

Sea Link ExA's 3rd Written Questions (ExQ3)

Ecology and Biodiversity

3ECOL10. Reptile Surveys

KCC's response to 2ECOL29 [REP5-195](#) suggests that updated surveys for reptiles should be undertaken 'where necessary'. Can KCC confirm whether surveys would be necessary in this location based on the applicant's proposed scope of works. Where relevant, provide drafting for a requirement or REAC provision to secure the relevant detail for the scope and methodology of surveys.

KCC response: This will have to be decided at the time when they are reviewing and, where required, updating the Construction Environment Management Plan – suitable habitat may expand between now and then and it is considered updated surveys will be required. KCC would suggest that in the REAC there is a requirement for a preliminary ecological appraisal to be carried out prior to finalising the mitigation to identify where updated surveys are required.

3ECOL12. Outline Offshore Construction Environmental Management Plan, outline Construction and Environmental Management Plan (oCEMP) [REP5-068](#) and REAC – Environmental Clerk of Works

Do the local authorities or the National Trust have any concerns relating to the use of an Environmental Clerk of Works as opposed to an Ecological Clerk of Works to oversee works, noting that ecology and biodiversity measures originally referred to use of an Ecological Clerk of Works and the term ECoW is used interchangeably within the document? It is noted that REAC [REP5-115](#) provision B48 still refers to an ecological clerk.

KCC response: KCC would recommend that in the REAC there is a requirement for the job description of the Ecological Clerk of works/ Environmental Clerk of works to ensure there is no confusion of what the role entails. The choice of job title between the two does not matter provided the works are implemented.

3ECOL13 oCEMP [REP5-068](#) provision B02 – vegetation removal

Confirm whether the provision should read 'Wherever possible' rather than 'The assumption will be' and if not, suggest alternative wording.

KCC response: KCC does not have a concern with the phrase '*The Assumption will be*' as this suggest that the works should be planned to avoid impacting breeding birds.

3ECOL14. oCEMP [REP5-068](#) provision B04 – invasive non-native species

For transparency should the list of invasive non-native species also refer to Nuttall's waterweed and if not, why not?

KCC response: This section refers to all invasive species. The list in B04 only provides examples and is not exhaustive, therefore if Nuttall's waterweed is present the applicant will need to follow the same approach.

3ECOL15 oCEMP [REP5-068](#) provision B05 – two stage habitat manipulation

Should this provision refer to 'reptiles' rather than 'common reptiles' and if not, why not?

KCC response: KCC assumes that 'common reptiles' is referring to the reptile species which are only protected under the Wildlife and Countryside Act. Sand Lizard (recorded in Kent) and Smooth Snake (not found in Kent) are also protected under the Conservation of Habitats and Species Regulations 2017 and therefore IF present would require a licence to implement any works. The sand lizard was not recorded within the site.

3ECOL16 oCEMP [REP5-068](#) provision B07, B36, B53 – hedgerow gap filling

Should 'where practicable' be removed or an alternative form of wording adopted to ensure that the conclusions of the environmental impact assessment in respect of bats and dormice can be relied on and if not, why not? Where relevant provide alternative wording.

KCC response: KCC has no suggestion for alternative wording; the possibility or for implementation will depend on final design.

3ECOL18. oCEMP [REP5-068](#) provision B44 – noise fencing

Should this article be updated to refer to all relevant named designated sites and if not, why not?

KCC response: The SSSI is the closest designated site to the substation where the greatest construction noise would be. As such, the construction of the substation could impact the SSSI but, due to distance, is unlikely to impact the other designated sites. However, the information has specifically referred to birds and this will include birds associated with the designated site.

Cultural Heritage

3CH1. Assessment of heritage assets

Is there sufficient evidence and level of assessment for the impact from the proposed development on all heritage assets (scoped in and out of the Environmental Statement (ES) assessment)? Furthermore, to clarify, is there any heritage asset (designated or non-designated) where your assessment conclusions would differ from that of the applicant?

