especially the direct and indirect impacts, positive and negative, affecting employment and labour supply, supply chain activity, local accommodation facilities, impacts on PRoW and recreational routes, key sectors such as tourism, and individual receptors including businesses and local visitor and high street destinations.</p> <p>The impacts resulting from the many major infrastructure developments facing East Suffolk means that it is difficult to predict future baseline conditions out to 2031 with any degree of accuracy. Equally, it is difficult to disaggregate certain impacts of the proposed Sea Link project from other significant infrastructure projects locally. Without ongoing monitoring and evaluation, changes in baseline conditions cannot be assessed and the effects on socioeconomic, leisure and tourism receptors cannot be determined.</p>	<p>Onshore Scheme, thereby ensuring that baseline conditions are current.</p> <p>2. To discuss and agree the scope and frequency of ongoing monitoring and reporting of socioeconomic conditions and workforce projections during the construction phase of the project. This would also support proactive planning for worst-case scenarios, particularly those arising from the overlapping peak construction phases of Sea Link, Sizewell C, and other major developments that may collectively impact local socio-economic, recreational and tourism assets.</p> <p>With regards to the first of ESC’s requests, the Applicant has stated in its comments on ESC’s LIR <a href="#">[REP2-027]</a> that Section 10.7 of Part 2 Suffolk Chapter 10 Socio-economics, Recreation and Tourism <a href="#">[REP1A-005]</a> defines a future baseline, incorporating projected demographic trends and planned development land.</p> <p>ESC considers that this future baseline cannot be relied upon. Given the number and scale of energy NSIPs and other major developments either being constructed or planned for construction in East Suffolk, ESC is strongly of the view that a review of the baseline conditions is needed prior to construction commencing to ensure that the predicted ‘future baseline’ is accurate.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>In relation to ESC's second request for ongoing monitoring and reporting of socioeconomic conditions during the construction phase, the Applicant has stated in its comments on ESC's LIR <a href="#">[REP2-027]</a> that it will consider this proposal and respond in due course. ESC has yet to locate any further response from the Applicant in its Examination submissions. ESC would therefore request that the Applicant directs ESC to where this detail can be found, or provides a thorough response if this has still yet to be actioned.</p>	
D5.7.02	Assessment methodology	<p>See Section 7.8.7 of ESC's LIR <a href="#">[REP1-128]</a></p> <p>ESC considers that the assessment methodology used is insufficient and fails to account for the complexities and interdependency of socioeconomic receptors in a successful visitor economy, and the evolving economic environment of East Suffolk. For example, limiting the Study Area to 500m from the Onshore Scheme Boundary does not adequately assess the impacts of construction on a bed and breakfast receptor located beyond the Study Area, despite its dependence on its guests having unhindered access to local destinations.</p>	<p>ESC requires the Applicant to re-consider its assessment and the conclusions drawn.</p> <p>East Suffolk's visitor economy needs to be recognised as a complex system, where the success of the whole is greater than the sum of its individual parts. Adverse impacts on one part of the system can adversely affect others, potentially causing detrimental system-wide effects on this important economic sector.</p> <p>In the case of the visitor economy, the impacts of the Suffolk Onshore Scheme on individual receptors should not be measured in isolation, and without consideration of the wider effects on the visitor economy. The receptors, or factors, are interdependent and collectively contribute towards a successful visitor economy. These include a mix of tangible assets such as local infrastructure, attractions, accommodation, and amenities; as well as intangible assets such as the</p>	Unlikely

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>perception and reputation of a destination; all of which contribute to the overall visitor experience. Collectively, these factors are indicators of system health and should be measured and evaluated during the construction period, and into the operational period. ESC recommends a broader and more comprehensive approach to monitoring impacts on the visitor economy. One that extends research methodologies beyond desk-based assessments and draws on mixed methodologies such as surveys, interviews, and other primary data to understand the key strengths, vulnerabilities, and health of the visitor economy.</p> <p>ESC maintains its view that the Applicant has failed to recognise the visitor economy as a complex system, and ESC therefore remains concerned about the Applicant's assessment.</p>	
D5.7.03	Potential for beneficial socio-economic impacts	<p>See Section 7.8.9 of ESC's LIR <a href="#">[REP1-128]</a> and ESC's response to Question 1SERT7. of ExQ1 <a href="#">[REP3-085]</a>.</p> <p>ESC is also mindful of the potential for beneficial socio-economic impacts and encourages the Applicant to support initiatives that support economic growth locally.</p>	<p>Initiatives could include:</p> <ol style="list-style-type: none"> <li>1. An Employment and Skills Plan that supports outreach to schools, apprenticeships and local employment either directly or indirectly on the Suffolk Onshore Scheme.</li> <li>2. A Supply Chain Plan that helps local businesses identify opportunities for gaining contracts within the supply chain during the construction, operation, and decommissioning phases of the Suffolk Onshore Scheme.</li> </ol>	Possible

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			<p>ESC welcomes the Applicant's statement in its comments on ESC's LIR <a href="#">[REP2-027]</a> that it is willing to work collaboratively with ESC. ESC acknowledges the Applicant's commitments to '<i>develop and implement a Social Value strategy</i>' and to explore coordination with Sizewell C's 'College on the Coast'. ESC requests that further details are provided regarding the aims and contents of this Social Value Strategy, how these commitments will be secured, and how stakeholders will be engaged to assist in developing the Strategy.</p> <p>ESC therefore welcomes the Applicant's indication in its response to actions arising from ISH2 <a href="#">[REP4-086]</a> that it will submit an Outline Skills and Employment Plan at Deadline 6 and will arrange meetings with the local authorities '<i>to progress and discuss suitable opportunities that will form the outline plans</i>'. ESC notes that it was provided with a plan for this engagement by the Applicant on 6 March 2026. ESC looks forward to engaging with the Applicant on this matter and commenting on the Outline Skills and Employment Plan, once it has been submitted into the Examination at Deadline 6. ESC requests that the detailed Skills and Employment Plan is added to the list of management plans to be approved through a discharge of Requirement 6 of the dCO <a href="#">[REP4-217]</a>.</p> <p>ESC continues to request a Supply Chain Plan for the reasons outlined above.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
D5.7.04	Impacts on the visitor economy, particularly for coastal communities at the landfall	<p>See Sections 7.8.4-7.8.7 of ESC’s LIR <a href="#">[REP1-128]</a> and Section 4 of ESC’s comments on the Applicant’s Deadline 3 submissions <a href="#">[REP4-184]</a></p> <p>ESC does not accept the Applicant’s conclusion that the Suffolk Onshore Scheme is unlikely to result in significant adverse effects on visitors or tourism.</p> <p>ESC considers that the combination of impacts resulting from the Suffolk Onshore Scheme and other developments in East Suffolk would have significant effects on visitor perception and experience, resulting in a reduction in repeat tourism, long-term reputational damage, and economic decline. ESC is concerned that the Applicant has failed to adequately recognise these cumulative impacts.</p> <p>ESC is also seriously concerned that the available visitor accommodation within a 60-minute drive of the Suffolk Onshore Scheme may not be sufficient to accommodate the non-home-based workforce without causing potential harm to the visitor economy. It is ESC’s view that non-home-based workers could compete with visitors for accommodation, and in a worst-case scenario, there is a very strong potential for the in-combination cumulative demand effects of multiple NSIP</p>	<p>ESC would expect to see that impacts on individual receptors across the District of East Suffolk, including holiday rentals, tourist accommodation, farms and businesses directly affected by the changes resulting from the cumulative impacts of the Project with other proposed/consented projects in the area, be appropriately mitigated and compensated. ESC requests that these mitigation and compensation measures should be developed in collaboration with ESC and the businesses themselves to maximise the effectiveness of the proposed strategies.</p> <p>Following review of the Applicant’s submitted commentary on ESC’s LIR <a href="#">[REP2-027]</a>, it is apparent that the Applicant and ESC will not to be able to agree on the magnitude of anticipated impacts due to be introduced on the coastal communities at the landfall (Thorpeness and Aldeburgh). ESC’s position remains unchanged. As explained in the LIR <a href="#">[REP1-128]</a>, the coastal communities in this region have limited access routes in and out and they rely on the visitor/tourism economy.</p> <p>There is no doubt that there will be residual impacts felt on the tourism economy. The Applicant has stated in its comments on ESC’s LIR <a href="#">[REP2-027]</a> that there is <i>‘limited robust evidence to suggest that negative visitor perception identified / observed in surveys prior to construction will result in material adverse effects on</i></p>	Unlikely

