



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

Sea Link Energy Cable

Appendix L5 to the Natural England Deadline 5 Submission.

**Natural England's comments on the
second round of Issue Specific Hearing (ISH) – Action Points Relevant to Natural
England**

For:

The construction and operation of Sea Link Energy Cable, located between the Suffolk and
Kent Coasts in the Southern North Sea.

Planning Inspectorate Reference EN020026

11th March 2026

1. Summary

Natural England's responses to the action points following the second round of Issue Specific Hearings (ISHs) on the 28th and 29th January 2026 can be found below in **Table 1**.

Table 1: Natural England's response to the action points following the second set of Issue Specific Hearings [EV6-033].

NE Ref	PINs Action Point Number	Action Point Holders	Action Point	Natural England's response
1	2	Natural England (NE)	<p>Natural England (NE) was unable to attend the hearing. NE to respond to:</p> <ul style="list-style-type: none"> • NE to share any additional data relating to the post implementation phase of Nemo Link or Thanet cable works in Pegwell Bay, for example in terms of changes in benthic ecology or bird foraging. • The applicant's comments regarding progress with quantifying the number of red throated diver impacted by the works in line with NE requirements. 	<p>Natural England is not the information asset owner for the monitoring data for these projects. We would advise that these reports may be requested from the MMO. However, many may already be published on the MMO's public register.</p>
2	17	Applicant NE	<p>Provide clarification regarding measures that have been required by Natural England to mitigate the impact of ground investigations within the designated sites in Kent and Suffolk in the event that mitigation is required to be secured for further ground investigations in designated sites.</p>	<p>Mitigation measures are bespoke to the proposed works, their locations, and the specific features being affected. Therefore, any list we provide would apply only to the works that were undertaken. However, it is likely that agreement on appropriate mitigation could be reached once the details of the proposed works are known.</p>
3	20	Applicant NE	<p>REAC provision B45 [REP3-078] states that works to install the pylons either side of Sandwich Bay to Hacklinge Marshes SSSI will not cover the whole breeding season (March to September included) but will either take place outside the breeding season or only</p>	<p>Natural England refers to our advice in REP4-068, re. avoiding construction during the breeding bird season where practical, securing an Ecological Clerk of Works (ECoW) to oversee all relevant works and updating the REAC measures to reflect this.</p>

			<p>occupy approx. 2 months of the breeding season. Given that works could occur in the core breeding season, explain how this provision can be relied on to avoid likely significant effects on breeding birds.</p>	<p>It remains Natural England's advice that the bird breeding season should be considered to be March to September inclusive and that any works which are likely to disturb breeding birds should preferably be timed to avoid these months. REP4-068 section 1.6.1 has been updated to include the appointment of an ECOW and Natural England have asked The Applicant to update the REAC to include reference to this measure under B45, B50 and B65.</p> <p>Provided these commitments are secured within a named plan/document Natural England will be satisfied there will be no likely significant impact upon Sandwich Bay to Hacklinge Marshes SSSI due to constructions disturbance.</p>
4	29 th Jan Transcript	NE	<p>Taken from transcript [EN020026-002412-SL_29JAN_ISH2_PART2_Transcript] 01:01:49:22 - 01:02:23:09: Physical Processes - can NE expand on our concerns about physical processes impacts and the presence of the cofferdam?</p>	<p>Natural England is concerned that the presence of cofferdams during construction could interfere with waves and/or current flows, affecting sediment transport, and giving rise to morphological change in the intertidal zone at Pegwell Bay. The Applicant considers that any changes to morphology will be small-scale in magnitude and temporary with recovery of the intertidal/coastal morphology predicted to be small-scale (within one or two tidal cycles). Whilst we welcome the Applicant's predictions of temporary morphological impacts, there is a lack of empirical evidence (for example, from Thanet OWF or Nemo Link) to support these conclusions. The intertidal mudflats in Pegwell Bay support internationally important bird populations, and form qualifying features of nationally and internationally designated sites and we, therefore, consider it important to provide supporting evidence to demonstrate the recoverability of the intertidal mud/sand flats to pre-construction conditions.</p> <p>We are also concerned that the Applicant has not assessed the sensitivity of the saltmarsh to potential blockage effects</p>

				<p>due to the close proximity of the cofferdams to the saltmarsh edge (i.e. 105-140m). In our advice at Deadline 3A [REP3A-028], we commented on the Applicant's assurances that a distance of 105-140m between the exit pits and the saltmarsh would be sufficient to avoid damage. However, the potential for blockage related impacts on the saltmarsh due to the presence of cofferdams has not been considered in the Marine Physical Environment chapter [REP4-028].</p>
5	26	NE	<p>NE to respond to:</p> <ul style="list-style-type: none"> • The applicant's statement that birds tend to divert up and over overhead lines rather than seeking to turn away from them 	<p>Natural England notes the comments from the applicant during ISH2 suggesting that coastal birds are going over the overhead wires whilst smaller birds maybe going under them. We would welcome the Applicant providing detailed, locally specific empirical data (or directing us to where it is included within the submitted documents) to allow us to provide a detailed response on this matter.</p> <p>Notwithstanding this, we would also direct the Examining Authority to Natural England's response to the ExA's Question 2ECOL48 and 2ECOL50 in Appendix K5 to our Deadline 5 submission, which states that <u>Natural England is supportive of the installation and use of bird diverters to existing overhead cables to reduce the risk of collision.</u></p>
6	73	NE EA	<p>NE and the Environment Agency (EA) to comment on the contrasting positions in [REP3A-028] and [REP2-051] regarding the potential for morphological change in Pegwell Bay due to the presence of HDD reception facilities.</p>	<p>Previously provided in Natural England's submission at Deadline 4 [REP4-189] within the cover letter - for completeness the response was as follows:</p> <p>Natural England and the Environment Agency have had a meeting since the ISHs on the 6th February 2026 to discuss action point 73 regarding the potentially contrasting positions for morphological change in Pegwell Bay and the Horizontal Directional Drilling (HDD) reception pits. Natural</p>

				<p>England wishes to highlight that the remits for both organisations differ, with Natural England's main concern related to the impacts on designated sites rather than the water quality, morphology, and flood risk elements of the Environment Agency's remit. Therefore, we do not believe we hold contrasting opinions regarding the potential for morphological change in Pegwell Bay due to the presence of HDD reception facilities.</p>
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