KCC response: We are satisfied that with respect to archaeology the applicant has carried out sufficiently comprehensive studies and evaluation on shore in Kent. The effects on the geoarchaeology of the Wantsum Channel (Minster Marshes) is still being assessed and we are expecting an update on the monitoring of GI works and geoarchaeological monitoring in mid-April.

3CH2. Cumulative assessment of heritage assets

Has the applicant provided a sufficient cumulative assessment on heritage assets, considering not just the impacts to heritage assets from just the proposed development but from other projects in the areas too? Provide reasons for your response.

KCC response: For archaeology on the Kent Onshore scheme, we are not aware of any current or proposed additional projects that need to be taken account of when considering cumulative impact. Development at Weatherlees and Richborough Energy Park includes areas of the former Wantsum landscape and has been considered sufficiently.

3CH4. Richborough Saxon Shore Fort Scheduled Monument and Grade I listed buildings

For the Richborough Fort complex, do you agree with the applicant [APP-063](#) that “the magnitude of impact is considered to be negligible. On an asset of high value this would result in a minor adverse effect which is not considered significant”? If not, set out how you would conclude the potential impact to this asset.

KCC response: Historic England are leading on considering the impact of the scheme on the Richborough Saxon Shore Fort Scheduled Monument. They have assessed the magnitude of effect as greater than negligible given the importance of the setting to understanding the monument. The effects can be reduced through design mitigation to minor adverse. We agree with this position. Their most recent position was expressed in their [Deadline 2 response \(REP2-052\)](#).

3CH5. Ebbsfleet Peninsula Multi-Period Complex

After a programme of archaeological excavation which the applicant has committed to for this asset the applicant has assessed the residual impact to be minor adverse [[APP-063](#)]. Considering all mitigation proposed, do you agree with the applicant’s assessment of residual impact on this complex? If not, explain how you would assess the residual impact.

KCC response: For Construction (Physical Impacts (permanent)) - the scheme design, informed by geophysical survey and evaluation trenching has additionally been adjusted to avoid impacting on the known enclosures and is located in areas where the archaeological impacts can be addressed through excavation and recording. Areas of the Ebbsfleet complex within the order limits where archaeology needs to be preserved

have been identified and will be protected through the works. We, together with Historic England, are in regular discussions with the applicant and their archaeology team on the proposed excavations. With the protections in place and the excavations that are being committed to we agree that the residual effect for construction is ‘Minor Adverse’ and ‘Not Significant’ as set out in table 3.13

For Operation and Maintenance (change to setting) – we explained in our representation in November 2025 that we considered the change to setting of the Ebbsfleet complex will result in a ‘Moderate Adverse’ effect as the magnitude of impact is in our view greater than ‘Negligible’ and should probably be better described as ‘Small’ using the criteria table in the ES. It may be reduced through further design and colour as the montages reviewed were maximum envelope. Our detailed comment is set out below for ease of reference.

“In addition to the impact on Richborough KCC archaeologists and Historic England also requested that the setting of the multi-period remains at Ebbsfleet Hill on the Ebbsfleet Peninsula be assessed. We note the assessment that is set out in 3.9.73 to 3.9.74 in the Environmental Statement.

The enclosures in this area, as noted in the assessment did command a view over the former Wantsum Channel and the relationship of the archaeology, and in particular the defensive enclosure is significant to the archaeological assets. We acknowledge that the former coastal setting has now changed but the current marshland defines the location of the former sea channel and that is readily appreciable from the enclosure sites. Although the archaeological remains of the enclosure and its surrounds are buried, a visitor to the site can appreciate the landform and the marsh land (representing the former Wantsum Channel). We agree the remains should be considered of high value and are nationally important.