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>developments to exceed the supply of visitor accommodation.</p> <p>There is a high degree of interdependency between visitor destinations, employment, and supply chains within East Suffolk. Visitors move from destination to destination, employees need to access their employment, and the potential for the displacement of visitors during construction should not be ignored. Should this project proceed, it is essential that this impact is appropriately considered, and appropriate mitigation and compensation is provided to support the continued success of the visitor economy.</p>	<p><i>tourism</i>'. ESC has previously stated that the number and scope of multiple NSIP developments in East Suffolk is without precedent, and to its knowledge, without compare. This unique circumstance means that reference to the methodologies and findings of other NSIP application documents, whilst useful, cannot be viewed as being applicable or transferable to East Suffolk. ESC is concerned that the perception of the area is already changing as evidenced in the first round of open floor hearings, and each successive NSIP consented in this region will add to this impact. Even before consent is granted, perception of a once popular tourist destination can be altered as visitors don't want to have their fond memories of these locations tainted. The findings of ESC's recently commissioned Visitor Perception Research can be found in Appendices E and F of ESC's comments on the Applicant's Deadline 3 submissions <a href="#">[REP4-184]</a>.</p> <p>The Applicant's view that there will be 'no residual significant effects' is therefore not supported by ESC or the local communities it represents.</p>	
<b>Project-wide: Ecology</b>				
D5.8.01	Hazel dormice	See Section 7.2.2 of ESC's LIR <a href="#">[REP1-128]</a> and Agenda Item 3.4 of ESC's ISH2 post-hearing submission <a href="#">[REP4-117]</a> .	ESC notes the additional commitments to pre-construction surveys for hazel dormouse and potential construction mitigation measures included in sections 3.4 and 7.1 of the OLEMP <a href="#">[REP4-065]</a> . Whilst these are welcomed, ESC requests that the scope of the pre-construction surveys is included in section 7.1 so that	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ESC is concerned with what it considers to be a lack of survey coverage in relation to Hazel Dormice, and the subsequent impacts.</p> <p>ESC also disagrees with the Applicant’s assertion that there would be a moderate beneficial long-term (significant) impact on dormice due to habitat creation.</p>	<p>they can be seen and agreed by the LPA before the surveys are undertaken. The results of the pre-construction surveys should then be used to inform the preparation of the LEMP to be approved under Requirement 6.</p> <p>Notwithstanding this new commitment to pre-construction surveys and construction mitigation, ESC maintains its position that the surveys undertaken to date fall below the standard set by the best practice guidance in place at the time that they were carried out. The Applicant’s assertion that this deficiency is immaterial because it was only minor ignores the point of there being minimum survey effort levels included in best practice guidance – if dropping slightly below the minimum effort wasn’t important, then the minimum effort level wouldn’t be set where it is. Also, the Applicant’s statement that the survey effort in Zone D was only below the minimum amount due to landowner activity is considered to be incorrect. As set out in Paragraph 7.2.2.4 of ESC’s LIR <a href="#">[REP1-128]</a>, ESC consider that the month in which the nest tubes were put out (October 2023) is also included in the calculation even though they were not installed until the end of the month and therefore were not available for animals to locate and use in that month.</p> <p>Notwithstanding the discussion on this matter as part of ISH2, ESC also maintains its position that the Applicant’s assertion at Paragraph 2.9.192 of the Ecology and</p>	

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			<p>Biodiversity ES Chapter <a href="#">[REP4-025]</a> that there would be a moderate beneficial long-term (significant) impact on dormice due to habitat creation is contrary to their claim elsewhere that dormice are absent from the Order Limits. ESC considers that the proposed landscape planting cannot be of benefit to a species which is claimed by the Applicant to be absent. Additionally, the bulk of the proposed new planting is at the converter station location, whereas the potential dormouse nest was found during surveys for the project further east along the proposed cable route. ESC considers that this benefit should be downgraded to 'negligible' (i.e. 'not significant') if the project maintains that the species is absent from these sites. The corresponding row of Table 2.11 should also be updated to reflect this.</p>	
D5.8.02	Bats	<p>See Section 7.2.5 of ESC's LIR <a href="#">[REP1-128]</a> and Agenda Item 3.4 of ESC's ISH2 post-hearing submission <a href="#">[REP4-117]</a>.</p> <p>ESC is concerned that equipment failure during bat surveys has limited the results and resulted in the under-recording of bat species/activity, subsequently resulting in insufficient mitigation measures.</p>	<p>The Applicant's acknowledgement in Section 7.2.5.3 of <a href="#">[REP2-027]</a> of bat detector equipment failure is noted. However, ESC maintains that, as set out in Paragraph 7.2.5.7 of its LIR <a href="#">[REP1-128]</a>, survey effort above the minimum requirement in one part of the Order Limits is not a proxy for understanding bat activity in another part of the Order Limits. All it does is add to the amount of bat activity recorded across the whole Order Limits when the results are pooled.</p> <p>The Applicant states in <a href="#">[REP2-027]</a> that the redeployment of detectors in the same month that they failed was often not possible due to notice periods agreed with landowners, however if this was the case</p>	Possible

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>then additional months of survey to make up the deficit would have resolved the issue. ESC therefore continues to request that further bat activity surveys are carried out in locations where equipment failures have resulted in survey effort less than that set out in the published best practice guidance (that is, survey points 5, 7 and 9). Dependent on the time which elapses before these are undertaken, they will potentially need to form part of a complete bat activity survey update at all transect locations prior to construction commencing.</p> <p>ESC notes that the Applicant has updated Section 7.1 of the OLEMP <a href="#">[REP4-065]</a> at Deadline 4 such that it now provides further detail regarding the surveys that will be undertaken for bats pre-construction. ESC welcomes the commitment to bat activity surveys, but requests that the OLEMP includes the scope and extent of these surveys so that the LPA can see and agree them prior to surveys commencing. The results of the pre-construction surveys should then be used to inform the preparation of the LEMP to be approved under Requirement 6 It is also noted that section 7.1 does not include reference to updated tree surveys for roosting bats. These must be included so that tree removal mitigation plans and the need for any mitigation licence from Natural England are known at the time the works are undertaken.</p> <p>Notwithstanding the above, ESC maintains its concern set out in Paragraph 7.2.5.6 of its LIR <a href="#">[REP1-128]</a></p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>regarding the practicality and technical feasibility of mitigating every hedgerow crossing as though the hedgerow was important for bats. ESC has provided further detail of its concerns with the Applicant's proposed approach in its ISH2 post-hearing submission <a href="#">[REP4-117]</a>.</p> <p>ESC also notes the Applicant's comment in <a href="#">[REP2-027]</a> Section 7.2.5.4 that Paragraph 2.9.56 of Part 2 Suffolk Chapter 2 Ecology and Biodiversity <a href="#">[REP1-047]</a> considers crossing hedgerows using other techniques including trenchless techniques but that <i>"it was decided that the longer construction timescale required to drill beneath a hedge, and greater land take required for the drive and reception pits, would be more potentially disruptive to ecology than trenched crossing."</i> As a point of clarification, it should be noted that Paragraph 2.9.56 of <a href="#">[REP1-047]</a> (and now <a href="#">[REP4-025]</a>) does not rule out other crossing methods for ecological reasons, instead it states that other measures would be <i>"impractical due to the need for large construction compounds at either side of any ditch or hedge to send and receive the drill, and the fact that such crossing methods would take significantly longer (given the number of hedges to be traversed) than the open cut trenching method and therefore extend the overall construction programme and duration of disruption."</i> Ecological considerations do not therefore appear to have formed part of the decision not to use other hedgerow crossing methods, only matters of land use and project programme.</p>	

