

The Great Grid Upgrade

Sea Link

Sea Link

Volume 9: Examination Submissions

Document 9.119: Applicant's Comments on Late Responses to ExA First Written Questions

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nationalgrid

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0. About this Document

0.1 Purpose of this Document

- 0.1.1 This document provides National Grid Electricity Transmission plc's (the Applicant's) comments on the responses submitted by Interested Parties (IPs) and Affected Persons (APs) to the **Examining Authority's First Written Questions (ExQ1) [PD-017]**. These comments relate to late responses submitted at Deadline 4.
- 0.1.2 The Applicant has reviewed the responses to questions directed to other parties (or jointly to other parties and the Applicant) and provides comments where it considers clarification, correction, or further context is necessary or helpful. The Applicant has not provided further comments on questions directed solely to the Applicant, as these are addressed in the Applicant's Responses to First Written Questions **[REP3-069]**; however, responses have sometimes been provided where other Interested Parties (IPs) and Affected Persons (APs) have responded to questions directed solely to the Applicant.

Project Overview

- 0.1.3 National Grid Electricity Transmission plc (hereafter referred to as 'the Applicant') has submitted an application for development consent for the Sea Link Project, which proposes to reinforce the electricity transmission network between Suffolk and Kent. The Project comprises the construction and operation of a new high-voltage electricity transmission connection, including underground cables, converter stations, grid supply point substations, and associated infrastructure. It also includes the removal of sections of existing infrastructure and various ancillary works.
- 0.1.4 A full description of the Project is provided in Chapter 4 of the Environmental Statement: **Project Description [APP- 003]**.

Structure of the Document

- 0.1.5 This document is structured to align with the numbering used in the **Examining Authority's First Written Questions (ExQ1) [PD-017]**. Only the following Chapters have been included in this document:
- Chapter 1 General and Cross-topic Questions (GEN)
 - Chapter 2 Landscape and Visual
 - Chapter 3 Ecology and Biodiversity
 - Chapter 5 Water Environment
 - Chapter 8 Traffic and Transport
 - Chapter 9 Air Quality
 - Chapter 10 Noise and Vibration
 - Chapter 15 Physical Environment

- Chapter 17 Marine Mammals
- Chapter 24 Other

0.1.6 Where appropriate, the Applicant has paraphrased or made minor stylistic or grammatical adjustments to the responses provided by other parties. These changes are not considered material; however, the Applicant directs readers to the original submissions for reference.

0.1.7 The following parties submitted late responses to ExQ1:

- East Anglia ONE North Limited, East Anglia TWO Limited, ScottishPower Renewables (UK) Limited **[REP4-112]**
- Environment Agency **[REP4-185]**
- Friston Parish Council/Substation Action Save East Suffolk (SASES) **[REP4-186]**, **[REP4-200]**
- Marine Management Organisation **[REP4-126]**
- Natural England **[REP4-196]**

1. General and Cross-topic Questions (GEN)

1.1 General

Table 1.1 General

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN1.	All Parties	<p>Artificial Intelligence</p> <p>The Planning Inspectorate has guidance in relation to the use of artificial intelligence (AI). Have you used AI to create or alter any part of your documents, information or data? This does not include basic spell-check or grammar tools.</p> <p>If yes;</p> <ul style="list-style-type: none"> • detail what material you have submitted which has been created using AI; • what systems or tools you used; • what the source of the information the AI based its content on was; and • what information or material the AI has been used to create or alter. <p>In addition, if you have used AI, you should do the following:</p> <ul style="list-style-type: none"> • clearly label where you have used AI in the body of the content that AI has created or altered, and clearly state that AI has been used in that content in any references to it elsewhere in your documentation • tell us whether any images or video of people, property, objects or places have been created or altered using AI • tell us whether any images or video using AI has changed, augmented, or removed parts of the original image or video, and identify which parts of the image or video has been changed (such as adding or removing buildings or infrastructure within an image) • tell us the date that you used the AI • declare your responsibility for the factual accuracy of the content 	<p>Natural England</p> <p>Natural England has not submitted any AI to create or alter any part of our response.</p>	Response noted.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<ul style="list-style-type: none"> • declare your use of AI is responsible and lawful • declare that you have appropriate permissions to disclose and share any personal information and that its use complies with data protection and copyright legislation <p>If you use AI for any future submissions into this examination, ensure it is accompanied by the information as requested above.</p>		
1GEN3.	Applicant	<p>Emergency service access</p> <p>Having regard to concerns raised in the Suffolk area about limited fire service resources, can the applicant clearly explain what appropriate measures have been taken to ensure fire safety during all stages of development.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>10. There is no indication in the National Grid's response that they have engaged with the Suffolk Fire Service. It would be helpful if FPC could have the SFS's view on the fire risks associated with the National Grid substation and the remainder of the Sealink project.</p> <p>11. It should be noted that National Grid states that "<i>fire is relatively rare</i>" indicating that it is not rare in absolute terms.</p> <p>12. Furthermore National Grid is not in a position to say there is "<i>no risk of fire spreading to vegetation crops or houses</i>". That demonstrates complacency. How can it be said there is no risk?</p> <p>13. Whilst irrigation will be necessary in the early stages of planting, in an attempt to ensure the trees and hedgerows become established, this may not be the case after a few years therefore the fire risk remains.</p>	<p>Safety is fundamental to National Grid's operations. Fire is rare in transmission substations in the UK and no instances of fire have breached the perimeter of National Grid's footprint. There is no risk of fire spreading to vegetation, crops or houses, due to the procedures National Grid put in place and the regular monitoring and maintenance of the sites. Every site has a Fire Risk Assessment in accordance with the Regulatory Reform (Fire Safety) Order 2005 which is carried out by trained fire risk assessors.</p> <p>During Construction there will be robust fire procedures in place with regular fire drills and liaison with the local emergency services. Fire prevention and mitigation measures are installed including deluge systems and water storage. In addition, regular drills and coordination with emergency response services ensure readiness in the event of an emergency during operation.</p> <p>The Applicant has engaged with all of the emergency services and is working with them to address any concerns they may have with regards to the impact of the Proposed Project on their services to the areas affected.</p>
1GEN4.	Applicant	<p>Community benefit</p> <p>The ExA is aware of the document produced by the Government Department for Energy Security and Net Zero entitled "Community Funds for Transmission Infrastructure: Guidance". This sets out the Government's expectation for how communities that live near onshore electricity transmission infrastructure should benefit from the development of this infrastructure, with the use of community funds. This document also sets out the level of funding recommended, amongst more detail of the expected process.</p> <p>The Government through this document makes clear that it expects engagement with communities at an early stage. Explain any progress made by the applicant to engage with this process and current intention of how to</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>14. National Grid has not engaged with Friston Parish Council at all in respect of community benefit, despite the fact that the National Grid connection hub was consented in 2022. FPC looks forward to meaningful engagement this year and as early as possible.</p>	<p>The Applicant will follow government guidance which sets expectations for how community benefit funds should be delivered for transmission infrastructure projects such as the Proposed Project. The guidance is clear that community funds are separate from, and should not be a consideration when deciding the DCO application. Therefore, separate to, and outside of the planning process, the Applicant will undertake engagement with local communities and stakeholders in 2026 to understand what is important to them, to inform the development of the community benefit programme for this project</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		progress with community fund/benefit in the future.		