Visualisations have been provided in ES 6.4.3.3 that illustrate the present and proposed views in summer and winter from the woodland at Ebbsfleet Lane (Viewpoint H3) and from Ebbsfleet Lane (Viewpoint H4). H3 represents the view from the enclosures, and the proposed substation and convertor station will be prominent and dominant in the views from the enclosure. The wider channel landscape will be still visible, as will Weatherlees Hill, a small island in the channel which may have provided a sheltered arm for the proposed harbour in this area. H4 represents the view from the lane towards the enclosure focused around Ebbsfleet Hill. The hill is still visible as is Weatherlees hill but the openness of views across the mouth of the former channel will be lost by the prominent building. While we agree that visitors will still be able to understand the asset and appreciate the relationship of the asset to the landscape, we are of the view that the visual aspects of the setting have a greater interest to its significance than is considered in the assessment. Given the prominence of the proposed buildings in the views at Ebbsfleet Lane the magnitude of impact is in our view greater than negligible and given

the value of the heritage could be considered a moderate adverse effect. We note that the montages are produced using maximum envelope for the structures and understand that additional visualisations are being developed to illustrate the proposed building and its colour scheme.”

3CH6. Wider Historic Landscapes

The applicant has submitted the Assessment of Cumulative Effects on the Wider Historic Landscapes [REP5-138](#) . The ExA requests that you respond to this document and inform as to whether you agree with the conclusions of minor adverse effect for Suffolk and negligible effect for Kent. If not, explain why, and how you would evaluate the cumulative impact to the wider historic landscapes.

KCC response: Kent County Council’s main contribution has been with respect to archaeology and not historic landscape character.

The assessment for Kent onshore describes the convertor station and substation as well as a number of the pylons as located in the eastern end of the landscape character zone for the agricultural lands that are reclaimed from the former Wantsum Channel. The assessment notes that the majority of the infrastructure is separated from the wider landscape unit by the railway line and ‘within an area that is already characterised by industry’. It would be perhaps more accurate to say ‘adjacent to an area that is already characterised by industry’ at Weatherlees and the Richborough Energy Park. The industrial character would extend into the former channel landscape but this is small compared to the overall extent of the landscape unit and is an extension of the existing industrial character rather a separate element. It should be noted that the historic landscape character elements are broad and there is variation of landscape within these. At a more focused scale, the location of the convertor station is within what would have been formerly a sheltered bay and inlet within the Wantsum which was flanked on its eastern side by Weatherlees Hill. The existing industry at Weatherlees generally reinforces that.

We agree with the statement that the effect of the scheme in combination with the other development would be no greater than effect of the proposed project on its own. Given the extension of the industrial character into the former Wantsum we would consider the effect to be greater than negligible and likely minor adverse.

Water Environment

3WE4. Groundwater Flood Risk at the Minster Converter Station Site

The applicant has submitted a report [REP5-122](#) to address the DL4 submission Application Document: Video evidence of the extent of the flooding on Minster Marshes

on the area of the Converter Station build [REP4-146](#) , Save Minister Marshes. Do the Environment Agency (EA) and KCC agree with the findings of the applicant's response, or if not, why not?

[KCC response: KCC defers to the EA's expertise on groundwater flood risk.](#)

Traffic and Transport

3TT3. Cumulative assessments

With the submission of the junction modelling for Kent [REP5-029](#) and the submission of the junction modelling for Suffolk due at DL6, is it the Council's view that there is sufficient information and a robust cumulative assessment of highway impacts for the construction phase of the proposed development? If not, detail what still needs to be submitted from the applicant to provide this robustness.

[KCC response: Yes, we are of the view that there is sufficient evidence now submitted to demonstrate the specific and cumulative impacts of the proposed development's construction phase.](#)

3TT4. Junction modelling response

Provide a response to the junction modelling undertaken by the applicant, particularly with regards to what the results suggest about driver delay and highway safety (see [REP5-029](#) for Kent). Also confirm whether there was agreement on the junctions modelled.