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D5.8.03	Reptiles	<p>See Section 7.2.6 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC considers that trapping and translocation of reptiles from the larger square/rectangular shape of the acid grassland area at the proposed Landfall HDD location (specifically Survey Area B- Land Parcel Reference 152 and 193) is likely to be necessary as "flushing" of animals through vegetation manipulation is likely to be considerably more difficult than in the longer, narrower sections of the cable route. In these larger areas, reptiles are more likely to double back or flee in unintended directions, potentially remaining within the cleared zone. Also, slow worm (which were recorded in this area) unlike other reptile species such as common lizard, grass snake, or adder, are harder to displace though vegetation manipulation alone due to their tendency to burrow deep into vegetation or loose soil when disturbed. Because slow worms tend to shelter in place rather than fleeing, standard vegetation manipulation (such as using a flail or hand trimmer) can be less effective as a mitigation strategy. This behaviour significantly increases the risk of accidental injury or mortality as the animals remain hidden during mechanical clearing operations. ESC therefore maintains the opinion that trapping and translocation mitigation combined with displacement is likely to be required in areas which are either of a large area or have known slow worm populations.</p>	<p>ESC has previously requested that the detail of the necessary mitigation should be secured as part of the OLEMP for discharge as part of a LEMP. It is noted that <i>'the Applicant considers that the precise method for reptile exclusion could be a matter for agreement in the detailed LEMP secured under requirement 6 of the draft DCO'</i> (<a href="#">[REP2-027]</a> Paragraph 7.2.6.1).</p> <p>ESC now notes that the Applicant has updated the OLEMP at Deadline 4 <a href="#">[REP4-065]</a>, and Paragraph 3.3.4 now includes additional description of vegetation clearance mitigation measures and states that <i>'the precise approach to dealing with reptiles will be agreed with the Local Planning Authority prior to vegetation clearance'</i>. Whilst this is welcomed, it is noted that there is no reference to the potential use of trapping and translocation as a mitigation technique (which ESC maintains may be required where larger areas of suitable habitat require clearance), nor is there clarity on what the mechanism will be for agreeing the precise approach. It should be clarified whether this agreement will be part of the approval of the final LEMP (under Requirement 6) or whether a separate mechanism (such as a new DCO Requirement covering this matter) is required.</p> <p>It is also noted that the latest version of the REAC <a href="#">[REP4-235]</a> does not include reference to agreement of the precise mitigation approach with the LPA as part of Action B05, this must be added to the REAC Action.</p>	Likely

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
D5.8.04	Hedgehog	<p>See Section 7.2.4 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>The ES concludes that subject to the implementation of the identified mitigation, the development will result in a negligible impact on hedgehog, a receptor of 'District' importance, resulting in a negligible effect that is not significant. Whilst ESC does not disagree with this conclusion, to ensure that it is accurate, measures to protect hedgehogs during construction vegetation clearance must be included in the REAC and OLEMP, with final details discharged as part of the LEMP.</p>	<p>ESC previously requested that measures to protect hedgehogs during construction vegetation clearance be included in the REAC and OLEMP, with final details discharged as part of the LEMP. These measures should include avoiding clearing areas of habitat suitable for hedgehog hibernation during the hibernation period. Outside of the hibernation period, inspection of all suitable habitat by an Ecological Clerk of Works prior to any mechanical clearance should be conducted. This is important as, unlike many other species, hedgehogs will not normally disperse when disturbed and instead will curl into a ball making them vulnerable to killing or injury during vegetation clearance.</p> <p>ESC notes that the Applicant has updated the OLEMP at Deadline 4 <a href="#">[REP4-065]</a>, and Paragraph 3.3.4 now states that <i>'to protect hedgehogs during construction vegetation clearance, inspection of all suitable habitat will be undertaken by an Ecological Clerk of Works prior to any mechanical clearance, and hibernacula will be avoided during the hibernation period'</i>. ESC welcomes the inclusion of this measure, and requests that a corresponding action is added to the REAC to cover it.</p>	Possible

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D5.8.05	Red deer	<p>See Section 7.2.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>The ES notes that there has been local feedback that large herds of red deer congregate in the field where the trenchless launch pit is proposed to be located. Red deer have been accorded 'Local' importance. As red deer have large ranges, and the field is considered to be a small part of a much wider area which is used by the deer and so therefore there will be considerable remaining habitat available to them, the ES concludes that the project will result in a negligible impact on a receptor of Local importance, resulting in a negligible effect that is not significant. Whilst ESC does not disagree with the ES conclusion on this species, it should be ensured that the presence of red deer is considered as part of the design of any site fencing, including ensuring that fencing does not direct deer towards roads or other hazards or trap them within confined areas, and adequately protects new landscape planting from deer browsing.</p>	<p>ESC requests that the REAC <a href="#">[REP4-235]</a> includes a commitment to the Applicant submitting detailed fencing plans for approval as part of the approval of the CEMP through a discharge of DCO Requirement 6.</p> <p>The Applicant has stated in its comments on ESC's LIR <a href="#">[REP2-027]</a> that the OLEMP <a href="#">[AS-059]</a> '<i>does refer to use of deer fencing to protect planting</i>'. ESC considers that this response fails to address the point ESC was making in its LIR. ESC acknowledges that deer fencing is proposed to protect new planting and acknowledges that further commentary on this has been added in paragraphs 6.4.3 and 6.4.4 of the Deadline 4 OLEMP <a href="#">[REP4-065]</a>, but is requesting that the REAC commits to detailed construction fencing plans being submitted for approval as part of the LEMP, , or through a separate DCO Requirement as suggested in ESC's response to ExQ2 Question 2LVIA8., preventing fencing directing deer towards hazards or trapping them within confined areas. As this is a construction mitigation measure ESC considers that it should form part of the CEMP, not the LEMP which deals with landscape planting mitigation post-construction.</p>	Possible
D5.8.06	Biodiversity net gain (BNG)	<p>See Section 7.2.7 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC is of the view that more information is needed on how the project is going to achieve its minimum 10% BNG commitment in Suffolk, and how that is going to be secured and monitored in line with National Grid's commitment to managing and maintaining BNG for at</p>	<p>Whilst ESC recognises and supports the Applicant's intention to deliver a minimum of 10% BNG, ESC maintains that further information on the mechanism to secure and achieve this is required as part of the DCO examination as set out in ESC's LIR <a href="#">[REP1-128]</a>, Paragraphs 7.2.7.4 and 7.2.7.5.</p>	Possible