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

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

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1GEN11.	Applicant	<p>DCO requirements comparison for Sea Link and SPR scenarios for Friston substation</p> <p>The ExA notes several differences between the requirements within the Sea Link DCO and the made order for Scottish Power Renewables (SPR) at Friston substation. Compare, in detail, in a side-by-side comparison the requirements and schedules of documents to be certified for Sea Link and the SPR made order that relate to Friston Substation. Explain any differences.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>15. National Grid's response to 1GEN11 demonstrates the huge confusion National Grid has caused in relation to the development of new National Grid infrastructure at the substations site at Friston.</p> <p>16. National Grid's position on scenario 2 has become increasingly untenable, predicated as it is on neither of the Scottish Power projects going ahead. There has been no realistic prospect for a long time now of this scenario coming to pass. Not that further evidence was needed, but the recent letter to SPR from DESNZ incorrectly dated 29 January 2025 (published by PINS on its EA2 webpage) states:</p> <p><i>“The Secretary of State considers that the applicant has provided appropriate evidence to demonstrate its commitment to commence the authorised developmentand the Secretary of State confirms that the grid connection works may commence.”</i></p> <p>The grid connection works are the National Grid substation and the pylon works. This in effect crystallises the rights under the EA2 DCO to build the National Grid substation which under the terms of the EA2 DCO can be transferred to National Grid. Accordingly National Grid has the planning consent it needs. Further it is understood that the transfer of that consent from SPR/EA2 to National Grid is underway. Very reluctantly FPC has had to become involved with the detailed terms of the draft DCO in an attempt to preserve the mitigation which its Parish currently has. Has the point now been reached when scenario 2 no longer needs to be considered?</p>	<p>The applicant has previously explained that the made Development Consent Order for the EA1N and EA2 project is for the benefit of Scottish Power Renewables. The National Grid Substation can only be built pursuant to that order subject to Scottish Power completing their works or transferring the benefit of their order (in respect of those works) to National Grid, and, as neither of these situations have occurred yet, the applicant needs to have a DCO which provides the ability to provide an end-to-end connection for the project.</p> <p>Whilst there are complexities associated with overlapping DCOs that must be managed, National Grid does not agree that the solution is convoluted or that there is a simpler solution that has been deliberately avoided. The important matter is whether the Proposed Project should be granted consent based on its compliance with matters as set out in Section 104 of the Planning Act, including whether the applicant has applied the mitigation hierarchy to respect of environmental effects as required by national policy statements and other relevant matters. However, to suggest that all controls and mitigation for the Proposed Project should be the same as for EA1N and EA2 is simply incorrect; they are separate projects with very different needs cases, infrastructure and programmes. The projects are also subject to different national policy statements. Friston Substation, where the three projects overlap, is a very small element of all three projects and even at Friston the works for the three projects are different.</p> <p>Scenario 2 is where Friston Substation is constructed by National Grid under the Proposed Project's consent but this does not mean that the reason this scenario would occur is because EA1N and EA2 do not progress. A more likely reason for this scenario to occur would be if there is some reason that the construction of Friston Substation under the EA1N/EA2 consents was delayed or paused. Whilst National Grid has no reason to think this would occur, it is not uncommon for there to be delays in the progression of nationally significant infrastructure projects for a wide variety of reasons, from timescales for discharge requirements, additional consents, funding, developer prioritisation on other parts of the project, delays in delivery of equipment, weather etc. It is essential that in any of</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>17. National Grid describes how the draft DCO has been drafted and refers to recent DCOs. Although there is a reference to SPR, National Grid does not seem to appreciate that the SPR DCOs are the most relevant, since they were granted based on the situation and environmental impacts at Friston for the same infrastructure. They were assessed during an Examination which was extended by three months to nine months due to the severity and complexity of the environmental impacts at Friston. These DCOs were recommended by the Examining Authorities for EA2 and EA1N and then made by the Secretary of State in accordance with law and policy. The other DCOs have some but limited relevance.</p> <p>18. The convoluted way in which supposedly the Requirements (and related mitigation) have been replicated in the Sea Link DCO, and then the even more convoluted explanation, demonstrates that National Grid had little regard for the terms of the existing consents for the National Grid infrastructure at Friston in preparing the draft DCO.</p> <p>19. However if it is necessary to persist with the Scenario 2 consent, it ought to be straightforward to make sure that the Requirements (and related mitigation) for the substations site in the draft EA2 DCO are clearly replicated in the draft Sea Link DCO.</p> <p>20. Appendix C demonstrates that such straightforward and clear replication has not been achieved and in fact is not possible. Appendix C runs to 24 pages of small print and it is very difficult to track from the draft Sea Link DCO to the EA2 DCO and then understand the explanation for the differences. Why should it be incumbent on a Parish Council, with virtually no resources, to wade through this convoluted document to make sure its community has the benefit of requirements and mitigation which it already has?</p> <p>21. In any event this document shows that in a number of key respects those requirements and mitigation for the infrastructure at Friston, as recommended by the relevant Examining Authorities and approved by the Secretary of State, have not been carried forward into the draft Sea Link DCO despite there being no changes to the National Grid substation and environment at Friston and limited changes to the pylon works. As set out in previous submissions it would be irrational for ExA and the Secretary of State to grant a DCO for a</p>	<p>these scenarios National Grid could continue to construct Friston Substation because it is critical for the development of Proposed Project. The need for National Grid to be able to complete these works therefore only falls away if National Grid has all powers necessary to complete the works; construction works commencing does not provide National Grid with these powers.</p> <p>Therefore, both scenarios (b) and (c) in the SEAS/ Friston Parish Council submission are possible, and would be reasons that Scenario 2 could progress. National Grid agrees that (c) is more likely than (b). It is also possible that works start under the EA1N/EA2 consents with delays meaning that construction is completed under the Proposed Project's consent.</p> <p>In terms of what happens to the mitigation, particularly landscaping, in terms of what the community sees on the ground the outcome is expected to be very similar regardless of which scenario progresses. The main differences would be which developer implements the mitigation and the programme for those works. For example, if Scenario 1 progresses there will be areas of planting that will likely be started by SPR and completed by National Grid; whereas this is likely to be the other way around for Scenario 2.</p> <p>There are different ways to achieve the same mitigation outcomes and even for the small area of project overlap it is not necessary for the same solution to be sought. The developers have nevertheless worked hard to develop solutions that are as similar as possible to reduce complexity for local people, but there will always be minor differences, for example, to the north east of the substation there is a slight difference in the location of a line of planting between the projects; so the precise location may be different between the scenarios. However, this does not mean that the mitigation will be less effective or significantly different between scenarios.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>site which has fewer requirements and less mitigation than that which was previously determined to be necessary, where there are no material changes to the environment at the site.</p> <p>22. In its explanations National Grid refers to fact that some information is contained in other documents. That may be the case but the fact that information is referred to in such documents does not mean that information is secured under the terms of the DCO. FPC knows from its experience of other developers that unless something is clearly required or secured in the relevant DCO, the developer will not regard itself as being under any obligation.</p> <p>23. This response has also prompted a realisation that there may be more than two scenarios. There could be at least three:</p> <ul style="list-style-type: none"> a. Scenario 1 - National Grid infrastructure at Friston is built under the terms of existing consents as either EA2 or EA1N go ahead. b. Scenario 2 - although this is not entirely clear, is this scenario where neither of the SPR projects goes ahead? This does not reflect reality as we know EA2 is going ahead. So is scenario 2 a scenario where the EA2 and EA1N never go ahead? c. Scenario 3 - is there a third scenario where National Grid builds its infrastructure at Friston under the Sea Link DCO but then subsequently either or both of EA2 and EA1N go ahead? If so what are the implications for mitigation? <p>24. FPC's specific points in relation to the National Grid's response in Appendix C are set out in Appendix 1 of this document. Due to constraints of time and resource, FPC has not been able to address all the content of Appendix C and reserves its position accordingly. FPC has only commented where it considers it is necessary.</p> <p>25. There is also lack of clarity of when scenario 2 comes into play. National Grid stated the reason it needed its own consent for the National Grid infrastructure at Friston was in case neither of EA2 or EA1N went head. This is not what article 15 in Schedule 3 (which addresses this issue) provides. Article 15 refers to work number 1B being "<i>completed pursuant to another Development Consent Order</i>". The effect of such wording is that work number 1B could be commenced under the</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			EA2 DCO (which it can be given the recent DESNZ letter) but then “completed” under the Sea Link DCO once it has been granted. Accordingly the word “completed” should be replaced by the word “commenced” in article 15. Further the words “ <i>save where amendments to those works are required for the purposes of the Authorised Project</i> ” are far too broad. At the very least this should be subject to the approval of ESC and a concept of materiality.	
1GEN15.	Applicant	<p>Article 2 (Interpretation) “maintain”</p> <p>The applicant’s explanatory memorandum [CR1-029] states that the definition of “maintain” reflects the definition included in the Bramford to Twinstead DCO 2024 and the Yorkshire Green DCO 2024. However, the ExA notes that it does not include the wording “but not remove, reconstruct or replace the whole, of the authorised development”, which is included in the wording of the two DCOs mentioned. Explain why this wording is not included.</p> <p>Furthermore, please explain in more detail why the use of robots/drones would be necessary and signpost to similar articles in other made DCOs.</p> <p>Update the explanatory memorandum and other core documents accordingly.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>26. National Grid should explain any differences for the definition of “<i>maintain</i>” in the draft DCO and that in the EA2 DCO.</p>	<p>The definition of ‘maintain’ takes into account the range of works that the Applicant considers it may reasonably need to carry out over the lifetime of the authorised development to ensure a safe and efficient connection and to ensure the authorised development is maintained using the most efficient and least disruptive methods available to it.</p> <p>The definition of “maintain” within the East Anglia DCOs has necessary differences due to the differences between the projects. For example the SPR DCOs refer to wind turbine generators, offshore electrical platform, construction, operation and maintenance platform or meteorological masts, which are not relevant to the Proposed Project.</p>
1GEN18.	Applicant	<p>Article 2 (Interpretation) “landfall”</p> <p>The ExA notes that there is no definition of “landfall” within the dDCO, should there be?</p> <p>Update the explanatory memorandum and other core documents accordingly.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>27. “<i>tolerably clear</i>” is not an acceptable drafting standard for a Development Consent Order granted by the Secretary of State</p>	<p>The Applicant notes this comment. The DCO would be a statutory instrument and hence is being drafted as such, cognisant of the principles of statutory interpretation.</p>
1GEN24.	Applicant	<p>Article 5(4)</p> <p>Article 5(4) sets out the reasons for when the maximum limits of vertical deviation would not apply, including that “these limits would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.” Explain why the wording of article 5(4) differs from that used in the Bramford to Twinstead DCO 2024 which states “materially new or materially different environmental effects to those identified in the environmental statement.”</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>28. The relevant approach it is in the EA2 DCO not the Bramford to Twinstead DCO. Provisions such as article 5(4) will in practice allow National Grid to “run a coach and horses through” the limits of deviation. In any event they should not apply to the National Grid substation and pylon works.</p>	<p>Article 5(4) also allows a potential extension to the limits of vertical deviation specified where the undertaker is able to demonstrate to the Secretary of State’s satisfaction (and the Secretary of State has certified accordingly following consultation with the relevant planning authority) that such extension would not give rise to any materially new or materially different environmental effects to those reported in the Environmental Statement. Therefore, it would be for the Secretary of State to consider any such extension and certify that it is satisfied, rather than the Applicant. The explanatory memorandum explains that this provision allows for unexpected ground conditions which would otherwise make it dangerous or unduly complex to install, for example, the overhead electric line works and/or the underground electric cable works.</p>
1GEN27.	Applicant	<p>Article 10</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p>	<p>The Applicant has provided responses in respect of article 10 in Application Document 9.90 Applicant’s Response to January</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>The explanatory memorandum explains the effect but not the purpose of Article 10. Update the explanatory memorandum with project-specific justification for the inclusion of this article.</p> <p>Provide details of any existing Town and Country Planning Act (TCPA) or Planning Act 2008 (PA 2008) approvals and identify where these may conflict with the proposed development.</p> <p>Provide details of any TCPA or PA 2008 applications which may be in the pipeline (made but not determined or nearing submission) and identify where these may conflict with the proposed development.</p>	<p>29. It would be helpful for FPC to understand what the earlier question is, as referred to in <i>“that interface has already been described and the interface with the controls is addressed in an earlier question”</i> as set out in the fifth paragraph of the response. Is it to be taken that National Grid’s position is that this article will not need to be relied upon in respect of the interface between the EA2 and EA1N DCOs and the draft DCO? FPC is concerned that National Grid will not comply with the terms of the EA2 DCO should there be a conflict with the draft DCO. If National Grid is concerned there might be conflicts, it should specifically identify those now rather than relying on a generic clause.</p>	<p>Hearing Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2) [REP4-086] and Application Document 9.89 Applicant’s Written Summaries of Oral Submissions at Issue Specific Hearing 2 [REP4-085].</p>
1GEN28.	Applicant Local authorities	<p>Article 11(2), article 15(2) and (5)(b), article 17(1)(b), article 20(3) and (4), article 22(5), article 50(2) and article 55(1)</p> <p>Explain the reasons for the inclusion of the words “which consent shall not be unreasonably withheld or delayed” and define what is meant by this wording, particularly when article 11(3), article 15(9), article 17(2), article 20(9), article 22(8) and article 50(9) include a 35-day decision period.</p> <p>Provide justification for deemed consent in the absence of a decision.</p> <p>Local authorities to also provide comment.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>30. Such a qualification as <i>“which consent shall not be unreasonably withheld or delayed”</i> can only work to the disadvantage of local authorities (and local residents) with limited resources particularly when multiple NSIPS are being developed and applied for in East Suffolk. FPC supports the views of SCC and ESC as expressed in ISH2.</p>	<p>The Applicant notes these points but remains of the view that the drafting is appropriate, as set out within Application Document 9.90 Applicant’s Response to January Hearing Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2) [REP4-086] and Application Document 9.89 Applicant’s Written Summaries of Oral Submissions at Issue Specific Hearing 2 [REP4-085].</p>
1GEN39.	Applicant Statutory undertakers	<p>Article 44</p> <p>Explain the implications for the inclusion of paragraphs (2) to (4) and signpost to similar paragraphs within made orders.</p> <p>Update the explanatory memorandum and other core documents accordingly.</p> <p>Statutory undertakers to also provide comment.</p>	<p><u>East Anglia ONE North Limited, East Anglia TWO Limited, ScottishPower Renewables (UK) Limited</u></p> <p>EA1NL And EA2L confirm they have no comments on the Applicant’s amendments to Article 44 but reiterate the need for bespoke protective provisions to be included in the Development Consent Order.</p>	<p>The Applicant has received draft bespoke protective provision is in discussion in respect of draft bespoke protective provisions with EA1NL and EA2L. However, given the complexity of the commercial interface, and whilst further discussion of the protective provisions between the parties is required, the Applicant has not included its proposed bespoke protective provisions in the version of the dDCO submitted at Deadline 5.</p> <p>It is expected that agreement will be reached before the end of the examination process.</p>
			<p><u>Environment Agency</u></p> <p>We have reviewed the wording for article 44, and do not have any comments. We are a statutory undertaker, but a main river is not considered apparatus. Furthermore, protective provisions are not included for the Environment Agency within the draft DCO.</p>	<p>This response is noted.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<u>Natural England</u> Natural England has no comment to make.	This response is noted.
1GEN43.	Applicant	Article 51 In light of the number of ancient and veteran trees present within the order limits that are to be retained in accordance with REAC [CR1-043] commitment A05, should article 51 include specific provision excluding these trees or a requirement for approval from the local planning authority for such works? In responding, either provide suitable alternative DCO wording to address this point or explain why such wording is not necessary, to control or prevent works to the trees.	<u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u> 31. Where there is a conflict between the Articles and the Requirements it should be stated that the Requirements prevail to avoid any future confusion or debate on this issue. This matter is manifestly not clear otherwise the question would not have been asked.	Article 51 has been addressed further in 2GEN14 of the examining Authorities second written questions.
1GEN49.	Applicant	Requirement 7 construction hours Requirement 7 allows for onshore construction work between 07:00 and 17:00 on Saturdays, Sundays and Bank Holidays as part of the core working hours (other than the more restrictive days/hours for Work No.1A and Work No. 1B). There has been concern raised through multiple representations from both Kent and Suffolk regarding the proposed weekend and bank holiday construction working hours proposed. Suffolk County Council (SCC) [RR-5209] , for example, stated that: "The potential for construction activities to take place seven days a week and on Bank Holidays would provide host communities with no respite from the impacts of the development activities associated with the Sea Link proposals, including disruption to local roads and Public Rights of Way used for recreational activity at times when they are most frequently used. In turn, this is likely to affect local tourism". This takes into account additional restrictions for onshore piling works and HGV deliveries, as set out in Requirement 7. The ExA is not currently satisfied that the extent of working hours and days as proposed is reasonable and is aware that, as an example, East Anglia 1 DCO requirement 23 limits onshore construction work so that it must only take place between 07:00 hours and 19:00 hours Monday to Friday and 07:00 hours and 13:00 hours on Saturdays, with no activity	<u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u> 32. FPC has commented on Requirements and construction hours above. National Grid seems to have no understanding of the impact which energy projects are already having on residents who live near the substations site. Also comparisons to other projects should be treated with a great deal of care. It needs to be remembered that the substations site is very close to a number of residential dwellings and the village of Friston. The Parish Church of Friston (a Grade II* Listed Building) and the War Memorial (Listed Grade II) in the churchyard neighbour the order limits. Are religious services to be conducted to the sound of construction plant installing the AC cables etc? 33. Percussive piling should not take place on Saturday at all. 34. No one is doubting the importance of this work but is not a better solution to have a larger workforce to make sure that the work is carried out during Monday to Friday and Saturday mornings? This would also avoid the need to pay premium rates to employees who are required to work on Saturday afternoons, Sundays and Bank Holidays. Incidentally is National Grid proposing to work on Christmas Day and Boxing Day?	As set out by the Applicant in response to ISH2 Action Point 106, consideration has been given to the programme implications and risk for the Proposed Project that could arise through changes to the proposed core working hours. This concluded that the exclusion of bank holidays from the core working hours at the converter station site in Suffolk (except by agreement with the local planning authorities) can be accommodated without prejudicing its ability to accelerate the project in accordance with the NESO Clean Power 2030 objectives. Recognising the desirability of this outcome to stakeholders and communities, the Applicant is also able to agree that for the bank holiday Mondays that form part of a 'bank holiday weekend' (meaning Easter Monday, the early May bank holiday, the Spring bank holiday, and the summer bank holiday) the associated (preceding) Saturday and Sunday are also not worked. This is facilitated by the likely implications of the exclusion of the bank holiday Mondays on contractor shift patterns, and also reflects the fact that the Applicant does not anticipate working every weekend in all areas of the project at all times in any case. On this basis, the Applicant is comfortable reducing its flexibility in the manner proposed at the converter station site, although further limitations, such as restrictions on the timing of percussive piling may introduce unacceptable risks to the ability to programme and deliver the works in a sufficiently timely manner. As per the applicant's earlier commitment the construction working hours have been amended in respect of Work No.1A and Work No.1B to reflect the construction working hours secured in the East Anglia One North and East Anglia Two Windfarm Orders 2022 to ensure consistency across the projects. The Applicant has confirmed that as stated above that it will not work bank holidays, this includes Christmas Day, Boxing Day and New Years Day.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>on Sundays or Bank Holidays, subject to some defined exceptions and emergencies.</p> <p>If the working hours for this proposed development was limited to between 07:00 hours and 19:00 hours Monday to Friday, and 07:00 hours and 13:00 hours on Saturdays, other than some defined exceptions or emergencies, what would this mean for the construction programme length and delivery overall for the proposed development?</p>		<p>The Applicant is trying to balance the needs of the project with the concerns of the local population, and there are a number of concern around the influx of workers to the region for these project, therefore the applicant is looking to have the flexibility in it program to minimise the impact of the workers. The programmed working hours does not mean all hours will be worked.</p> <p>The Applicant disagrees that percussive piling should be restricted on Saturdays. Requirements 23 and 24 in the East Anglia One North and East Anglia Two DCOs provide restrictions on working hours and do not include any commitment to avoid percussive piling on Saturdays so this would be more restrictive than the extant DCOs on the site.</p> <p>The need for working hours at weekends cannot be avoided by additional working in the week.</p> <p>The working patterns of construction workers on transmission projects are not typically Monday - Friday. Instead National Grid's construction cable team generally work 12 days on 2 days off. This is due to the nature of linear construction works, whereby works, once started, need to continue to completion and sometimes cannot as easily be paused over a weekend. These works also require skilled, specialist teams who minimise travel to home locations by returning home on a bi-weekly basis; so restrictions on weekend working would disrupt the normal working of these teams. Given the nature of working patterns for this type of work, restricting weekend working would result in unavoidable programme impacts and should only be imposed if it is necessary to do so. None of the extensive assessments carried out for Proposed Project have indicated that this restriction is necessary. The Applicant would re-emphasise that not all works create <i>any</i> impacts to local residents, the majority of the project is not at Friston and that there are adverse effects of delaying the programme on local people. Reduced working hours and the resultant increase in the programme would create a greater overlap between construction periods for the Proposed Project and other projects and would not necessarily mean reduced working hours would be better for local residents. The Applicant has not seen any evidence that suggests reduced working hours and the longer programme would be a lower impact option particularly given the restrictions on HGV movements and percussive piling to avoid Sundays and Bank Holidays and the extensive control measures set out in the Proposed Project application documents to address all environmental impacts such as noise, visual impacts and air quality.</p>
1GEN54.	Applicant	<p>Requirement 13 decommissioning</p> <p>Explain why substations are excluded from paragraph 13(1).</p> <p>Clarify whether requirement 13 also applies to offshore elements.</p> <p>Update the explanatory memorandum and other core documents accordingly.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>35. Is National Grid suggesting that it substations will never be decommissioned? Is it the case that National Grid has never decommissioned a substation?</p>	<p>A response to 1GEN54 was provided in Application Document 9.73: Applicant's Responses to First Written Questions [REP3-070]. It is not the case that substations are never decommissioned, but rather that it would not be appropriate for the decommissioning of a substation, should it happen in the future, to be approved through numerous different consents.</p> <p>There is also a possibility that the Scottish Power Renewables substation could be decommissioned at the end of the life of the</p>