[KCC response: As confirmed in the ISH3 session, the modelled junctions were agreed between KCC and the applicant, as these represented the junctions where the level of cumulative impact was considered to be the greatest and most indicative. The modelling showed that the junctions are already expected to be over capacity in 2030 during peak hours, whether or not the proposed development goes ahead. Similar modelling for the Manston Airport DCO also showed the junction would be over capacity in 2039. Because the junctions are already congested, the additional construction traffic from the proposed development is not expected to lead to noticeable additional queuing or make conditions noticeably worse—especially since typical construction traffic will be around 46% lower than the busiest-day levels used in the modelling. To illustrate, the A299 Average Annual Daily Flow for 2024 was 23,965 vehicles, whereas Busiest Day development flows add 410 vehicle movements - a 1.7% increase. As the applicant discussed in ISH3, a full driver delay assessment would be a lengthy exercise and in our view, would add little to what we already know about where the focus for mitigation needs to be. Furthermore, the results in our view do not warrant specific concerns for highway safety.](#)

3TT5. Significance of highway impacts

Given all the information and assessment submitted to date from the applicant, as highway authorities would you consider that the highway impacts from the proposed development, both alone and cumulatively with other projects, would be significant in any way? If so, explain how and why, along with any mitigation considered necessary to address significant impacts and how this could be secured.

KCC response: The submitted junction capacity modelling demonstrates that the development impact is relatively small, in line with the findings of the previous assessment carried out in accordance with IEMA guidelines. As anticipated, there is a significant degree of cumulative impact, especially when factoring in the Manston Airport DCO site.

However, we have taken the view that given the assessment is obliged to consider the worst-case scenario (peak development flows), assuming these factors align, and the relatively short period of potential overlap between the cumulative effects (approximately 4 weeks), that these impacts can be addressed and minimised through respective mitigation measures. Specifically, KCC have requested the following be attached to any DCO:

- A 30 HGV cap on Sundays and Bank Holidays, even with Highway Authority approval for the Bank Holidays. This would need to be given on a case-by-case basis, and not as a blanket approval for Bank Holiday working.
- A full Travel Plan monitoring scheme with the Highway Authority, the costs of which to be borne by the applicant.
- Restriction to LGVs using K-BM04 and K-BM05 - In relation to Minster village in particular, the concern would be for the interaction of potentially unwarranted HGV movements with pedestrians in a location where the footway network is historically constrained, noted as a material highway safety concern in a 2025 Planning Appeal (Ref. APP/Z2260/W/24/3351846)
- Provision of passing places on Ebbsfleet Lane North where required.
- The proposed Delivery Management System and Traffic Management and Monitoring System should also be responsive in real-time to network conditions, and adjust the movement of HGVs as required.

3TT7. Capping of HGV numbers

If capping of construction vehicles were considered necessary, would this be for HGVs or all forms of construction traffic? If considered necessary, which road links and/or road junctions should such caps be applied to?

KCC response: This would be for HGVs, as these can be more effectively managed than private car movements. The caps should apply to the A256 and A299. We note that although the applicant states that National Policy does not require this, a bank Holiday/Event scenario has not been tested (notwithstanding the difficulties in accurately modelling this), so it does seem prudent to make this provision and does not, in our view, present a particularly onerous impact to the project schedule, nor is it without precedent in the county.

Finally, if the Highway Authorities considered capping of construction traffic as necessary to be secured within the DCO, provide suggested drafting for a requirement which would require capping and also sets out the process if the vehicle numbers exceeded these caps.

We have no suggested wording at present, we are seeking advice on this and revert as soon as possible.

Socio-economics, recreation and tourism

3SERT2. Tourism monitoring and contributions

SCC [REP5-185] has stated that the applicant should commit to monitor effects on accommodation capacity and tourism in coordination with cumulative developments. SCC also suggests a proportionate contribution to foster tourism, similar to the fund created by Sizewell C, if further embedded mitigation is not feasible.

KCC response: KCC has no comment on this issue.