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>least 30 years. ESC also wishes to highlight that the project has committed to a <u>minimum</u> of 10% BNG, and would urge the Applicant to strive to deliver greater than 10% if possible.</p>	<p>ESC understands from the Applicant’s oral representation at ISH2 and its post-hearing submission [REP4-085] that it intends to secure 10% BNG through a Section 106 unilateral undertaking. ESC has now received the draft Heads of Terms and has provided feedback to NGET. ESC is concerned that whilst the proposed Section 106 unilateral undertaking would commit the Applicant to delivering BNG, it would not identify and secure offsite BNG units within East Suffolk, nor would it enable ESC to secure the necessary monitoring provisions for onsite BNG units or offsite units if these are not already secured under an existing legal agreement. ESC maintains that further information on the Applicant’s proposals for achieving BNG are required before it can be determined that they are likely to be successful.</p>	
<b>Project-wide: Environmental Protection</b>				
D5.9.01	Construction noise Lowest Observable Adverse Effect Level (LOAEL)	<p>See Paragraph 7.4.4.2 of ESC’s LIR [REP1-128].</p> <p>ESC considers that the LOAEL has been set too high. The LOAEL is the point where the Applicant is required to “mitigate and minimise” noise and vibration, and this should be based on the baseline noise environment of the area. The project should be mitigating and minimising their impacts on any level above that which is currently experienced. The current LOAEL would suggest that there is no/low impact below this level that is not worthy of mitigation, and this is disingenuous.</p>	<p>ESC requires the LOAEL to be amended to accurately reflect the baseline noise environment of the area.</p> <p>In response to concerns raised by ESC in its LIR, the Applicant has stated in [REP2-027] that it agrees that ‘<i>construction noise may still be audible below this level and may therefore constitute an adverse effect</i>’, but that ‘<i>the contractor is required to employ best practicable means (BPM) to reduce construction noise and vibration levels for all works irrespective of this threshold</i>’. ESC does not consider that the requirement on contractors to implement BPM should be used as an</p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>alternative to determining a meaningful and realistic LOAEL. Setting an appropriate LOAEL is crucial for identifying the point where noise levels may start to have a detrimental impact on people's quality of life. The use of BPM cannot be used as a substitute for setting the LOAEL, but is of course a welcomed mechanism for reducing impacts as far as practicably possible.</p>	
D5.9.02	Temporal restrictions	<p>See Section 7.4.4 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>The Applicant places a lot of emphasis on the use of "temporal restrictions" as a means to avoid predicted adverse and significant adverse effects.</p> <p>The Applicant has attempted to clarify what it means by 'temporal restrictions' in its response to the ExA's Section 89(3) Letter of 5 September 2025 <a href="#">[AS-106]</a>:  <i>"Construction noise - temporal restrictions Potential examples of temporal restrictions that could be applied during weekends for works that may exceed the relevant weekend construction noise level threshold at nearby noise sensitive receptors include (but are not limited to):</i></p> <ul style="list-style-type: none"> <li>• <i>alternate weekend working (e.g. one weekend on, one weekend off);</i></li> <li>• <i>alternate weekend day working (e.g. Saturday or Sunday working, but not both on the same weekend);</i></li> <li>• <i>no more than two weekends in any consecutive three weekends; or</i></li> </ul>	<p>The 'ABC' methodology should be the only assessment of significance for construction noise that is practically used for the project. Notwithstanding the use of other guidance to give wider context at this stage, its use should be supported by the complete adoption of the wider principles of the BS5228-1 standard and Best Practicable Means, and supplemented by S.61 Control of Pollution Act applications where deviation is required to ensure that such deviation is necessary, justified and the smallest it can justifiably reasonably be.</p> <p>ESC notes that the Applicant states in <a href="#">[REP2-027]</a> that <i>'temporal restrictions are...a 'catch-all' for potential situations where, despite the use of best practicable means, noise levels may not be able to be kept below the noise level threshold'</i> and <i>'temporal restrictions would form part of [the] strategy' to 'mitigate and minimise'</i> the potential adverse effect. ESC acknowledges that temporal restrictions can help reduce impacts, however it should be noted that simply stating the noise will not occur all the time does not constitute robust mitigation as adverse impacts may still</p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<ul style="list-style-type: none"> <li><i>no more than four weekends of working in any consecutive eight weekends.</i></li> </ul> <p><i>The appropriateness of which temporal restrictions may be considered at specific locations would be subject to further review. The necessity for such measures would depend upon implications for construction programme and contractor working practices."</i></p> <p>ESC notes that the Applicant refers to the Design Manual For Roads and Bridges in its comments on ESC's LIR <a href="#">[REP2-027]</a>. Whilst accepting this may be potentially useful supplementary guidance in some cases, ESC questions its scope for a project of this sort which is remarkably short of roads and bridges. BS5228 is the relevant guidance and should be the one that informs the assessment and control of impact. The BS5228-1 'ABC' methodology sets a clear basis for significance of impact and does not ascribe "temporal restrictions" as a basis for the determination of that significance. This methodology is the agreed methodology for the determination of significance and to introduce such a factor as a basis of significance could falsely dilute impact and obfuscate the need for real mitigation.</p> <p>Whilst there are several standards, guidance documents and indeed some legislation that use temporal thresholds as a way to indicate significance, ESC does not accept temporal restrictions in the form</p>	<p>be encountered during phases of the construction. The temporal restriction argument should therefore not be relied upon to remove predicted significant adverse and adverse effects, as is currently the case in the Applicant's assessment. Temporal restriction is not a "catch all" to avoid significant adverse effects without the support of significant justification. It is noted that exceedance of the significant adverse effect level will be unavoidable at times and this should at least be quantified before being justified given the policy tests in NPS EN-1 regarding significant adverse effects.</p> <p>The Applicant's response to Section 7.4.4.10 of ESC's LIR <a href="#">[REP2-027]</a> suggests that the application of the lower 'ABC' weekend thresholds will increase the likelihood of exceedances and therefore the potential for significant effects that the Applicant is then proposing to mitigate through temporal restrictions. Effectively this means the requested longer working hours will trigger the need for temporal restriction to avoid significant impact.</p> <p>ESC therefore finds the Applicant's reliance on temporal restrictions puzzling. It appears that the Applicant wants to be able to work for the maximum amount of time, but to then restrict working time as their primary source of mitigation to avoid significant adverse effects. ESC considers that these two positions are in direct conflict with one another.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>presented as an adequate form of mitigation, especially given the reliance on it to remove predicted significant adverse and adverse effects. ESC considers that this is in direct conflict with the principles and spirit of the 'ABC' methodology and BS5228-1. Just because noise only happens so many days in so many days does not reduce the impact on the days it is happening, hence reliance on temporal restrictions as primary mitigation in this way is not acceptable.</p>	<p>The Applicant may suggest that the increased core working hours allow for the inclusion of temporal restrictions, but given many of the predicted significant effects that occur are as a result of the extended working hours, ESC would consider such a justification inadequate.</p> <p>Further to this, the Applicant states in its response to Section 7.4.4.8 of ESC's LIR <a href="#">[REP2-027]</a>:</p> <p><i>"However, temporal restrictions would be a 'catch-all' for situations where exceedance of the thresholds are unavoidable (noting that exceedance of the threshold itself would not necessary indicate a significant adverse effect). The Applicant agrees, in principle, that situations where the noise level threshold may be exceeded may benefit from a Section 61 application for prior consent. These would be undertaken by the contractor through consultation with East Suffolk Council on case-by-case basis."</i></p> <p>S.61 absolutely should be used in a situation where a threshold may be exceeded, and an exceedance should only occur when the assessment of "other project specific factors' in BS-5228 'ABC' methodology concludes that this will not result in the significant effect that it has the potential to indicate. S.61 would be a reasonable way to demonstrate this, notwithstanding ESC's current preference for S.61 to be used for all works. ESC has suggested wording, in response to ExQ2</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>Question 2NV3., to be added to the Outline Construction Noise and Vibration Management Plan in order to commit the Applicant to submitting Section 61 applications for all works.</p> <p>This is particularly pertinent here as the project specific factor that is relied significantly upon to prevent the potential significant adverse effect of a threshold exceedance caused by the extended hours is temporal restrictions, again demonstrating the conflict between requesting longer core hours and then mitigating their effect by restricting working time.</p> <p>Paragraph 5.12.17 of NPS EN-1 must also therefore be considered in respect to the viability of granting consent for the project, as the Secretary of State must consider whether the proposals adequately “avoid significant adverse impacts on health and quality of life from noise”.</p> <p>Whilst much of this discussion considers exceedance of the construction noise threshold and SOAEL in the extended core hours period, it must also be considered for any exceedance of the thresholds where temporal restrictions are used to mitigate a significant adverse effect.</p> <p>The Applicant must be very confident that significant adverse effects can be avoided. ESC currently does not think this has been demonstrated given the reliance on</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			temporal restrictions, particularly given the lack of detail and wide scope of the definition of temporal restrictions provided by the Applicant in its response to the ExA's s89(3) letter of 5 September 2025 <a href="#">[AS-106]</a> .	
D5.9.03	Noise and vibration mitigation	<p>See Section 7.4.8 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>Along with the selection and adoption of clear noise and vibration limits for construction, mitigation measures are key for the reduction and prevention of impact. standard expected, and this has been committed to, which is welcomed. However, ESC notes that the Applicant has identified that a number of significant impacts are likely to arise without mitigation, but with the application of non-specific 'mitigation', all of these significant impacts are resolved. ESC will need to see robust evidence for this in all cases along with the specific details of what mitigation will be available, considered and used, and when delivered, to ensure that not only are significant adverse impacts avoided as required by policy, but that adverse impacts are mitigated and minimised as far as reasonably possible, or preferably avoided entirely.</p>	<p>ESC will need more detail in respect to mitigation including likely attenuation performance in order to be confident that works can be controlled so as to avoid significant adverse effects and minimise adverse effects.</p> <p>The Applicant has stated in <a href="#">[REP2-027]</a> that it is '<i>confident that significant adverse effects can be avoided at these locations with the implantation of BPM</i>'. They go on to state that '<i>specific mitigation measures can only be determined by the contractor, informed by their detailed assessments</i>'. Whilst ESC acknowledges that greater detail would be provided by the contractor pre-construction, should the project be consented, ESC considers that further detail is required at this stage. In any case, non-specific mitigation, and temporal restrictions, as discussed in D5.9.02 above, cannot be relied upon to remove predicted significant adverse effects.</p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
<b>Project-wide: Lack of coordination</b>				
D5.10.01	Lack of coordination and introduction of cumulative and/or in combination effects	<p>See concerns raised throughout ESC’s LIR <a href="#">[REP1-128]</a>, including in Sections 3.0, 5.3, 6.3.2, and 6.4.2.</p> <p>ESC is disappointed by the lack of meaningful engagement by the Applicant with other NSIP promoters locally. This has resulted in opportunities for coordination, including with the proposed LionLink project, being missed, limiting opportunities to minimise and avoid cumulative and in-combination impacts. It is ESC’s view that the Project as currently proposed does not pay sufficient regard to the environmental and local community benefits of genuine collaboration and coordination between schemes.</p> <p>Opportunities for genuine collaboration and coordination with other subsea cable projects proposing to make landfall in the East Suffolk region over the next decade have been missed. This has resulted in different damaging landfall locations and onshore cable routes being selected by separate projects with little regard being paid to the consequential long-lasting damage that so much onshore infrastructure proposed within the East Suffolk District is causing and will continue to cause to its local communities and the environment. This demonstrates a serious lack of oversight and vision from Government and the commercial promoters of such schemes. No holistic planning has taken place,</p>	<p>ESC has had to face and deal with numerous nationally significant energy infrastructure projects in recent years, all delivered in a piecemeal fashion with little or no regard for the cumulative and in-combination impacts that these projects have forced upon the District. This cannot continue to occur at the expense of East Suffolk’s environment and communities. The succession of individual proposals impacting East Suffolk’s communities without visible strategic over-sight, or collaboration to minimise impacts, creates a very challenging, unsustainable and unacceptable situation that is now susceptible to challenge.</p> <p>It is imperative, given the pressures this area of East Suffolk is facing from these projects, that the cumulative and in-combination effects of the Project with other proposed and consented projects are fully taken into account, considered and all opportunities for coordination identified and maximised. This is necessary and essential so as to reduce the adverse impacts of the developments on East Suffolk’s sensitive and valued environments and the local communities, who have been hit by a constant barrage of energy infrastructure projects and will be subject to years of disruption from associated construction works, if they are consented and implemented.</p> <p>The Applicant dismisses ESC’s concerns in its response to ESC’s LIR <a href="#">[REP2-027]</a>, and asserts that coordination</p>	Unlikely