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				Windfarms but future connections to Friston will mean that the National Grid Substation will remain.
1GEN60.	Applicant MMO	<p>Schedule 16 DML – condition 13</p> <p>Provide an explanation of the purpose and effect of condition 13, including justification for the 10 year period. Update the explanatory memorandum accordingly.</p> <p>MMO to provide their view on condition 13.</p>	<p><u>Marine Management Organisation</u></p> <p>Condition 13 states “<i>Any new cable protection in areas previously not subject to cable protection authorised under this licence must be deployed within 10 years from the date of the grant of the order unless otherwise agreed by the MMO in writing</i>”.</p> <p>The MMO’s preference is for the condition to state, “<i>No cable protection granted by the licence may be deployed within the Sandwich Bay Special Area of Conservation (SAC) after the construction period has ended. Any cable protection to be installed outside of the Sandwich Bay SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction, unless otherwise agreed by the MMO in writing</i>”.</p> <p>The marine environment is a highly dynamic environment which can change significantly in relatively short periods of time. As a result, it is inherently difficult to assess the impact of an activity on the marine environment over very long periods of time. Because of this the MMO’s position is that it is only appropriate for scour and cable protection which authorised these activities to take place for up to 10 years in areas which are not protected areas in respect of benthic habitat features.</p> <p>The MMO’s view is that 10 years is an appropriate time period which minimises disruption to developers while allowing the impacts to the environment, human health, navigation, and socio-economic concerns to be appropriately taken into account in the consenting process. New cable protection in areas where no cable protection was laid during the initial construction period can occur up to 10 years after construction if this is outside of a marine protected area (in this case specifically the Sandwich Bay SAC). The condition must be updated to make it clear that no cable protection must be deployed within a marine protected area after the construction period has ended.</p> <p>Any new cable protection in areas where no cable protection was installed is subject to a separate marine licence application if it is within a marine protected area. The MMO will expect any application for such further activities to be</p>	<p>The Applicant has reviewed this wording and has included this updated text within the revised dML (Application Document 3.1) submitted at Deadline 5.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>accompanied by detailed surveys and reports which provide, amongst other things, an accurate description of the habitat that will be affected, details of the location and volumes and nature of the materials which are already in place as well as those to be used.</p> <p>Natural England</p> <p>It is noted that this is not a question directed at Natural England. However, we wish to state that following a call with the MMO on the 3rd of February we can confirm that we agree to the proposed wording from MMO in response to this question.</p>	This is noted by the Applicant. No further response required.
1GEN66.	Applicant	<p>Schedule 19 certified documents</p> <p>Schedule 19 should include a table which lists the environmental statement documents in full. This can then be updated and any new documents added as the examination progresses.</p> <p>Furthermore, a full list of plans that comprise the land plans, works plans, etc. should be included. Conduct a thorough audit of the dDCO to ensure that all relevant documents are included in schedule 19.</p>	<p>Friston Parish Council/Substation Action Save East Suffolk (SASES)</p> <p>36. As National Grid notes certification of a document alone does not give it status. Accordingly key documents should be subject to a Requirement, for example the approval by SCC of an Operational Drainage Management Plan in accordance with an Outline Operational Drainage Management Plan.</p>	The request here is already how the documents will operate. Requirement 6 in the draft DCO requires submission of Drainage Management Plans to be substantially in accordance with the Drainage Strategies submitted into the Examination. The Drainage Strategies [REP3-060 and REP3-061] (which are essentially Outline Drainage Management Plans by a different name) are therefore already secured and a final plan already subject to approval from the relevant planning authority.
1GEN67.	Applicant Natural England MMO	<p>Surveys and monitoring conditions</p> <p>Applicant - It is common with DMLs as part of DCOs which have an offshore element for there to be a condition requiring details of planned pre-construction surveys and monitoring to be agreed with the MMO and NE. Notwithstanding the details within the submitted oCEMP, is there a need for such a condition to be within the DML to secure this? Similarly, is there a need for a condition within the DML for post-construction monitoring, to include adaptive management where necessary, with details and methodology to be first agreed with MMO and NE?</p> <p>NE and MMO - If considered necessary is there wording that could be suggested.</p>	<p>Marine Management Organisation</p> <p>Pre-construction surveys and monitoring are standard when micro siting is required in order to identify reef and the path of least impact. The MMO understands that the Applicant has already confirmed that pre-commencement surveys will be undertaken to inform routing for the marine cable burial, as included within the DML, and sensitive routing and siting of infrastructure and temporary works is also a commitment (GM04) within Application Document 9.84 Register of Environmental Actions and Commitments (REAC) submitted at Deadline 3. The Applicant has also stated they will engage with Natural England (NE) to consider further requirements for monitoring and an In Principle Monitoring Plan (IPMP) following the pre-commencement surveys if any habitats of principal importance are identified and there is potential for adverse effects on these habitats ([REP3-069] Applicant's Response to first Written Questions p36).</p>	<p>This is noted by the Applicant.</p> <p>Pre-construction surveys are currently secured within the Outline Cable Specification and Installation Plan [REP4-090] and the Outline Offshore Construction Environment Management plan [REP4-223] both of which are currently secured within Condition 4-(a) and (b) of the dML.</p> <p>The Outline Offshore Construction Environment Management plan [REP4-223] also secures the following:</p> <ul style="list-style-type: none"> - Where benthic habitats of principal importance (qualifying as annex 1 or NERC) are identified during pre-installation surveys (engineering surveys and UXO) and there is potential for an impact on these habitats, National Grid will prepare a Benthic Mitigation Plan, in consultation with the MMO and Statutory Nature Conservation Bodies (SNCBs). - Where benthic habitats of principal importance are identified (qualifying as annex 1 or NERC) during pre-construction surveys and additional mitigation is required to avoid or reduce impacts on these habitats, an In-Principle Monitoring Plan (IPMP) will be prepared in consultation with the MMO

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>The MMO has reviewed this submission and agrees with the suggestion of an IPMP and is happy to liaise with the Applicant regarding any wording.</p> <p>The MMO notes that the Maritime and Coastguard Agency (MCA) have responded to this question at Deadline 3 stating they would expect a Navigation Installation Plan (NIP) for the key areas of interest , a Vessel Traffic Management Plan (VTMP) for the full cable route, adherence to the Cable Burial Risk Assessment and a post-burial survey report to confirm target depths to be secured through conditions of consent in the DCO/DML. The MCA stated they would like to ensure that these are agreed by the MMO in consultation with the MCA and the relevant ports. The MMO supports these comments.</p>	<p>and SNCBs to verify the accuracy of predicted residual impacts on these habitats.</p> <p>The above commitments are also listed within the Application Document 9.84 (B) Register of Environmental Actions and Commitments (REAC) [REP4-235] as BE05 and BE06.</p>
			<p><u>Natural England</u></p> <p>Natural England has discussed this query with the MMO and can advise that as per our Relevant Representations [RR-3920] comments C10 and C11; we continue to advise that pre-construction monitoring should be secured within the DCO/DML. Furthermore, we advise that the majority of the Round 3 and Round 4 OWF NSIPs have included such monitoring. For example, the Five Estuaries DCO could provide appropriate template wording.</p>	<p>The Applicant would like to confirm that it is not a windfarm project.</p> <p>Pre-construction surveys are currently secured within the Outline Cable Specification and Installation Plan [REP4-090] and the Outline Offshore Construction Environment Management plan [REP4-223] both of which are currently secured within Condition 4-(a) and (b) of the dML (Application Document 3.1). An update to both these documents will also be provided at Deadline 5.</p>

2. Landscape and Visual

2.1 Landscape and Visual

Table 2.1 Landscape and visual

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1LVIA4.	Applicant	<p>Lighting</p> <p>The ExA notes the rural and unlit context of the substations and converter stations in Suffolk and Kent and that there is very limited detail in relation to operational lighting in the application documents. Provide additional detail in terms of the height and type of any lighting installations and light contour plans. Provide a night-time assessment of the effects of operational lighting on landscape character or visual amenity. This should include the cumulative effects with other significant light sources, such as Thanet Earth and Richborough Energy Park in Kent. If the applicant considers that an assessment is not required, provide a detailed explanation of your reasoning.</p> <p>Has consideration been given to allowing relevant planning authorities to approve details of operational lighting schemes? If not, why not? Local authorities may also like to comment.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>37. See comments on DCO. The approval of construction lighting or operational lighting is not secured in the draft DCO unlike the position in the EA2 DCO.</p>	<p>A nighttime assessment is provided within Application Document 9.124 Landscape and Visual Nighttime Assessment submitted at Deadline 5.</p> <p>Refer to Application Document 9.90 (A) Applicant's Response to Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2) [REP4-086] at AP129 for updated details on lighting controls.</p>
1LVIA7.	Natural England, Suffolk & Essex Coast & Heaths National Landscape Partnership (SECHNLP), Suffolk County Council, East Suffolk District Council	<p>National Landscape (NL) duty</p> <p>Provide your comments on Document 9.47 NL Duty Section 85 Duty Technical Note [REP1-120], including the approach to the s85 duty, the natural beauty indicators in table 3.2 and the special qualities indicators in table 3.3 and the cumulative effects on the NL in section 4 and tables 4.1 and 4.2.</p> <p>In your response include consideration of whether the extent and nature of the preferred area of acid grassland on plate 3.2 of [REP1-120] is sufficient and the appropriateness of the maintenance period of 10 years.</p>	<p><u>Natural England</u></p> <p>Please see Appendix H4 to our Deadline 4 submission for Natural England's summary regarding our position on the LVIA issues.</p>	<p>Refer to Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1LVIA15.	Applicant	<p>Coordination with Friston substation landscape mitigation</p> <p>Provide a response to SCC's comment at deadline 2 Ref A2.1 in relation to the need for HDD to connect to the substation to avoid undermining SPR mitigation planting.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>38. We understand from LionLink there is a plan to delay the advance planting where the AC cables from Sea Link and LionLink enter the EA2 order limits/substations site. Therefore this planting ceases to be "<i>advance planting</i>". Rather it becomes "<i>delayed planting</i>" not least given the construction of LionLink is not expected to be complete until 2032. No doubt National Grid's response is driven by cost reasons.</p>	<p>The Applicant is continuing the ongoing dialogue with SPR to produce a coordinated landscape masterplan which takes account of the Proposed Project, EA1N and EA2 and LionLink. A plan was submitted at Deadline 4 detailing the Applicant's version of the Landscape Masterplan produced by SPR accommodating the Proposed Project and LionLink projects, refer to Appendix D within Application Document 9.90 (A) Applicant's Response to Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2) [REP4-086].</p>