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>nor has any thought been given to mitigating the impacts of delivery of future energy infrastructure in this region. Instead, East Suffolk's local communities are being faced with a sporadic succession of different projects, working primarily in isolation to one another whilst being in close proximity, and resulting in cumulative and in-combination impacts that are being forced upon the District. This is unsustainable.</p> <p>ESC is of the view that an opportunity for coordination has been missed by both the Applicant and NGV. If the Applicant laid cable ducts for the other project (such as those for HVAC cables running between the Saxmundham converter station site and the Friston substations site) at the same time as laying the ducts for the Sea Link project, this would meaningfully reduce the significant environmental impacts of both projects.</p>	<p>has indeed taken place and has '<i>had a profound influence</i>' on the development of the Sea Link project. This is simply incorrect. ESC maintains the points previously raised on this matter. There is virtually no real coordination being proposed between Sea Link and the proposed LionLink project other than colocation at Saxmundham (which in itself is not coordination). This is evident by the missed opportunity for NGET to install cable ducts for LionLink's proposed HVAC links to Friston Kiln Lane. This means that each project, if consented, will need to install its own HVAC cables in isolation, successively, and in the same area. This unnecessarily elongates the construction works period for host and neighbouring local communities and the environment.</p> <p>ESC requires the Applicant to include the ability within their DCO to provide the ducting for the LionLink project. Leaving space within the same area of land (i.e. HVAC routing options) is not sufficient and does not amount to meaningful coordination between projects as it still requires two consents and two lots of cable installation disruption in the same area. The benefits of coordination, to significantly reduce environmental impacts, have therefore been missed. Given the likely close alignment of the two projects' HVAC cable swathes in this area, coordination has not been built into the project, and this demonstrates that opportunities for real coordination have been missed.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
D5.10.02	Construction Compounds	<p>See Paragraph 6.6.1.2 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC requests that the Applicant seeks to coordinate construction compounds with NGV's LionLink project (assuming both are consented) during construction (where timeframes sufficiently overlap), particularly in reference to the co-located converter station site.</p>	<p>ESC requests that the Applicant engages with NGV to consult and agree coordination of construction compounds during construction to reduce otherwise unnecessary and entirely avoidable impacts.</p> <p>ESC notes and supports the Applicant's commitment at 6.6.1.2 within <a href="#">[REP2-027]</a>: <i>'The Applicant will continue to liaise with NGV and should both projects gain consent, opportunities for cooperation throughout construction will be identified and enacted where practicable.'</i> ESC requires this to be included as a commitment in the REAC <a href="#">[REP4-235]</a>.</p>	TBC
D5.10.03	Masterplan for Saxmundham Converter Station site	<p>See Section 6.3.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>Good design can help to lessen the visual impacts of the development which is vital given the scale of infrastructure proposed for the Sea Link project alone, and in a coordinated scenario. The visual impact of the development will be hard to mitigate during construction or in the early years after construction, due to the open nature of the landscape. In order to ensure the delivery of good design in tandem with appropriate mitigation, it is imperative that the converter station site is genuinely master planned. Without the strategic oversight of a master plan, it will be impossible to understand whether the site can accommodate multiple projects and still achieve long-term good design. The masterplan should be developed collaboratively with not only the other affected NSIP promoters, but also with statutory</p>	<p>ESC notes and supports the Applicant's commitments set out at 6.3.3.4 within <a href="#">[REP2-027]</a>.</p> <p>ESC requests that the Applicant continues to work in collaboration with other NSIP promoters and other stakeholders to ensure the converter station site continues to be genuinely master-planned in order to achieve long-term good design.</p> <p>ESC welcomes the update noting that <i>'The Sea Link project team has been consulted by the LionLink team on the updated version of the masterplan which will form part of the LionLink Statutory Consultation. This will demonstrate that coordination is ongoing and there will be further consultation on the masterplan via the LionLink project.'</i></p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		consultees, which includes the relevant town and parish councils.		
D5.10.04	Friston Substation – impact on landscape planting	<p>See Section 6.4.3 of ESC’s LIR <a href="#">[REP1-128]</a>.</p> <p>There is a risk that the HVAC cable corridor entering the proposed Friston Kiln Lane substation site will reduce the effectiveness of the landscape mitigation consented under East Anglia ONE North and East Anglia TWO’s consents if open cut trenching methods of installation are used by Sea Link (and future projects looking to connect at this location). ESC considers it unacceptable for multiple successive projects to come forward which have the potential to diminish and damage that mitigation planting - this situation would be made worse by the project promoters not coordinating cable installation/routes between projects requiring multiple routes into the Friston Kiln Lane substation site.</p> <p>ESC maintains a strong preference for the Applicant to use Horizontal Directional Drilling (HDD) to minimise adverse impacts on this landscape mitigation. ESC understands, however, that NGET are reluctant to use HDD for this purpose. ESC is also concerned that this would subsequently restrict NGV’s ability to use HDD methods for the LionLink project in the future, with Sea Link’s open cut installation effectively setting a precedent for future works given the current lack of HVAC coordination. This is unacceptable given the</p>	<p>ESC requires the Applicant to use HDD to minimise impacts on SPR’s landscape mitigation around the Friston Kiln Lane substation. Cutting a swathe of land for HVAC cable corridors through the previously consented landscape mitigation areas surrounding the substations would result in detriment to the previously approved landscape mitigation efforts for the SPR projects, which must be avoided at all costs.</p> <p>ESC does however acknowledge the positive engagement efforts between NGET, NGV and SPR undertaken to date on early discussions related to how HVAC cables will transit consented SPR mitigation areas at Friston Kiln Lane. ESC maintains that HDD is the favourable option for HVAC cable transit in these areas, noting Sea Link’s preference is open cut and fill trenching. However, ESC is aware of the ongoing dialogue between parties currently and appreciates that all options are being explored to minimise future disruption at this early stage.</p> <p>ESC acknowledges and strongly supports the Applicant’s comments at 6.4.3.1 within <a href="#">[REP2-027]</a>, confirming that <i>‘ongoing collaboration between the various developers, so that the evolving designs can be developed in compatible ways which retain the functionality of the original SPR mitigation planting, while allowing other</i></p>	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>damage that could be caused through open cut trenching installation methods, if HDD is not used in these areas.</p> <p>ESC notes the Applicant’s comments within <a href="#">[REP2-027]</a> in response to its LIR submitted at Deadline 1. Section 6.4.3.5 also highlights that <i>‘subject to the delivery programme of the LionLink project, the powers in a future LionLink DCO, and other procurement, regulatory, and business interface challenges, there remains the possibility (albeit unlikely) that the ducts may be delivered together.’</i> This is a welcome addition from the Applicant, and one which ESC will continue to monitor closely.</p> <p>The NGV Lionlink project launched the statutory consultation on 13<sup>th</sup> January 2026 for eight weeks, concluding on 10<sup>th</sup> March 2026. In extension to the above point raised by NGET at Deadline 2, ESC notes that NGV are exploring two routing options for their HVAC cable corridor between the proposed co-located converter stations site on land east of Saxmundham and the Kiln Lane substation in Friston. ESC advocated for NGV to select the southern HVAC routing option noting this option facilitates co-location with the proposed Sea Link HVAC and HVDC cable corridors. This option would allow for the Lionlink HVAC cables to be laid along a similar route to those being delivered by the Sea Link project, although ESC understands that a need for further review and</p>	<p><i>projects to progress’ and at 6.4.3.2 ‘The Applicant is confident that detailed landscaping designs that accord with the EA1N/EA2 outline masterplan can be developed which retain the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables.’</i></p> <p>ESC also notes the Applicant’s commitments in 6.4.3.4 which state <i>‘it is not considered to be necessary to install using HDD, as the Applicant is confident that detailed landscaping designs that accord with the EA1N/EA2 outline masterplan can be developed which retain the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables.’</i></p> <p>At Deadline 3, ESC was encouraged by recent efforts by the project promoters in order to avoid future disruption to consented landscape mitigation at Friston Kiln Lane. This is a positive step. Whichever method of HVAC installation is taken forwards on the advice of the ExA should consent be granted for the Sea Link project, ESC’s primary concern remains the effectiveness of the consented SPR mitigation at Friston Kiln Lane. ESC is encouraged by the Applicant’s responses expressed in <a href="#">[REP2-027]</a> and will continue to closely monitor and engage on this matter over the remainder of the DCO examination period, working proactively with all parties as required.</p>	

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		<p>coordination would be required between the parties. ESC is therefore pushing both parties to continue exploration of coordination efforts in this regard.</p>	<p>ESC notes the Applicant’s comments at Deadline 3 to the first Written Questions <a href="#">[REP3-069]</a> and <a href="#">[REP3-070]</a> regarding the proposed project’s HVAC interaction with the SPR EA1N and EA2 projects’ landscaping proposals at the substations site in Friston. This has also been raised by NGET in the updated draft SoCG between ESC and NGET submitted at Deadline 5. ESC can advise the ExA that the SPR EA1N and EA2 discharges for the Landscape Management Plan (LMP) relating to the Friston substations site (SPR DCOs Requirement 14(1)) have now been discharged (ESC reference DC/25/4821/DRR for EA1N and DC/25/4826/DRR for EA2).</p> <p>In summary, advanced discussions were held between SPR and NGET pre-submission of the substations stage LMPs for EA1N and EA2 in connection with the discharge of R14(1) for the SPR projects’ substations stage of works. The discussions focussed on how the landscaping proposals consented under the SPR DCOs might interact with the proposed Sea Link project should consent be granted by the Secretary of State later. SPR delayed the submission of the EA1N and EA2 LMPs with a view to agreeing sections of text to be included within their submission materials in light of ESC’s expressed wish that all parties genuinely endeavour to co-ordinate their respective schemes at all stages of the process so as to avoid or minimise detrimental impacts that would otherwise be imposed on local communities set to host or neighbour the</p>	

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			<p>onshore infrastructure. At the time of the LMP materials being submitted by SPR to ESC for consideration in order to discharge R14(1), ESC understood that the approach to future coordination between SPR and NGET had been agreed prior to the submission of R14(1) for discharge, which had been reflected within the submitted documents.</p> <p>However, subsequently, NGET submitted an objection to the discharges which elaborated upon the points NGET had raised in [REP3-069] and [REP3-070] at Deadline 3. NGET's objection was therefore in stark contrast to their agreed pre-submission position with SPR which had been reflected in the agreed text within SPR's submitted LMP's. Given the conflicting nature of the objection received from NGET, ESC sought legal advice on the issues introduced by NGET. This concluded with the LMPs being discharged as originally submitted within the 56 day timeframe.</p> <p>In addition, NGET advised ESC that they are of the view that the identified issues are easily rectifiable given that only minor changes to the submitted SPR plan (affecting vegetation types and phasing in discrete areas) would be required to address them, being very minor alterations to vegetation species and phasing. NGET advised that 'These adjustments are primarily related to which species of vegetation are planted where, in discrete areas of a wider masterplan that would remain largely unchanged, and how advanced</p>	

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			<p>planting in these areas is phased'. NGET acknowledged that 'the changes required would not be material or conflict with the landscaping principles shared and discussed with ESC or neighbours to date'</p> <p>Should Sea Link gain consent from the Secretary of State, given the minor non-material nature of any such changes to SPR's proposed landscaping, ESC concluded that Requirement 40 of the SPR EA1N and EA2 DCOs would appear to provide the correct mechanism to address any such changes that may be brought forward by SPR to accommodate future projects, such as Sea Link.</p> <p>ESC understands that SPR is prepared to continue to engage with NGET in relation to Sea Link and NGV in relation to the LionLink project. ESC fully endorses and encourages proactive collaborative working to avoid and or minimize any associated impacts on local communities.</p> <p>ESC did not however accept NGET's R14(1) objection statement that if ESC were to discharge R14(1) in its current form, that this 'would involve ESC frustrating the coordinated approach which ESC itself has specifically advocated for.' ESC made it clear to NGET that such a statement is both patently incorrect and in the context of ESC's wish that the parties adopt a co-ordinated and collaborative approach, extremely unhelpful. ESC considers the matter closed.</p>	