3. Ecology and Biodiversity

3.1 Ecology and Biodiversity

Table 3.1 Ecology and biodiversity

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL05.	Kent Wildlife Trust Natural England Local authorities	Biodiversity net gain measures – Kent landfall Noting that National Grid Ventures is a separate legal entity to the applicant, can Kent Wildlife Trust (KWT) explain whether there are any measures that could be taken to reduce the residual impact of the National Grid Ventures Nemo Link works at the landfall site or to enhance this land. Local authorities to also provide comment.	Natural England Natural England advises that impacts resulting from Nemo Link cable installation on SSSI saltmarsh habitat is not an appropriate BNG option for this project as any remediation requirements due to the damage caused by Nemo Link are still under review.	No further response required.
1ECOL06.	Applicant Kent Wildlife Trust Natural England Thanet District Council	Former hoverport (Kent) – species surveys The applicant's responses to selected RR responses [REP2-022] notes that terrestrial invertebrate surveys (such as for the fiery clearwing moth and Sussex Emerald) were not undertaken at the hoverport site due to lack of access agreement but the open tarmac and hardstanding areas through the site are sufficient for vehicles to access the intertidal area without vegetation clearance. No detailed botanical surveys or reptile surveys have been undertaken at the site, presumably also due to access arrangements. The site has been identified as hosting invasive, non-native (INNS) plant species and being potential reptile habitat. Can the applicant: Provide an annotated aerial photograph showing an indicative vegetation-free construction traffic route. Explain whether any works would be required to reinforce the access route. Confirm how, in the absence of surveys for reptiles, effects on reptiles can be ruled out and any special measures that might be required to avoid effects on reptiles from construction traffic.	Natural England We draw the ExA's attention to Natural England Deadline 3 submission Appendix J3A [REP3A-028] and Deadline 4 submission Appendix D4 where we have raised nature conservation concerns in relation to the proposed use of the former Hoverport and access across the intertidal habitats.	The Applicant has responded to these submissions separately at Deadline 4 within Table 3.6 in Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242] . The Applicant is responding to Natural England's Appendix D4 submission within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		<p>Explain whether as a mitigation or enhancement measure, INNS could be managed at the site as part of the Sea Link proposals.</p> <p>Explain whether NE, KWT or Thanet District Council (TDC) would be consulted on the access route. These organisations may wish to comment on the need for consultation on a route.</p>		
1ECOL10.	Natural England Kent Wildlife Trust	<p>Bird diverters</p> <p>Paragraph 2.10.2 [REP1-049] notes that bird diverters would not be fitted to existing overhead lines. It is not the applicant's intention to do this for existing lines. Does NE consider that there is any need for additional diverters to be fitted to other lines in the area in light of the new mixed wirescape? KWT to also provide comment.</p>	<p>Natural England</p> <p>Natural England does not consider there to be any need for additional diverters to be fitted to other lines in the area.</p>	No further response required.
1ECOL14.	Applicant Natural England	<p>Dormouse surveys</p> <p>Paragraph 1.5.7 of the Suffolk hazel dormouse survey report [APP-108] states that preconstruction surveys for dormouse should be undertaken in Zone D. Confirm whether the preconstruction clearance checks identified in paragraph 3.4.3 of the outline Landscape and Ecological Management Plan (oLEMP) [CR1-045] are intended to satisfy this requirement. It is noted that preconstruction surveys are currently limited to birds, bats, riparian mammals and badgers in paragraph 7.1.1 of the oLEMP.</p> <p>NE may wish to comment on the survey requirements.</p>	<p>Natural England</p> <p>Natural England agrees that preconstruction surveys should include hazel dormouse and advises that this requirement should be secured in the outline Landscape and Ecological Management Plan.</p> <p>Should the presence of protected species be confirmed then the Applicant should contact Natural England's NEWLS team for advice.</p>	The Applicant has committed to undertaking preconstruction dormouse surveys in Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan- Suffolk [REP4-066] .
1ECOL15.	Applicant Kent County Council (KCC) Natural England	<p>Dormouse surveys</p> <p>ES Part 3, Kent Chapter 2 Ecology and Biodiversity [REP1-049], paragraph 2.9.98 highlights that precautionary ways of working would be adopted on the basis that surveys identified possible dormouse nests. Paragraph 1.4.12 of the Kent hazel dormouse survey report [APP-159] states that a 'probable' rather than 'possible' nest was found in Zone C. Does this finding alter the approach, preconstruction survey requirements or assessment of effects? NE and KCC may wish to comment on the survey requirements.</p>	<p>Natural England</p> <p>Natural England does not typically comment on survey requirements for protected species where they are not a feature of a European or nationally designated site. We therefore have no comments to make on the survey requirements for Kent Hazel Dormouse.</p>	No further response required.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL23.	Applicant Kent Wildlife Trust Natural England	REAC provision B45 – impacts on breeding birds from OHL and pylon installation Provision B45 of the REAC [CR1-043] references works above 60dB. The ExA considers that specific noise indices should be stated to make this provision clear. The ExA also notes that the provision retains the option for works to occur during two months of the breeding season. KWT and NE are requested to comment on the appropriateness of this provision and whether any particular two months during this period would be preferable.	Natural England Natural England advises that all works which may result in disturbance to notified breeding birds associated with the Sandwich Bay to Hacklinge Marshes SSSI to avoid the breeding bird season (March to September inclusive).	<p>A strict requirement of this nature would render construction of the pylon bases near the SSSI impossible and extend the overall construction programme.</p> <p>The Applicant notes that the final sentence of REAC measure B45 currently states: 'Any works causing noise levels above 60dB L_{max} at the boundary of the SSSI, will take place outside the bird breeding season (March to September included).' This would apply to pylon base installation as these would exceed 60dB L_{max} as modelled. REAC requirement B51 also prevents overhead line pylon base installation during October to February. Having reviewed against programme, these two measures would render pylon base installation unachievable as foundation works are programmed to be 40 days per tower. Therefore, measure B51 has been amended to 'November to February' and measure B45 has been amended to 'March to August' within Application Document 9.84 (C) Register of Environmental Actions and Commitments (REAC) submitted at Deadline 5, thus leaving September and October for pylon base installation.</p> <p>Regarding the construction of the converter station and substation, the extension of the timing restriction in measure B50 from March to June to March to August would elongate the construction programme for the converter and substation by 9-10 months. As critical path activities this would impact the overall programme for the project and push back the operational deadline. The additional constraints would delay earthworks at the converter and substation site and split the foundation works for the converter station site over two seasons and delay earthworks and foundations at the substation site, resulting in the overall delay to the project. The Applicant considers that a March to June restriction captures the core of the nesting season and would thus avoid significant effects on the SSSI.</p>
1ECOL25.	Applicant Kent Wildlife Trust Natural England	REAC provision B50 – disturbance to breeding birds Provision B50 of the REAC [CR1-043] references March to June as the breeding season. Confirm whether this should read March to September. The ExA notes that provision B65 also references March to June.	Natural England Natural England has noted an error in our Deadline 3 response regarding our comments on provision B50 within the REAC. We would expect these disturbing works to take place outside of the breeding bird season, which is March to September inclusive.	<p>The extension of the timing restriction in measure B50 from March to June to March to August would elongate the construction programme for the converter and substation by 9-10 months. As critical path activities this would impact the overall programme for the project and push back the operational deadline. The additional constraints would delay earthworks at the converter and substation site and split the foundation works for the converter station site over two seasons and delay earthworks and foundations at the substation site, resulting in the overall delay to the project. The Applicant considers that a March to June restriction captures the core of the nesting season and would thus avoid significant effects on the SSSI.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL26.	Applicant Kent Wildlife Trust Natural England RSPB	REAC provision B59 – impacts of potential frac out Provision B59 of the REAC [CR1-043] allows for the sharing of an HDD landfall method statement and drilling fluid management plan for information with NE only. Confirm whether other parties such as RSPB and KWT should also be party to this provision. Also comment on whether, in light of the potential for impacts on sites for which NE, KWT and RSPB have responsibility, they should also approve or be consulted on these plans. The provision should be updated to explain when these plans should be made available.	Natural England Natural England would like the opportunity to comment on these documents rather than them be shared 'for information only.' Please see our Deadline 3A submission Appendix J3A [REP3A-028] and our Deadline 4 submission Appendix J4	<p>The Applicant has responded to these submissions separately at Deadline 4 within Table 3.6 of Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242].</p> <p>The Applicant is responding to Natural England's Appendix J4 submission within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.</p>
1ECOL28.	Applicant Natural England RSPB	REAC provision B60 – impacts of potential frac-out Provision B60 of the REAC [CR1-043] allows for notification of NE and RSPB in the event of a frac-out. In light of the sensitivity of the designated sites, is there a need for a more active role in this provision than currently worded for NE and RSPB? For example, to control routing of spotters and agreement of vehicle use on existing accesses.	Natural England Natural England refers the ExA to Appendix B to Natural England's Relevant Representations, Appendix J3A [REP3A-028] to our Deadline 3A submission and specially Appendix J4 to our Deadline 4 Submission – where we have raised concerns about access to the saltmarsh in the event of a frac-out, and advised that an Outline Intertidal Management Plan is prepared containing these requirements, which should be submitted to the regulators and agreed in consultation with the relevant SNCB prior to construction.	<p>The Applicant has responded to these submissions separately at Deadline 4 within Table 3.6 in Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242].</p> <p>The Applicant is responding to Natural England's Appendix J4 submission within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.</p> <p>The Applicant confirms that Application Document Offshore Construction Environmental Management Plan [REP4-223] has been updated and submitted at Deadline 4A which includes management practices to be adopted at landfall. Minor amendments to this document are also being submitted at Deadline 5. Additionally, the Applicant has also submitted Application Document 9.92 (A) Outline Cable Specification and Installation Plan submitted at Deadline 5.</p> <p>A separate plan for the intertidal area outlining the same information is therefore not considered to be required.</p>
1ECOL29.	Applicant Natural England RSPB	REAC provision B62 - impacts of HDD on Site of Special Scientific Interest (SSSI) Provision B62 of the REAC [CR1-043] allows for preconstruction botanical surveys to support monitoring of any impact of HDD. Should this provision be to support 'monitoring and mitigation' of any impact of HDD, since the location of plants might dictate routes of access and priorities for mitigation amongst other things?	Natural England Natural England welcomes the surveys, but we advise that these should be used to inform the final HDD landfall docs (B59) and that the surveys specifications should be agreed and signed off by regulators beforehand, in consultation with the relevant SNCB.	<p>The botanical surveys relate to the HDD route and since no impacts are expected due to the depth of the HDD, they will have no value in determining the HDD route. They are simply to provide a baseline in the highly unlikely event of frac out. As such the Applicant does not consider that it is necessary for the surveys to be approved beforehand.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1ECOL30.	Natural England	<p>REAC provision B63 – impacts on shingle habitats</p> <p>Provision B63 of the REAC [CR1-043] requires the applicant to inform NE about proposals to undertake additional groundwater investigation on, or adjacent to, shingle habitats. Is NE content with this provision and should an Ecological Clerk of Works (ECoW) be referenced? The ExA notes that there is a typo 'urveys'.</p>	<p>Natural England</p> <p>We note measure B63 to inform Natural England of any proposals to undertake groundwater investigation surveys on or adjacent to shingle habitats.</p> <p>To clarify our advice in A7 of our Risks and Issues log, the GI surveys we were referring to were ground investigation surveys, such as were conducted to inform HDD feasibility. If the results of any future such surveys meant that a change in the depth of HDD drilling was needed, then potential dewatering impacts on sensitive shingle habitats would need to be assessed. To clarify Point A7, dewatering impacts should be assessed if additional ground investigation boreholes are needed or if the additional ground investigation surveys determine that a change in the depth of drilling is needed.</p> <p>Natural England also highlights that ground investigation works can have significant impacts/Adverse Effect on Integrity (AEoI) in their own right and this would be subject to a separate planning permission and/or Marine Licence application.</p>	<p>TR suggested response:</p> <p>As stated in B63 of Application Document 9.84 (B) Register of Environmental Commitments (REAC) [REP4-235]. <i>National Grid will inform Natural England and East Suffolk Council of any proposals to undertake additional groundwater investigation surveys on or adjacent to shingle habitats.</i></p> <p>Ground investigation boreholes are temporary works that utilise casing, advanced with depth, to progressively isolate the borehole from the surrounding ground and groundwater bodies. The boreholes typically take 2 to 3 days to complete and on completion will be backfilled with bentonite pellets to seal the vertical bore. Consequently, in the short term (2-3 days) any changes to the groundwater table will be very localised, and in the long term there will be no change to the groundwater table.</p> <p>If the ground investigations identify that a change in depth of the HDD is required, the new drilling depth will have no adverse impact on the shingle habitat.</p> <p>In the short term, during drilling of the HDD, drilling fluid is designed to seal the perimeter of the bore, isolating the drilling fluid and bore from the surrounding groundwater table. The groundwater table will not, therefore be altered in the short term.</p> <p>In the long term, following duct installation, the drilling fluid remaining within the annulus between the duct and the bore perimeter will congeal, preventing any movement of groundwater along the HDD and isolating the HDD from the groundwater body. The groundwater table will not, therefore, be altered in the long term.</p> <p>For both the ground investigations and any change to HDD depth, there will be no significant or lasting change to the groundwater table beneath the shingle habitat and therefore no adverse impact on the shingle habitat.</p>
1ECOL31.	<p>Applicant Kent Wildlife Trust Natural England</p>	<p>REAC provision B66 – impact on former hoverport ecology</p> <p>Provision B66 of the REAC [CR1-043] allows for botanical survey to inform the construction access route within the hoverport and references foodplants of 'rarest vertebrates'. The ExA assumes that this should read 'invertebrates'. The ExA requests comment on whether this provision should also include reptile survey and whether the provision could be expanded to more proactively remove INNS as an improvement measure.</p>	<p>Natural England</p> <p>We advise that surveys to inform the construction access route should include reptiles.</p> <p>Should the presence of protected species be confirmed then the applicant should contact Natural England's NEWLS team for advice.</p> <p>We direct the applicant to our standing advice for reptiles for further guidance on this.</p> <p>For more general comments on REAC B66 please see Appendix J4 to our Deadline 4 submission</p>	<p>The Applicant does not intend to traverse habitat within which reptiles may be found (restricting access to open unvegetated hardstanding). Therefore, a reptile survey of the adjacent habitats, even if it confirmed the presence of reptiles, would not affect the approach to using the site for access. As discussed in Application Document Agenda for Issue Specific Hearing 2 dealing with environmental matters (ISH2) [EV6-002] reptiles may spend short periods of time basking on hardstanding but because they are exposed to predators will spend little time there and will depart quickly as soon as vehicles approach. The Applicant will also put measures in place to ensure existing areas of hardstanding are not collapsed by vehicle movements (as this would be a health and safety concern aside from environmental considerations). The Applicant has already committed to mapping significant stands of vegetation (i.e. the areas where reptiles are likely to be found) to ensure they are avoided. The Applicant therefore does not see a necessity for reptile surveys.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				Responses to Deadline 4 submissions is provided separately within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.
1ECOL32.	Applicant Kent Wildlife Trust Natural England	REAC provision B67 – impact on saltmarshes Provision B67 of the REAC [CR1-043] requires confirmation of an access route across the intertidal area to be defined post consent and informed by surveys. No reference is made to consent or approvals from KWT or NE, should it? The ExA notes that B67 seems to overlap with provision B70, can the two provisions be merged?	Natural England We refer the ExA to Appendix J4 of our deadline 4 submission and Appendix J3A [REP3A-028] to our Deadline 3A submission where we highlight that we do not believe that mitigation measures are sufficient to avoid impacts to vegetation. Furthermore, as stated above, Natural England would like the opportunity to comment upon the access route once a final design plan is known.	The Applicant has responded to Deadline 3A submissions separately at Deadline 4 within Table 3.6 of Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242] . Responses to Deadline 4 submissions is provided separately within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.
1ECOL33.	Applicant Kent Wildlife Trust Natural England	REAC provision B68 – Impact on Pegwell Bay Provision B68 of the REAC [CR1-043] provides for a Pegwell Bay landfall construction method statement covering the marine cable pull in and cable burial. Should this provision include cable excavation and laying in the intertidal area too and is there a requirement for the provision to include consultation and/or approval with KWT and NE?	Natural England We refer the ExA to Appendix J4 of our deadline 4 submission and Appendix J3A [REP3A-028] to our Deadline 3A submission where we have advised that further commitments are required to mitigate impacts and that the final Landfall Construction Method Statement should be agreed in consultation with NE prior to construction.	The Applicant has responded to Deadline 3A submissions separately at Deadline 4 within Table 3.6 in Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242] . Responses to Deadline 4 submissions is provided separately within Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 submitted at Deadline 5.
1ECOL34.	Applicant Kent Wildlife Trust Natural England	REAC provision B69 – impact on saltmarshes Provision B69 of the REAC [CR1-043] requires that trenchless exit pits would be at least 105m seaward from the edge of the saltmarsh, however temporary working areas are stated to be a minimum of 50m from the saltmarsh edge. In light of the potential for disturbance of bird species using the saltmarsh is this a sufficient offset distance?	Natural England Natural England advises in Appendix J3A [REP3A-028] to our Deadline 3A submission that no evidence has been presented that 50m is sufficient to ensure that significant impacts to saltmarsh features can be avoided.	The Applicant has responded to Deadline 3A submissions separately at Deadline 4 within Table 3.6 in Application Document 9.86 (A) Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241 and REP4-242] .
1ECOL59.	Natural England	HRA – screening out of LSE for dune slack qualifying features of Sandwich Bay SAC The applicant provided further justification for its decision to screen out LSE to dune slack qualifying features of the Sandwich Bay SAC from hydrological impacts in its updated HRA Report [REP2-009] , based on information in a technical note at Appendix F. Confirm if this addresses your concerns about this impact pathway (as set out in B1, B9, B21, B30 to B33 [RR-3920] [REP1-154A]). If not, advise what further information you consider is	Natural England Natural England can confirm that the additional information provided by the Applicant at Deadline 1, which we commented on in Appendix J3A [REP3A-028] to our Deadline 3 submission, is sufficient to address our concerns on this impact pathway.	No further response needed