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			The likelihood of a resolution being reached therefore remains 'Likely' at D5 for the reasons stated.	
<b>Draft Development Consent Order</b>				
D5.11.01	Schedule 3 Requirement 6 (Management Plans to be Approved)	This list of management plans does not include a lighting management plan, which ESC considers necessary. 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. 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.	ESC considers it necessary for an outline lighting management plan to be prepared at this stage, and for a detailed Lighting Management Plan to be approved by the relevant planning authority through a discharge of Requirement 6 that includes details of the operational lighting.	Unlikely
D5.11.02	Schedule 3 Requirement 9 (Reinstatement schemes) and Article 27 (Temporary use of land for carrying out the	See Paragraph 7.1.3 of ESC's LIR <a href="#">[REP1-128]</a> .  Requirement 9(2) within the draft DCO (Version E) <a href="#">[CR1-027]</a> stated that <i>'the requirement to reinstate the land to a condition suitable for its former use does not apply to land above or within 10 metres of underground cables installed as part of the authorised development'</i> . ESC does not accept the 10m exception to the reinstatement of land, noting this would leave	ESC suggests that Article 27 should only refer to 'trees' in this respect, unless the Applicant can also justify what 'deep-rooted organism' other than trees they may otherwise need to replant.  The assessment set out in the Suffolk Ecology and Biodiversity Chapter (Chapter 2) of the Environmental Statement <a href="#">[REP1-047]</a> (Table 2.10) concludes that residual impacts arising from the development on	Possible

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
	authorised project)	<p>large gaps in hedgerows where in proximity to buried cables, causing habitat fragmentation.</p> <p>ESC notes that the Applicant has amended Requirement 9(2) so that it no longer refers to the exclusion of the requirement to reinstate land <i>'above or within 10 metres of underground cables installed as part of the authorised development'</i>. Article 27 (Temporary use of land for carrying out the authorised project) now includes this exclusion for reinstatement of land where the undertaker would otherwise need to replant <i>'trees, shrubs, shrubberies or any other deep-rooted organism'</i> above or within 10 metres of underground cables. ESC considers that this does not alleviate its concerns regarding habitat fragmentation due to large gaps being left in hedgerows where in proximity to buried cables, as 'shrubs' and 'shrubberies' are essentially hedgerows. Nor would this enable shallow rooted shrubs/hedgerow species being reinstated above the HVAC corridor entering the Kiln Lane substation at Friston. Such planting being the focus of matters discussed earlier regarding the proposed landscaping interactions between the consented SPR EA1N and EA2 projects and that of Sea Link, if consented.</p>	species such as foraging/commuting bats are reduced to 'Minor Adverse', 'Not Significant' in part following the reinstatement of hedgerows removed as part of the development. However, if there is no certainty that these features will be reinstated - and indeed the drafting of Article 27 provides a clear indication that they will not be in full - then ESC considers that these conclusions cannot be relied upon and the project therefore has the potential to result in greater residual ecological impacts than those set out in ES Chapter 2.	
D5.11.03	Schedule 4, para 1(1)	See ESC's response to ExQ1 1GEN28. <a href="#">[REP3-085]</a> , and agenda item 21.2 of its ISH2 post-hearing submission <a href="#">[REP4-117]</a> for the full detail and justification for ESC's position.	ESC requests that Paragraph 1(1) of Schedule 4 of the draft DCO <a href="#">[REP4-217]</a> is amended to prescribe a period of 56 days, following the approach taken in the EA1N and EA2 consents and affording discharging authorities	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		ESC strongly objects to the proposed 35-day determination period for the discharge of requirements. The EA1N and EA2 DCOs prescribe a 56-day determination period, and the Sizewell C DCO prescribes a 56-day determination period where the discharging authority must consult with any other body (excluding SCC/ESC), and a 42-day determination period where there is no such requirement to consult. 35 days is therefore an unacceptably short determination period for ESC (as the discharging authority for the majority of the DCO requirements for the Suffolk Onshore Scheme) to rigorously scrutinise any discharge of requirement applications, which are a vital part of the DCO process.	the ability to conduct a thorough and robust consideration of discharge of requirement applications.	
D5.11.04	Schedule 4, para 1(2)	See ESC's response to ExQ1 1GEN28. <a href="#">[REP3-085]</a> .  ESC strongly objects to the deeming provisions in Paragraph 1(2) of Schedule 4, particularly given the short timescale of 35 days for determination. DCO Requirements are a key mechanism for controlling the development, and deeming provisions for the discharge of requirements are not included in other DCOs within the East Suffolk District, with an appeals process prescribed instead for instances of non-determination within the decision period.	ESC requests that the provision for deemed consent in Paragraph 1(2) of Schedule 4 of the draft DCO <a href="#">[REP4-217]</a> is removed and that Paragraph 4(1) is amended to extend the appeals process to instances of non-determination of discharge of requirement applications within the time periods prescribed in Paragraph 1(1) of Schedule 4.	TBC
D5.11.05	Schedule 4, para 2	ESC considers that Paragraph 2(2) prescribes an unreasonably short timeframe (7 days) for requesting further information.	In order to allow ESC to thoroughly scrutinise any discharge of requirement application it receives and ensure a robust determination process is conducted, ESC consults internal technical specialist officers on these applications. They are afforded the same 21-day	TBC

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>Paragraph 2(3) requires that the relevant authority notifies the undertaker where further information requested by a Requirement consultee <i>‘within 5 days of receipt of such a request and in any event within 21 days of receipt of the application’</i>. Standard consultations are 21 days, and so if a consultee requests further information on the 21<sup>st</sup> day of consultations, for example, the discharging authority should be able to notify the undertaker of this request later than 21 days after receipt of the application (noting also that it is not practicable for consultations to be sent out on the day of receipt of an application in all cases).</p>	<p>consultation period as an external consultee, and this is essential to allow them sufficient time to scrutinise the proposals. This is particularly important given the number of NSIPs for which ESC is likely to be discharging requirements at the same time as Sea Link. ESC therefore suggests that Paragraph 2 of Schedule 4 should not differentiate between applications for which there is a requirement for external bodies to be consulted and those for which there is not. In either case, the relevant authority should be able to request further information up to 5 days after the close of the 21-day consultation period.</p> <p>Part (5) should be deleted. The Consultee does not consider it acceptable that where further information is requested in relation to part only of an application that it should be treated as separate from the remainder of the application. This is not practicable or feasible for the Consultee.</p> <p>ESC therefore suggests that Paragraph 2 of Schedule 4 is amended as follows:</p> <p>2.—(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.</p> <p>(2) If the Requirement specifies that consultation with a Requirement consultee is required, the relevant</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>authority must issue the consultation to the Requirement consultee within 5 days of receipt of the application</p> <p>(3) If the relevant authority, or a Requirement consultee, considers further information is necessary, the relevant authority must, within 26 days of consultations being issued where applicable, notify the undertaker in writing specifying the further information required.</p> <p>(4) If the relevant authority does not give the notification mentioned in sub-paragraph (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.</p>	

## Annex 1 – Matters closed

Matters that were marked as resolved in the Deadline 3 version of ESC’s PADSS [\[REP3-080\]](#) are included in the table below. Matters that have been resolved since the Deadline 3 version of the PADSS was submitted will be moved into Annex 1 of the final PADSS submitted at Deadline 7.