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		required from the applicant to support its position. Provide any evidence you hold that suggests that there is connectivity with the Sandwich Bay SAC.		
1ECOL60.	Natural England	<p>HRA – effects on Stodmarsh SAC</p> <p>NE ([RR-3920]), appendix B and appendix G) did not dispute the applicant's conclusions of no LSE to Stodmarsh SAC. Can NE confirm if it agrees the conclusion. If not, set out your concerns.</p>	<p><u>Natural England</u></p> <p>Natural England can confirm that we agree with the Applicant's conclusion of no likely significant effect for Stodmarsh SAC.</p>	No further response required.
1ECOL61.	Natural England	<p>HRA – LSE conclusions for OTE SPA</p> <p>Further to the applicant's update to the HRA Report [REP2-009] in paragraphs 4.3.41 to 4.3.42, does NE agree with the applicant's conclusion that a LSE on all qualifying features of the OTE SPA can be excluded as result of impacts on their supporting habitats?</p>	<p><u>Natural England</u></p> <p>Natural England agrees with the Applicant that the impacts on the supporting habitat (i.e. the seabed substrate and water column) are likely to be sufficiently temporary to not engage the SPA conservation objectives and cause an AEol for any of the cited qualifying features, particularly if the majority of the planned work in the water column and on the seabed within the SPA is also seasonally restricted to avoid the period most red-throated diver (RTD) are present in winter (as stated in Doc. 7.8, the Red-throated Diver protocol).</p> <p>Natural England are primarily concerned about potential Adverse Effect on Integrity (AEol) on the OTE SPA caused by unmitigated and protracted disturbance from vessel activity associated with the project and its consequent displacement of wintering RTD.</p>	<p>Comments on the first point (impacts on supporting habitat of the OTE SPA) are noted and welcomed.</p> <p>Regarding NE concerns about the potential AEol on the OTE SPA due to unmitigated and protracted disturbance from vessel activity, NE has already noted in the previous response that the <i>“majority of planned works within the SPA is also seasonally restricted to avoid the period most red-throated diver (RTD) are present in winter (as stated in Doc. 7.8, the Red-throated Diver protocol)”</i>.</p> <p>The only activities not included in the seasonal restriction is the Pre-lay grapnel run (PLGR) and repairs during operation.</p> <p>As stated in response to AP22 in Application Document 9.90 (A) Applicant's Response to Action Points from Compulsory Acquisition Hearing 1 (CAH1) and Issue Specific Hearing 2 (ISH2) [REP4-086]. Pre-lay grapnel run (PLGR) is likely to take approximately 14 days to survey the entire route on a single transit. Approximately 50% of the cable route (56 km) passes through the OTE SPA. Therefore, the duration of PLGR transit within the OTE SPA will be approximately 7 days with the vessel continuously moving. PLGR involves one vessel towing a 'grapnel' and potentially a support vessel/guard vessel (working as a single cluster) moving at very slow speeds of approximately 1 to 1.5 knots. This is a targeted single activity that is critical to cable installation which does not have the potential to involve unmitigated or protracted disturbance from vessel activity.</p> <p>Also stated in AP22, other than the post lay surveys, there are no plans for regular monitoring using vessels during the operation of the cable. Monitoring will be based on land based Digital Temperature and Acoustic Sensing (DTAS) monitoring (linked to the fiber optic cable), to indicate any localised lengths along the cable link where damage may have occurred and repairs would be required. Where there is potential cable damage or exposure, a survey vessel (and potentially a support vessel) would be deployed to the specific location to check findings from the DTAS.</p> <p>Repair events are typically rare occurrences. Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project [REP1A-003] identifies a potential requirement for five repairs over the 40 - 60 year lifespan of the Project, with the Proposed Project designed to minimise the risk of</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				these occurring. As the Proposed Project is inherently designed not to require regular maintenance (through achieving target depth of lowering), it can be monitored during operation remotely, without the requirement for offshore vessels and would not typically expect frequent repairs (due to suitable routing and best practice installation), the Applicant maintains that there would not be unmitigated and protracted vessel movements during operation and that therefore would not be any significant adverse effects on Red-throated Diver distribution within the Outer Thames Estuary SPA during the operation of the Scheme.
1ECOL62.	Natural England	<p>HRA – emergency operation and maintenance activities in the OTE SPA</p> <p>The applicant ([REP2-014], table 2.38, G10) has confirmed it could provide NE with a report on emergency operation and maintenance activities undertaken in the OTE between November and March. Does NE require such a commitment to be made within the RTD protocol?</p>	<p>Natural England</p> <p>Natural England would seek a report on any operation and maintenance activities within the OTE SPA and its 2km buffer during the seasonally restricted period. For clarification, this commitment should be made within the Red-throated Diver Protocol (Doc. 7.8). We also highlight that the current protocol should be updated to do so as the current iteration states the proposed reporting of essential emergency operations and maintenance work would not cover the full sensitive period but only the period between 1st January - 31st March (see Doc. 7.8, section 1.5.8, pg. 7).</p> <p>A record of this activity, its scale and extent, detailing the nature of the event, and the specific location, duration and extent of any works undertaken, including associated vessel transits, should be provided to help quantify potential impacts and for assessment of future cumulative/in-combination effects from similar projects.</p>	<p>Application Document 7.8 (B) Red Throated Diver Protocol has been updated for submission at Deadline 5 to include the commitment to report on any operation and maintenance activities within the OTE SPA during the seasonally restricted period.</p>
1ECOL63.	Natural England	<p>HRA – operational air quality emissions</p> <p>Can NE confirm to which European site(s) its concerns regarding operational air quality emissions ([RR-3920] B24 and B37) relate? The applicant has revised the HRA Report [REP2-009] to confirm that during the operational and maintenance phase, there would be up to 4 daily car/LGV trips associated with staff members for the proposed Minster converter station, and occasional maintenance and inspection. Does NE agree that in-combination LSEs can therefore be excluded and if not, why not?</p>	<p>Natural England</p> <p>Natural England advises that the European sites are Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site, and Sandwich Bay Special Area of Conservation.</p> <p>Natural England advises that the air quality related aspects arising from this DCO can be addressed using our new standard advice.</p> <p>We therefore direct you to our standing advice for air quality provided in Appendix B3, Annex 1 [REP3-117] of our Deadline 3 submission for further guidance on this</p>	Noted. No response needed
1ECOL64.	Natural England	<p>HRA – operational in-combination air quality emissions</p> <p>Can NE confirm to which European site(s) its concerns regarding in-combination air quality emissions ([RR-3920], B18 and B26) relate?</p>	<p>Natural England</p> <p>Natural England advises that the European sites are Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site, and Sandwich Bay Special Area of Conservation.</p>	Noted. No response needed.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		The applicant has responded that the predicted project alone effects are too small to show in the model, so it considered there would be no in combination effect ([REP2-014], table 2.33, B26). Does NE agree that in-combination LSEs can therefore be excluded?	Natural England advises that the air quality related aspects arising from this DCO can be addressed using our new standard advice. We therefore direct you to our standing advice for air quality provided in Appendix B3, Annex 1 [REP3-117] of our Deadline 3 submission for further guidance on this	
1ECOL65.	Natural England	HRA – acid grassland NE has advised it is essential to understand soil fertility and pH for successful restoration of acid grassland at Sandlings SPA [REP1-154]. Noting that the proposed acid grassland enhancement has been removed from the proposed development, is this information still relevant to the proposed acid grassland creation and would such information be required at pre-consent stage, or can amendments be made to the oLEMP [CR1-045]?	Natural England Natural England advises that our advice regarding soil fertility and pH applies to either acid grassland enhancement or creation. We advise it is important to provide the information at pre-consent stage in order to provide enough certainty that the required mitigation/compensation is feasible within the timeframe. We refer you to Appendix A3 [REP3-116] to our Deadline 3 Submission and Appendix A4 to our Deadline 4 submission.	There should be no requirement for either pH testing or fertility assessment given that the habitat to be restored has <u>already</u> been confirmed as acid grassland (albeit degraded) from a botanical survey (specifically, NVC community U1b <i>Festuca ovina-Agrostis capillaris-Rumex acetosella</i> grassland). This is identifiable from the presence of the relict acid grassland species in the sward. The habitat to be restored is under-grazed and tussocky with extensive bracken and gorse encroachment. Restoration of management to address these issues will diversify the sward both botanically and in terms of structure by allowing relict acid grassland species to compete. Since the habitat is already confirmed as acid grassland (albeit degraded) the substrate can support acid grassland, and that grassland will be diversified by improvement management. Improving the structure and botanical diversity of a degraded acid grassland that is under-grazed and bracken/gorse encroached is entirely feasible within ten years primarily by reintroducing management.
1ECOL66.	Natural England	BNG metric spreadsheet and feasibility report The ExA requests that NE provide comment on the biodiversity metric spreadsheets [REP1A-040] to [REP1A-042] and on the revised BNG feasibility report [REP1A-025].	Natural England Natural England will review the application of the biodiversity metric for Deadline 5. However, we highlight that the feasibility report is to be considered by the LPA and delivery partners.	Noted. No response needed