Ref in <a href="#">[REP3-080]</a> .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
3.03	Landscape and visual impacts	<p>See Paragraph 6.3.11.7 of ESC’s LIR <a href="#">[REP1-128]</a>.</p> <p>The removal of vegetation to facilitate the construction of the bridge will open up views toward the converter station site and increase the focus towards this activity. These impacts have been exacerbated by the increase in scale of the bridge proposed in response to concerns from the Environment Agency regarding impacts on aquatic invertebrates and compliance with the Water Framework Directive. This construction activity would be within a parkland landscape, which is of a special quality and a feature of the Fromus Valley Landscape Character Area.</p>	<p>ESC is now satisfied that the removal of the willow trees along the Fromus will not open up views to the converter station to any significant extent. ESC therefore no longer wishes to pursue this point.</p>	Matter closed
3.05	Assessment of trees and hedgerows near the River Fromus Crossing	<p>A new edition of BS 5837 Trees in Relation to Design, Demolition and Construction is due to be published in the near future (at the time of writing (January 2026) the new BS has not been published – this is expected in 2025 following the earlier consultation which closed in October 2024). This has significantly greater protection recommendations for Veteran and Ancient trees, and could create a potentially unsurmountable constraint for the Crossing. Category A and veteran trees may need to be re-assessed according to the anticipated new guidance</p>	<p>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 <a href="#">[REP2-027]</a>.</p> <p>ESC understands that any revised assessment will not be possible within the examination period as this closes prior</p>	Matter closed

Ref in [ <a href="#">REP3-080</a> ].	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>covering what are expected to be uncapped root protection areas (compared to the existing current capped RPAs) for such trees. This will be particularly relevant to the Veteran Horse Chestnut (T871S) which stands close to the Fromus crossing point and which the Council considers may have been under assessed in terms of its cumulative stem diameter, given its multi-stemmed layered form.</p> <p>ESC will expect all tree survey information to be re-submitted according to the new guidance.</p> <p>It should be noted that prior to submission, ESC had not seen any detailed tree survey and Arboricultural Impact Assessment information, including what other important trees could be lost as a result of efforts to avoid the Horse Chestnut.</p>	<p>to the revised guidance being published. This matter is therefore closed.</p>	
3.10	Surface water drainage and flood risk	<p>It is essential that surface water drainage and flood risk at the site is comprehensively and appropriately assessed and managed given the contours and potential poor infiltration properties at the site due to the Ancient Estate Claylands landscape type. The Order Limits must be sized appropriately to accommodate the drainage solution for the site during both construction and operation, and the ExA should satisfy themselves that this is indeed the case.</p>	<p>Whilst supporting their concerns, ESC defers to SCC as Lead Local Flood Authority and so does not consider it necessary for this matter to be included in ESC's PADSS moving forward.</p>	<p>Matter closed – ESC defers to SCC's judgement regarding the likelihood of resolution</p>

Ref in <a href="#">[REP3-080]</a> .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
3.11	Assessment of alternative access options for the converter station site	<p>See Paragraph 6.3.11.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>The proposed Fromus crossing on the currently proposed western access route remains a concern for ESC as it will require significant intrusive engineering and design work.</p> <p>ESC considers that robust justification is required for ruling out the alternative accesses.</p>	<p>ESC previously requested that the Applicant provide an options appraisal report detailing the alternative options for access to the converter station site that were considered, and justification for selection of the western River Fromus Crossing as the preferred access into the co-located converter station site.</p> <p>ESC has reviewed the Applicant's comments on its LIR <a href="#">[REP2-027]</a> together with the Applicant's access assessment summary for the Main Alternatives Considered within Part 1 Introduction Chapter 3 <a href="#">[APP-044]</a>. Noting ESC's concerns, it is acknowledged that the Western Access represents the 'least-worst' option assessed, noting that none of the Applicant's proposed access options were free of constraints. Given the current stage of the DCO examination, the dialogue undertaken to date between ESC and the Applicant on this matter, and noting the works already undertaken which now focus on the western access option, ESC considers it holds little merit pursuing the issue any further given the many other pressing areas of disagreement which require a resolution as set out in this PADSS. This matter is therefore closed as no desirable alternative for converter station site access is available.</p>	Matter closed
4.02	Discrepancies in the order limits with those of SPR	<p>See Section 6.5.5 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>There are discrepancies between the Project's Order Limits around Friston when compared to the Order Limits consented by SPR, including the exclusion of areas of landscape mitigation and land required for the diversion</p>	<p>ESC previously requested that the Applicant provides evidence that the proposed Order Limits around Friston substation are adequate for the necessary mitigation measures for Sea Link, in light of the mitigations already secured for SPR as part of their own DCOs for EA1N and EA2. The Applicant should be using the SPR consents as</p>	Matter closed – ESC defers to SCC LLFA regarding the adequacy of the areas identified for drainage on the

Ref in <a href="#">[REP3-080]</a> .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		of existing public rights of way. This needs to be urgently reviewed should Sea Link deliver Friston substation under the project alone Scenario 2.	<p>the starting point for their own proposed embedded mitigation under a Scenario 2 connection, especially given the sensitivity of the location and its local communities.</p> <p>ESC welcomes the Applicant updating the Works Plans <a href="#">[CR1-007]</a> so that they clearly identify where drainage works are proposed. Given that the requested further detail has been provided, ESC defers to SCC as the LLFA regarding the adequacy of the proposed drainage areas, and considers this matter between ESC and the Applicant closed.</p>	updated Works Plans
6.01	Historic Surface Water Flooding	<p>See Section 6.5.5 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>Friston has been subject to surface water flooding on multiple occasions, and so it is important that there is sufficient space on site to accommodate a suitable and acceptable construction drainage design. Understanding the implications of the operational drainage design for the Project and its interaction with the drainage proposals consented under the East Anglia ONE North and East Anglia TWO projects is also extremely important. ESC defers to the LLFA and Environment Agency (EA) on flood matters.</p>	ESC defers to SCC as the LLFA and the EA, and supports their concerns. ESC therefore does not consider it necessary for this matter to be retained in future versions of its PADSS.	Matter closed – ESC defers to SCC and the EA for their judgement regarding the likelihood of resolution.
8.01	Survey coverage	ESC has previously raised concerns about a lack of survey coverage in relation to Breeding and Wintering Birds.	ESC no longer wishes to pursue its concerns around survey coverage for breeding and wintering birds. Whilst it maintains that the survey effort was inadequate, it is not considered that further surveys would change the outcome of the assessment of significance presented in the Environmental Statement Chapter 2 (Suffolk) Ecology and Biodiversity <a href="#">[REP1-047]</a> .	Matter closed

Ref in <a href="#">[REP3-080]</a> .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
10.02	Interaction with offshore wind energy generation	ESC previously raised concerns about the possibility of Sea Link providing the North Falls Offshore Wind Farm project with an offshore electrical connection requiring additional onshore infrastructure at Friston Kiln Lane, within East Suffolk.	<p>The Applicant highlights within <a href="#">[REP2-027]</a> that <i>'if the Proposed Project was re-purposed as an offshore wind farm connection point, it would lose capacity to serve its original primary purpose as network reinforcement, likely creating the need for additional network infrastructure including potential onshore infrastructure. It would also have led to up to a five year delay to the overall programme for RWE Five Estuaries and RWE North Falls.'</i></p> <p>In light of the points raised within the Applicant's response summarised above, ESC is no longer pursuing this matter as neither the North Falls or Sea Link projects currently include any provision for an offshore interface between the projects (as of the time of writing).</p>	Matter closed
10.06	Friston Substation - Embedded mitigation in Scenario 2	<p>See Section 6.4.3 of ESC's LIR <a href="#">[REP1-128]</a>.</p> <p>ESC considers that, should the substation at Friston Kiln Lane be delivered by the Sea Link project rather than under SPR's existing consents, the level of mitigation surrounding the substation site should not be watered down given the existing sensitivities of the local communities in that area. ESC wishes to emphasise that the agreed mitigation across the projects were found to only just be sufficient. This reinforces ESC's view that the Applicant should be using the SPR consent as the starting point for their own proposed embedded mitigation, especially in extremely sensitive locations such as the village of Friston.</p>	<p>ESC now understands that the Applicant has embedded all of SPR's approved landscape mitigation as the starting point for their own proposed embedded mitigation which is strongly supported. ESC therefore considers this matter to be closed.</p> <p>ESC does however wish to reiterate that it maintains concerns raised above in 10.05 that if open cut is selected for HVAC installation over HDD methods (if the project is consented), this would introduce gaps in planting which should be given sufficient consideration by the ExA.</p>	Matter closed