5. Water Environment

5.1 Water Environment

Table 5.1 Water environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1WE1.	Environment Agency Suffolk County Council Kent County Council	<p>Sequential and exception test</p> <p>Provide a response with respect to the acceptability and policy compliance of the applicant's sequential and exception test as included in the Flood Risk Assessment [APP-292]? In answering, although the ExA notes that the proposed substations, converter stations and cable transition joint bays are all located in Flood Zone 1, specifically cover the manner in which the Exception Test has been applied by the applicant regarding the presence of some components of the scheme (construction routes and cables etc) being necessarily in Flood Zones 2 and 3.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>39. Suffolk County Council has not directly answered this question concerning the compliance with the Sequential Test in respect of surface water flooding. At the Friston site there are areas at high risk of surface water flooding as referred to in FPC's representations. The Sequential Test was discussed at ISH2 and there still seemed to be a lack of clarity as to the application of the Sequential Test in relation to surface water (pluvial) flooding which is a matter for SCC as the LLFA, rather river flooding (which is a matter for the EA). In the interests of time FPC chose not to raise this issue at ISH2, but complete clarity on the application of the Sequential Test is necessary to show that policy requirements have been met.</p>	<p>With reference to the overarching national policy statement for energy EN-1 paragraph 5.8.36, which sets out that Secretary of State should be satisfied that: '<i>The Sequential Test has been applied and satisfied as part of site selection</i>', the Applicant confirms that:</p> <p>Surface water flood risk was one of a wide range of factors included in the site selection decision making process. However, the linear nature of the Suffolk Onshore Scheme and Kent Onshore Scheme, along with the multitude of social and environmental constraints that are taken into account in the balance of routing decision making, means that it is inevitable that not all parts of the Proposed Project can reasonably be located within areas at the lowest risk of surface water flooding. Therefore, the sequential approach, which is advocated by the policy, has been applied at the site level to minimise risk by directing the most vulnerable uses, such as construction compounds, and all above ground operational development, to areas of lowest flood risk.</p>
1WE2.	Applicant	<p>Firewater runoff – substation and converter station attenuation</p> <p>The applicant's response to the Environment Agency RR set out in [REP2-014] Reference 2.4.1.F states that 'The attenuation features associated with each of the compounds will provide sufficient storage for firewater runoff in the event that an isolation chamber could not be reached safely.' Provide evidence / calculations which support this statement.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>40. An operational drainage management plan for the substations site is close to Discharge under the EA2 DCO. FPC would consider it helpful if SCC could advise whether the issue of firewater run-off has been addressed in this plan. Furthermore this plan should be secured under the draft DCO as the Operational Drainage Management Plan for the substations site.</p>	<p>The Applicant confirms that, as described in Application Document 9.17.1 Suffolk Drainage Strategy which is being submitted with revisions at Deadline 5, penstock valves will be installed to isolate the outfalls of the drainage systems serving the operational substations and converter stations to prevent a pollution incident in the unplanned event of a fire. The valves will be designed to close automatically, with a manual override available in the event of automation failure and the systems would be suitably maintained over the operational lifetime of the Project. As secured under Requirement 6 within the Development Consent Order, the appointed contractor will develop Drainage Management Plans post consent, which must be substantially in accordance with the Drainage Strategies for Suffolk (Application Document 9.17.1 Suffolk Drainage Strategy submitted at Deadline 5) and Kent (Application Document 9.17.2 Kent Drainage Strategy submitted at Deadline 5). The Drainage Management Plans will include a construction phase element and an operational phase element that may be discharged separately.</p>

8. Traffic and Transport

8.1 Traffic and Transport

Table 8.1 Traffic and transport

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1TT8.	Applicant	<p>Safety of cyclists</p> <p>The proposed traffic routes would use some more minor rural roads with narrow carriageways. What can be done to ensure the safety of cyclists on these routes, as they could be considered vulnerable in such circumstances where there is a notable increase in HGV traffic?</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>41. Safety of Cyclists - National Grid states <i>“The routing strategy is designed to minimise the number of construction vehicles using less suitable routes such as the B1122 Leiston Road (through Theberton and Leiston), B1121 Saxmundham Road (through Friston), B1121 Main Road and B1119 Church Street (through Saxmundham) and Grove Road.”</i> Emphasis added</p> <p>42. FPC would point out that both pedestrians and horse riders also use the B1121 Aldeburgh/Saxmundham Road through Friston (S-RL-9 and S-BM11) and Grove Road, not just cyclists.</p> <p>43. 3% of construction traffic will use what National Grid call <i>“less suitable routes”</i> i.e. unsuitable routes. 3% may not sound a lot in percentage terms but given the scale of construction traffic may be significant in absolute terms. Also National Grid’s answer also seems to be a limited to HGV traffic rather than all construction traffic. It would be helpful if greater clarity in the Traffic Management Plan could be provided on the number and types of vehicles proposed to use the B1121 from Benhall through to the A1094 and for how long.</p> <p>44. Furthermore the use of RL-9 and BM-11 should be limited to the pylon works and secured through the DCO. The CTMP should be amended so that these routes cannot be used even in exceptional circumstances given the example given of <i>“road closure”</i> necessitating this. A particular concern is the level of road closures predicted for works on the Benhall Bridge.</p> <p>45. Further consideration should be given to whether there should be greater use of 30mph or 20mph speed limits on <i>“less suitable routes”</i>.</p>	<p>41 and 42. These points are acknowledged by the Applicant.</p> <p>43. At peak construction, a maximum of nine construction vehicles per hour, and fewer than 30 peak daily construction vehicles (with fewer than 10 peak daily HGV movements) are expected along the B1121 Saxmundham Road through Friston to access existing Overhead line towers (via access S-BM11), as shown by Application Document 6.3.2.7.H (B) Preliminary Highway Impact Assessment [REP4-039] for this receptor (S-RL9). This route will only be used by circa 0.2% of construction traffic, for a period of around three months.</p> <p>44. Application Document 7.5.1.1 (D) Outline Construction Traffic Management and Travel Plan – Suffolk submitted at Deadline 5 has been updated to state that construction traffic along the B1121 Aldeburgh Road and B1121 Saxmundham Road through Friston will be limited to the pylon works and will not otherwise be used by HGVs, including in exceptional circumstances.</p> <p>45. Given the above, it is not considered that a speed limit reduction is required on the B1121 Saxmundham Road.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1TT17.	Applicant	<p>Coordination of PRow closures and diversions</p> <p>Within the REAC [CR1-043], under commitment GG32, it is stated that to reduce the potential for significant overall cumulative effects, PRow closures/diversions would be coordinated with East Anglia ONE North Offshore Windfarm and East Anglia TWO Offshore Windfarm. However, whilst this may be the applicant's intention, explain how this could be considered as a secured commitment when it would depend on another developer.</p>	<p><u>East Anglia ONE North Limited, East Anglia TWO Limited, ScottishPower Renewables (UK) Limited</u></p> <p>Ahead of construction of the EA1N and EA2 substations and National Grid's Kiln Lane substation under the EA1N and EA2 DCOs, permanent diversion of a section of ProW E-354/006/0 will be required. As mitigation, an alternative permanent footpath is being created, so that this route will be established for use prior to the closure of this section of E-354/006/0. Once this section is closed, users will be able to use the newly created footpath in its place.</p> <p>EA1NL and EA2L's works to create a permanent footpath as a result of the permanent diversion of PRow E-354/006/0 is set to be completed in March 2026, with formal adoption as a PRow expected to follow thereafter.</p> <p>As such, any further changes to the PRow required for Sea Link would be a matter for the Applicant to manage with the local authority.</p>	<p>The Applicant notes the position of EA1NL and EA2L and will work with SCC on any closures of the newly created footpaths. Based on the information provided by EA1NL and EA2L there will be no overlap of footpath closures, but the Applicant will continue to monitor this position and liaise with the EA1NL and EA2L.</p>

9. Air Quality

9.1 Air Quality

Table 9.1 Air quality

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1AQ1	Applicant	<p>Use of sulphur hexafluoride (SF₆) in gas insulated switchgear (GIS)</p> <p>The applicant [APP-055] confirms that it intends to use GIS and that manufacturers produce GIS switchgear with minimal or no leakage and National Grid avoids the use of SF₆. Signpost to where SF₆ has been precluded from use within the application or provide an assessment of the likely environmental effects of using SF₆ as a worst case and provide an explanation of the alternatives considered consistent with the requirements of NPS EN-5.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>46. The use of SF₆ was discussed in the EA2 and EA1N examinations. One of the reasons the National Grid connection hub would be an AIS rather than a GIS design was because there may not be a satisfactory replacement for SF₆. It was indicated during Consultations that there would be such alternatives in the near future. Certainly when FPC saw that in the Seal Link project the National Grid substation was to be of GIS design it assumed it would use an alternative to SF₆ (as noted in FPC's relevant representations). FPC notes the supplementary questions asked concerning SF₆ and awaits the response. However if it cannot be assured that a significantly less environmentally unfriendly gas will be used, then National Grid should revert to the AIS design which has already been consented. It is of concern that National Grid has admitted that SF₆ switchgear does leak.</p>	<p>The Applicant has provided a full explanation of how the use of SF₆ has been addressed in the design, procurement and mitigation strategy for the Proposed Project (see the response to question 2AQ1 in Application Document 9.123 Applicant's Responses to Second Written Questions, submitted at Deadline 5).</p> <p>SF₆ has been precluded wherever feasible; a significant proportion of the Gas Insulated Switchgear (GIS) equipment will be SF₆-free, and Friston Substation will use SF₆-free General Electric switchgear. Where SF₆ remains required, this is because alternatives are not yet technically proven, available or deliverable within programme constraints, as described in the detailed ExA response.</p> <p>Modern GIS is designed for extremely low leakage rates and will be subject to strict monitoring and control in accordance with the Fluorinated Greenhouse Gas (F-gas) Regulation.</p> <p>Measure CC03 of the updated Application Document 9.84 (C) Register of Environmental Commitments (REAC), submitted at Deadline 5, secures all required controls. The measure now secures a design-stage review of SF₆-free alternatives, requires the Applicant to provide justification where SF₆-reliant assets are unavoidable, and commits to the preparation and implementation of an SF₆ emissions monitoring and control plan compliant with the F-gas Regulation and any successor legislation. The measure also confirms that any SF₆-reliant assets installed will be subject to low-leakage specifications and that, where such equipment is required, the design will, wherever practicable, accommodate the potential for future replacement with SF₆-free alternatives.</p> <p>The Applicant can confirm that the Friston Substation will be SF₆ free and that any SF₆ equipment used will be at the Converter Stations and or Minster Substation only.</p>
1AQ2	Natural England East Suffolk Council	<p>Air quality modelling for construction compound at Sandlings</p> <p>Suffolk Energy Action Solutions Ltd (SEAS) [RR-5210] suggests that the air quality model is inaccurate and that quantification of emissions from the HDD compound adjacent to Sandlings SPA and from back-up generators is required. Provide comment on</p>	<p><u>Natural England</u></p> <p>Natural England advises that the air quality related aspects arising from this DCO can be addressed using our new standard advice.</p> <p>We therefore direct you to our standing advice for air quality provided in Appendix B3, Annex 1 [REP3-</p>	<p>Details on how the Applicant has considered Natural England's new standard advice are set out in Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241].</p> <p>Detailed modelling of back-up generators emissions has been undertaken where required, as set out in Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241] and an update to the modelling of</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		the model and explain whether you consider that further quantification is necessary and if not, why not?	117] of our Deadline 3 submission for further guidance on this	<p>back-up generator emissions is presented in Application Document 9.123.1 Applicant's Responses to Second Written Questions – Appendix B, submitted at Deadline 5.</p> <p>Justification for why detailed assessment of Non-Road Mobile Machinery (NRMM) emissions is not required is provided in Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241].</p> <p>In relation to the Suffolk Landfall compound specifically, the enabling and installation works at this location would last for approximately six months (see Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project, [REP1A-003]). A horizontal directional drilling (HDD) rig and associated equipment would be present at the launch site, including a portable generator for power, a drill-mud filter, control unit, welfare facilities and, for a two-day period, a 150–200 tonne crane. As set out in Application Document 6.3.1.4.B ES Appendix 1.4.B Construction Plant Schedule [APP-090], most NRMM items have a lower engine power than an articulated Heavy Goods Vehicle (HGV) (350 kW). On this basis, NRMM emissions are reasonably considered to be no worse than HGV emissions in terms of NOx output, given the similarity in engine size and duty cycle.</p> <p>The anticipated plant numbers for the landfall compound fall substantially below the Design Manual for Roads and Bridges (DMRB) / Natural England NE001 screening thresholds (1,000 Annual Average Daily Traffic (AADT) or 200 Heavy Duty Vehicles (HDVs)) for requiring detailed assessment of effects on designated ecological sites. Given the short duration of works, the limited scale of plant required, and the conservative assumption that NRMM emissions are equivalent to HDVs, there is no credible pathway for significant air quality effects on ecological receptors at this location, including Sandlings Special Protection Area (SPA). On this basis, further detailed modelling is not necessary.</p> <p>It should also be noted that monitoring of Nitrogen Dioxide (NO₂), NOx, particulate matter less than 10 microns in diameter (PM₁₀) and particulate matter less than 2.5 microns in diameter (PM_{2.5}) is proposed at monitoring location Suffolk 4, situated just over 100 m west of Aldringham to Aldeburgh Disused Railway Line Wildlife Site and Leiston–Aldeburgh Site of Special Scientific Interest (SSSI), and approximately 180 m south of Sandlings SPA. This monitoring, secured through Application Document 7.5.6.1 (D) Outline Air Quality Management Plan – Suffolk submitted at Deadline 5, will verify the effectiveness of mitigation. Should monitored concentrations exceed trigger thresholds, construction activities would be reviewed and, where necessary, further abatement implemented or works temporarily paused while additional controls are applied.</p> <p>There would be no back-up generators at this location during the operational phase, and therefore no associated operational emissions.</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1AQ8	East Suffolk Council Natural England Thanet District Council, Dover District Council	Outline air quality management plan (oAQMP) Do the councils or NE have any comment on the proposed air quality monitoring equipment or the proposed air quality monitoring locations set out in the oAQMP [AS-129] and [APP-347] . It is noted that the applicant 'recommends' rather than 'proposes' use of zephyr monitors for dust monitoring. In Suffolk the monitoring location is noted to be south of the HDD compound which is likely to pick up effects on human receptors but not on the ecological designated sites to the north east (the prevailing wind direction).	Natural England Natural England advises that the air quality related aspects arising from this DCO can be addressed using our new standard advice. We therefore direct you to our standing advice for air quality provided in Appendix B3, Annex 1 [REP3-117] of our Deadline 3 submission for further guidance on this	Details on how the Applicant has considered Natural England's new standard advice are set out in Application Document 9.86 Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A [REP4-241] . As set out in the Application Document 7.5.6.1 (C) Outline Air Quality Management Plan – Suffolk submitted at Deadline 5, the Applicant confirms that continuous air quality monitors or sensors will be used, with the specific technology to be agreed prior to installation in accordance with measure AQ02 of the Application Document 9.84 (C) Register of Environmental Commitments (REAC) . Zephyrs have been recommended rather than proposed to retain flexibility in selecting the most appropriate sensor technology in a rapidly evolving market. The monitoring location proposed by the Suffolk Onshore Landfall compound (Suffolk 4), is situated just over 100 m west of Aldringham to Aldeburgh Disused Railway Line Wildlife Site and Leiston–Aldeburgh SSSI, and approximately 180 m south of Sandlings SPA. Whilst the prevailing wind is from the south-west, the proximity to the coastline results in an onshore/offshore component, leading to variable wind directions at this location. In addition to continuous monitoring, further inspection-based monitoring is secured through REAC measure AQ02, including routine visual inspections. In accordance with AQ14, the AQMP will be reviewed and updated throughout the construction phase of the Proposed Project as necessary, based on monitoring results. As part of this, monitoring locations will be reviewed and can be relocated if required.

10. Noise and Vibration

10.1 Noise and Vibration

Table 10.1 Noise and vibration

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1NV13.	Applicant	<p>Reversing alarms</p> <p>A number of RR have highlighted the impact of noise from reversing alarms during archaeological and ground investigation works. Confirm whether a REAC commitment to only using white noise reversing alarms could be used to reduce the impact of reversing vehicles on local communities.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>47. <i>“The use of white noise reversing alarms would be considered as part of the application of best practicable means to reduce noise impacts. This would be considered alongside other potential constraints, such as site safety.”</i> Consideration is not enough. What about consideration of the health and well-being of the local community? The Friston community has already had to endure during the summer months high-pitched reversing alarms accompanied by recorded messages from multiple pieces of heavy plant. The quantity of plant obviously increases the level of disruption. National Grid can assess safety issues now and commit to using white noise now. There is an obvious relationship here to working hours.</p>	<p>The Applicant confirms that mitigation measures consistent with Best Practicable Means (BPM) would be implemented to control construction noise effects, in accordance with commitments NV01 and NV03 of Application Document 9.84 Register of Environmental Actions and Commitments (REAC) [REP4-235].</p> <p>This would include the use of white-noise reversing alarms or equivalent low-impact warning systems, where practicable.</p> <p>The choice of alarm type is subject to operational and safety considerations, and it is therefore not possible to commit to the exclusive use of white-noise alarms in all circumstances.</p> <p>Notwithstanding this, white-noise alarms would be employed where reasonably practicable and safe to do so, as part of the application of BPM.</p>

15. Physical Environment

15.1 Physical Environment

Table 15.1 Physical environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
1PE2.	Kent Wildlife Trust Natural England Local authorities	Pegwell Bay – previous cable installation works Confirm whether any residual adverse effects from previous cable installation works within the intertidal area have been identified at Pegwell Bay (exclude reference to the saltmarsh and lagoon, which RRs have previously highlighted).	Natural England Other than what has already been highlighted, Natural England is not aware of any other residual adverse effects within the intertidal area. However, we note that monitoring of other habitats within Pegwell Bay were limited.	This is noted by the Applicant. No further response required
1PE3.	MMO	Suspended sediments and contamination Do any of the areas of sediment bound contamination along the marine cable route identified as exceeding CEFAS Action Level 1 in section 1.7 of [REP1-051] require special working arrangements to minimise adverse effects (for example, adjacent to Goodwin Sands or within Pegwell Bay?).	Marine Management Organisation The MMO made preliminary comments on suspended sediments and contamination at Deadline 3. Those comments were based on a preliminary review and on the assumption that they are representative of the full cable route and therefore at the time had not been plotted to check their coverage. This was due to time constraints in responding to ExQ1. The MMO stated it was therefore still undergoing review of the sample results provided and may provide further comments at Deadline 4. Following further review, it has been established that the MMO Results template MAR02534 with samples Sites A to K is not filled in appropriately. The Applicant should provide a completed Template to the MMO. The 'Application info' tab is missing dredge area tonnages and application information that includes sampling dates, and the applicant etc. is empty. As such, it is not possible to determine if these results are timely with regard to supporting the application. The Dredge area tonnages box is also empty; this requires the estimated maximum tonnage in wet tonnes anticipated as a result of the works. In the sample numbers and locations information tab, the data is requested in decimal degrees, whereas the Applicant has presented eastings and northings, this is insufficient to determine whether the samples are fully representative of the proposed cable area. The	The Applicant apologises for the delay in the completion of the MMO templates. The Applicant confirms that the updated MMO templates alongside chain of custody and certificates of analysis have been issued to the MMO for review on 03/03/2026. In addition to the above, the Applicant has sought advice from the MMO with regards to potential additional pre-sweeping required between KP38.7 and KP44.4 to meet the Ports' requests to safeguard future water depths for their dredging activities at the Sunk. An assessment of this additional area will be submitted at Deadline 5 (Application Document 9.126) and the Applicant has included a post-consent condition within the updated dML (Application Document 3.1) submitted at Deadline 5 for additional sediment sampling in this area to be undertaken prior to construction. The Applicant confirms that the only non-trenchless techniques proposed by the Project are through the use of HDD at both landfalls. Non-trenchless techniques are not proposed offshore.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>MMO requests that the Applicant provide completed MMO results templates by addressing these issues.</p> <p>The MMO notes that the proposed dredge sediment comprises predominantly gravels (mean 44%) with sand (mean 22%) and silt clays (mean 34%) (see Annex 1, Figure 1).</p> <p>For trace heavy metals, most analysis indicated levels below their respective Action Level 1 (AL1), with the exception of arsenic, chromium, and nickel. Levels of arsenic were mostly below AL1, for the eleven samples above AL1 they were well below the upper Action Level 2 (AL2) (see Annex 2, Figure 2). For chromium and nickel only two samples of the 48 (different samples) marginally exceeded their relevant AL1. Levels of arsenic can be in excess of AL1 depending on the geology of the area, therefore this is not of concern in this area.</p> <p>Levels of mercury were shown to be low either around or below the limit of detection (LOD). Similarly, levels of polycyclic aromatic hydrocarbons were mostly below the LOD and those not, were only just detectable.</p> <p>The levels of contaminants analysed in the 48 samples indicate that the risk of the release of contaminants from the activity is expected to be low.</p> <p>As per previous MMO comments at Deadline 3, additional sand wave clearance is estimated between 450,000 m³ to 1,800,000 m³: “For the non-trenchless techniques, the Applicant may wish to undertake some sort of bed levelling/sandwave clearance (potentially dredging) for these parts of the route. Therefore, the MMO considers that any area of the cable route using non-trenchless techniques are likely to require designated disposal sites. This is in line with the East Anglian 1 North Export Cable Corridor project which was designated under the code TH082”.</p> <p>The Applicant has provided information on contaminants physical impacts including sediment transport pathways and deposition from the activities and sensitive receptors (fish mammals etc.) to be able to characterise a disposal site(s) should the MMO approve of designation.</p> <p>The sample results provided did not include the location coordinates in the correct format, therefore it is not possible to determine if they are representative of the cable corridor. Whilst assessment of results indicates that the risk of the release of contaminants from the activity is likely to</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>be low, this may not address issues regarding plume effects and increased turbidity from the use of some trenchless techniques that may need to be considered. This would depend on the volumes, the techniques to be used and any potentially sensitive receptors present. Chapter 1 confirmed that a sediment transport model has been developed to evaluate the dispersion of sediment resulting from various cable burial techniques, as well as to determine the extent of sediment deposition on the seabed (refer to Application Document 6.3.4.1.A Suspended Sediment Modelling). The MMO notes that the potential impacts of increased turbidity and elevated suspended sediment concentrations are assessed in Section 1.7.</p> <p>Chapter 1 Section 1.7.82. states that “ As part of the MMT (2022) survey, 32 grab sample sites were selected for analyses of concentrations of metals, organics, PAHs, and THC”. The Applicant has provided the 2022 and additional 2024 survey reports but does not appear to have submitted the 2022 sample results (which are presented in the survey report) in the standard MMO results template as has been requested. The MMO requests that the Applicant submit the sample data in the correct format for review, and if possible, the Certificates of Analysis. If the Applicant can confirm that only the 2024 results provided are the ones to be used for characterisation of the area, i.e. are representative of the area to be dredged to support any returns required for annual reporting then only these need to be provided in the MMO templates. As there are no coordinates provided it is currently not possible to determine thus far if they are actually representative of the area to be dredged.</p> <p>There is no information on the MMO results templates provided to determine if the results provided for particle size analysis (PSA) are from an MMO validated laboratory. The trace metals and PAHs analysis tabs on the templates state they were undertaken by SOCOTEC (an MMO validated laboratory for these methods 05 December 2024 and 10-18 December 2024 respectively). To be able to be confident in the assessment of the PSA results, the Applicant should provide accurately completed templates. The laboratory test report/certificate of analysis, if provided along with the completed MMO results templates, would help to understand any limitations or deviations from the</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			<p>methods, to be able to have confidence in the results provided.</p> <p>Although it is likely that this will be easily resolved, if not yet rectified by the Applicant, this information should be included with any updates to the MMO results templates.</p> <p>In summary, location coordinates of samples taken were not provided in the correct format and therefore these comments are made assuming that they are representative of the proposed cable corridor. The applicant should provide completed templates to ensure that the samples are representative of the entire cable corridor.</p> <p>The levels determinands in the analysis of 48 samples indicate that the risk of the release of contaminants from the proposed activity is likely to be low and the material would be acceptable for disposal to sea.</p> <p>Should the applicant have any queries regarding the above, then the MMO will be happy to facilitate a meeting between themselves and Cefas.</p>	
1PE9.	Natural England MMO	<p>Microplastics arising from rock armour</p> <p>In other NSIP examinations (for example for Morecambe Offshore Windfarm) the MMO and NE highlighted concerns regarding microplastics. Are MMO or NE aware of any constraints relating to the generation of microplastics from rock armour solutions for this project (for example from rock bags) and if so, are any specific control measures for microplastics required?</p>	<p><u>Marine Management Organisation</u></p> <p>At Deadline 3 the MMO stated we were currently reviewing this and liaising with NE.</p> <p>Following review, the MMO confirms that we have no major concerns regarding the generation of microplastics from rock armour solutions for this project, however, we note that the introduction of microplastics into the water column should be avoided where possible. The MMO has liaised with NE regarding this and ultimately defers to their opinion.</p> <p><u>Natural England</u></p> <p>Natural England advises that the introduction of microplastics into the water column should be avoided where possible. For example, the preference is to use concrete mattresses over fronded mattresses. And for brushwood fronds over plastic ones where fronds are required. Full consideration and assessment of all environmental impacts of different types of cable protection methods and alternative materials is required.</p>	<p>This is noted by the Applicant. No further response required.</p> <p>The Applicant confirms that the full list of cable protection which has been included within the Physical Environment assessment is listed within Application Document 9.92 Outline Cable Specification and Installation Plan which is also being updated for Deadline 5.</p>

17. Marine Mammals

17.1 Marine Mammals

Table 17.1 Marine mammals

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Response
1MM2.	Natural England	<p>Noise effects on seals</p> <p>Provide a response to the Seals and Airborne Sound Disturbance Technical Note [REP1-122].</p>	<p>Natural England</p> <p>Natural England welcomes the provision of this technical note which addresses our RR issue F17 [RR-3290 F]. This document has the correct M-weighted sound modelling. Natural England will review the updated HRA as required and update at deadline 5.</p>	This is noted by the Applicant. No further response required.
1MM5.	<p>Applicant</p> <p>Natural England</p>	<p>Marine mammal observer (MMob)</p> <p>Provide a response to KCC's LIR [REP1-129] in relation to the need for a MMob during cable trenching/laying as well as during geophysical surveys.</p>	<p>Natural England</p> <p>With the information provided as of deadline 2 Natural England is unable to assess the need for MMob during cable trenching/laying. This will be revisited at deadline 5, once the updated marine mammal EIA chapter and HRA have been reviewed.</p>	This is noted by the Applicant. No further response required.
1MM9.	Natural England	<p>HRA - screening</p> <p>No additional onshore European sites, or European sites designated for marine mammals were identified in ([RR-3920], Appendices A, B and F) on the applicant's HRA screening in [REP2-009]. Confirm if you agree that all relevant sites have been screened in for these receptors. If not, confirm which additional sites should be considered.</p>	<p>Natural England</p> <p>Natural England agrees that all relevant European sites for marine mammals have been screened in.</p>	This is noted by the Applicant. No further response required.
1MM14.	<p>CEFAS/JNCC</p> <p>MMO</p>	<p>HRA – Conclusions regarding prey availability</p> <p>NE has deferred to CEFAS on impacts associated with prey availability impacting marine mammal species. Can CEFAS confirm it agrees with the applicant's conclusion of no LSE to Annex II marine mammal European sites from indirect effects due to availability of prey species. If not, explain why.</p>	<p>Marine Management Organisation</p> <p>At Deadline 3 the MMO stated it is currently reviewing this alongside our scientific advisors at Cefas. Due to availability and time constraints over the Christmas period, the MMO deferred its response to Deadline 4.</p> <p>Underwater noise from activities like sub-bottom profiling (SBP), trenching/cable burial vessel operation could cause temporary displacement, while potential Unexploded Ordnance (UXO) detonation could also result in injury, or mortality to fish within close range, potentially reducing local prey availability. However, given the mobile foraging behaviour of marine mammals, short-term and</p>	This is noted by the Applicant. No further response required.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Response
			<p>localised activities are in general unlikely to result in significant population-level effects.</p> <p>The MMO agrees with the Applicant's assertion that the works associated with the cable installation are not likely to have far-reaching impacts on fish receptors beyond the project location. Areas of seabed affected by the works will be largely confined to a margin either side of the cable installation route and impact to fish receptors for cable installation works are likely to be temporary. It is expected that during immediate cable installation works, fish receptors might move away from the work area to escape cable laying machinery, but this response would likely be temporary, and it would be expected that fish receptors might move away from the works to escape cable laying machinery, but this response would likely be temporary and fish receptors would return to the disturbed area once the disturbance has passed.</p> <p>Section 4.3.34 – 4.3.37 of the Applicant's report to Inform Habitats Regulation Assessment outlines the LSE screening of potential indirect effects to prey species as a result of the project construction. The Applicant outlines that the cable route passes through the Southern North Sea SAC, designated for harbour porpoise. The Applicant also highlights that, due to the foraging ranges of seals (278 km and 448 km, for harbour and grey seal respectively), individuals from the Wash and North Norfolk Coast SAC, the Humber Estuary SAC, and the Berwickshire and North Northumberland Coast SAC may forage for prey within the vicinity of the cable route.</p> <p>For marine mammals associated with the Humber Estuary SAC and Berwickshire and Northumberland Coast SAC, the MMO, in consultation with Cefas, is content with the Applicant's conclusion of no LSE due to the distance between these sites and the project. It is unlikely that the marine mammals associated with these sites, which are located in the Northeast of England, relied to a significant degree on the prey fish which inhabit the project area. It is more likely that prey fish inhabiting or migrating through the central North Sea region constitute a more important source of prey for marine mammals associated with these sites.</p> <p>With respect to marine mammals associated with the Wash and North Norfolk Coast SAC, the MMO, in consultation with Cefas, is content with the Applicant's conclusion of no LSE. This site is</p>	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Response
			<p>designated for common (harbour) seals which generally feed on a mixture of gadoids (cod, whiting, bib), clupeids (herring, sprats etc.), flatfish (sole, plaice, dab, flounder) and sandeel. Although the Wash and North Norfolk Coast SAC is closer to the project site, many of the fish species which harbour seals feed on are widely distributed and have widespread spawning and nursery grounds in the central and southern North Sea. It is therefore unlikely that the area of the project works represents an exclusive high value feeding ground for harbour seals associated with the Wash and North Norfolk Coast SAC, given the fairly wide range of fish species these seals prey on and the widespread distribution of harbour seal prey fish.</p> <p>With respect to marine mammals associated with the Southern North Sea SAC, the MMO, in consultation with Cefas, is content with the Applicant's conclusion of no LSE. This site is designated for harbour porpoise which feed on clupeids (herring, sprat, sardine) and small gadoids (whiting and bib), (Santos and Pierce, 2003; Mahfouz et al., 2017). Spawning and nursery grounds for these species within the central and southern North Sea region are fairly widespread. Given the highly localised nature of the project works, that direct disturbances from cable laying machinery are unlikely to significantly affect whole populations of harbour porpoise prey fish, and that prey fish for harbour porpoise are both fairly abundant and widespread within the region, the MMO is in agreement with the Applicant's conclusion of no LSE for marine mammals associated with the Southern North Sea SAC.</p>	
1MM15.	Natural England	<p>Comments requested on [REP2-014]</p> <p>Provide a response to the applicant's response [REP2-014] to NE's RR in relation to marine mammals.</p>	<p>Natural England</p> <p>The Applicant's response refers to updates to Application Document 6.2.4.4 (E) Part 4 Marine Chapter 4 Marine Mammals and/or Application Document 6.6 (B) Habitats Regulations Assessment received at deadline 3. Natural England is currently reviewing these documents and will provide a response at deadline 5.</p> <p>Natural England advises this ExQ is relevant to the following Natural England RR references: F 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 19, 21, 27, 31, 32</p> <p>Responses on further Risks and Issues raised in our Relevant Rep [RR-3920]:</p>	<p>The Applicant notes these comments from Natural England and will review their subsequent responses at Deadline 5.</p> <p>The Applicant confirms that in response to F15 proportionate underwater sound modelling for a subsea cable has been completed for the Proposed Project [REP4-032]. The Proposed Project is not an offshore windfarm, and the magnitude of underwater sound disturbance is not comparable to an offshore wind farm. The requirement for further detailed modelling is therefore not required.</p> <p>The Applicant would like to draw attention to the MMOs Deadline 4 submission [REP4-126]:</p>

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Response
			<p>F15 - Natural England expects the project to have undertaken underwater noise modelling to accurately predict the impacts of underwater noise. The outputs of this modelling will inform the impact ranges for the noisy activities planned for this project and therefore are essential for assessing the impacts from the project on marine mammals. No information has been provided to show evidence of this modelling. Natural England expects to see an underwater noise modelling report with details of the methodology and outputs from the modelling to be incorporated into the impact assessments.</p> <p>F16, F28 & F30 – Natural England agrees with the applicant's response this can be marked as resolved.</p> <p>F17 – Response given above (1MM2).</p> <p>F18 & F29 – Natural England agrees with the applicant's response, and this can be marked as resolved.</p> <p>F20 – Natural England responded to the updated Application Document 7.5.11 (B) Outline Marine Mammal Mitigation Plan at deadline 3 [REP3-119].</p>	<p><i>The MMO has reviewed Part 4 Marine, Chapter 4, Marine Mammals and broadly agrees with the conclusions that underwater noise impacts during construction (excluding UXO) are minor adverse and not significant, based on the assessed maximum design scenario."</i></p>

24. Other

Table 24.1 Other

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
101.	Applicant	<p>Waste and Materials</p> <p>Schedule 3, requirement 6(1)(n) requires a Material and Waste Management Plan (MWMP) to be submitted and approved. Provide a detailed explanation as to why an outline MWMP is not required, taking into account the quantity of material that would need to be imported to carry out the development and the need to sustainably manage waste.</p> <p>Article 2 of the dDCO [CR1-027] describes the MWMP as a document to be certified under article 60 but it is not listed in schedule 19 as a document to be certified. Amend the dDCO to include a MWMP.</p>	<p><u>Friston Parish Council/Substation Action Save East Suffolk (SASES)</u></p> <p>48. The response refers to the “general approach of the National Grid”. There is no comment here about the approach taken in the EA2 DCO in the context of the Examiners’ Report which stated that mitigation was considered to be “<i>only just sufficient</i>”. National Grid did not object to the EA2 DCO so presumably it considered it was acceptable.</p>	<p>Notwithstanding the previous response provided to this question by the Applicant within Application Document 9.73 Applicant's Responses to First Written Question [REP3-069], the Applicant has now prepared Outline Materials and Management Plans (oMWMPs) for both Suffolk in Kent (see Application Document 9.115.1 Outline Materials and Waste Management Plan – Suffolk and Application Document 9.115.2 Outline Materials and Waste Management Plan – Kent, both of which are submitted at Deadline 5). The oMWMPs have been prepared based on information currently available, with further detail to be included in the final MWMPs to be produced by the Contractor at the detailed design stage, in accordance with the oMWMP. This production of a final MWMP is secured by requirement 6 of the draft DCO. However, it is not clear how the Friston Parish Council/Substation Action Save East Suffolk (SASES) response is of relevance to question 101. As an outline MWMPs have now been submitted to the examination, Schedule 19 will be updated to refer to the outline MWMPs as certified documents.</p>

References

NESO, 2026. Clean Power 2030. Available at: <https://www.neso.energy/publications/clean-power-2030> [accessed: 09/01/2026].

National Grid plc
National Grid House,
Warwick Technology Park,
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