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Date: 8<sup>th</sup> April 2026

Dear Inspectors,

## Response to Examination Questions ExQ3 (Issued 23rd March 2026)

**PINS Ref: EN020026 – Sea Link**

### **Application by National Grid Electricity Transmission for an Order Granting Development Consent for Sea Link**

Please find enclosed Dover District Council's (DDC) responses to the Inspector Examination Questions ExQ3 and Action Points from ISH3.

#### **Responses to ExQ3**

##### **3GEN2. Critical national priority**

Paragraph 4.2.15 of NPS EN-1 says that where residual non-habitats regulations assessment or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure. It goes on to say that the exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. The same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.

a) Without prejudice to the position of any party, are there any issues in this case that might potentially fall into this category of the exceptions to this presumption of consent? For example, might the issue of flooding and the application of the sequential and exception test potentially fall into this category in the event of there being an "unacceptable risk"?

b) Are there any further submissions any party wishes to make on the potential application of CNP policy in this case (should it be required)?

The Council has no comments to make on this question.

##### **3GEN8. Independent design review**

Provide suggested wording to incorporate a post consent independent design review of the converter stations, Kent substation and River Fromus bridge.

dDCO Schedule 3 (Article 3) Requirements 3 1.-(1) (a) No construction of buildings included in Works Nos. 3B, 9B and 11 (Suffolk converter station, Kent converter station and Kent substation) may commence until details of the external colour and surface finish of the permanent buildings, which must be in general accordance with the relevant Key Design Principles, have been submitted to and approved by the relevant planning authority, following consultation with Historic England for Works 9B and 11. The details to be submitted shall include minutes of an independent design review panel,

to which the relevant Local Authorities shall be invited to attend, which shall be held in relation to the works and as necessary, a design response setting out how the review panels' comments have been considered.

**3GEN10. Requirement 3**

Develop an agreed form of wording for the approval of details of the above ground elements of the proposed development. If agreement cannot be reached on specific points, explain what those points are and why agreement cannot be reached.

The Council is satisfied with the wording suggested in requirement 3; we have previously suggested requirement 3 should include consultation with DDC given the development would be visible from within the district and note a response to this has been requested by the ExA from the applicant – we will review their comments when submitted at deadline 6.

**3GEN17. Article 10**

Action point 115 from issue specific hearing 2 (ISH2) [EV6-033] asked all parties (applicant and councils) to meet/liase to agree suitable wording of article 10 which all parties are content with, with an update on progress and any agreement submitted by DL4. To date no suggested alternative drafting for article 10 has been submitted into the examination.

Given the advanced stage of this examination and the absence of agreement, it appears likely that this is a matter upon which the ExA will need to adjudicate. To assist the ExA, can SCC work with all relevant local authorities to produce amended drafting for article 10 which addresses its previously discussed concerns, for submission by DL6.

DDC defer the response to Suffolk County Council (SCC) who have been producing wording on this matter which will be submitted at this deadline.

**3LVIA3. Lighting**

The dDCO includes a provision in requirement 3 for the submission and approval of details of operational lighting. Does this meet your requirements or do you consider that an outline lighting management plan and/ or maximum parameters for lighting are still required? If so, explain why and provide suggested wording.

The Council is satisfied the wording of Requirement 3 (1) (b) would meet this requirement but if the examining authority were minded to amend the wording, would suggest reference is included to the Institution of Lighting Engineers / Bat Conservation Trust Guidance Note 08/23 Bats and Artificial Lighting at Night.

**3AS1. Reinstatement of field drains**

Relevant planning authorities: Commitment W10 of the REAC states that field drains will be permanently reinstated or rerouted ensuring their existing function is maintained. Provide comments as to whether this is sufficient to ensure that agricultural land drainage is adequately reinstated, taking into account the provisions of requirement 10 of the dDCO. If this commitment is insufficient, explain what measures are required.

The Council considers this measure is sufficient to ensure field drainage is adequately reinstated (or alternative arrangements are made).

**3AS7. Outline Soil management plan (oSMP)**

Would the oSMP make adequate provision for the reinstatement of land, soil management and handling? If not, explain why not and provide suggested wording for additional provision.

The Council has no comments on this topic.

**3AS8. Reinstatement to pre-development agricultural land quality**

Provide comments as to whether the measures included in the oSMP would ensure that land would be restored to its pre-development agricultural grade. If not, provide details and suggested wording of additional measures or commitments.

The Council has no comments on this topic.

**3AS9. oSMP**

Would the measures set out in the oSMP section 9. table 9.1 monitoring requirements be sufficient to ensure soil structures would not be detrimentally affected? Does this take into account the sandy soil types in Suffolk and the salt and marshy soil types in Kent?

The Council has no comments on this topic.

**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.

Applicant: The ExA requires that the applicant commit within the DCO to monitoring of tourism impacts (including the availability of accommodation) through the construction and into the operational phases. Could this include a tourism fund, if the monitoring demonstrates significant tourism impacts? If this is not included, provide reasons why not.

All County and District Councils: The ExA require that the Councils work together to provide wording for a requirement for the applicant to monitor the effects of the proposed development on tourism and accommodation, with adaptive management/mitigation if required.

The Council will defer comments to SCC, East Suffolk Council (ESC) and Thanet District Council (TDC) on this matter.

**3CEIntra2. REAC commitment (GG40) to review / mitigate significant intra-project cumulative effects**  
Do you agree with the proposed wording for REAC commitment GG40 offered by SCC in answering ExA question 2CEIntra2 in [REP5-204]?

In responding clearly explain your reasoning for your position and provide/justify any changes to the wording.

The Council has reviewed the wording put forward by SCC and agrees that if the project is to genuinely re-evaluate cumulative effects once the detailed design and further information is available, the appropriate wording of the REAC commitment should secure the implementation of the mitigation (following the mitigation hierarchy) that may be identified. By including reference for this to be agreed with the relevant local authorities, this gives appropriate oversight and enables the development to be monitored to ensure this is put in place.

**Action Points from ISH3**

**1.** Submit any suggested drafting (whether relating to matters raised in ExQ3 or not) which you consider should be included in the draft Development Consent Order (dDCO), with reasons why you consider it is necessary.

Comments are included above in the response to ExA Q3, however the Council has no other comments to make.

**18.** If there are traffic delays due to proposed development construction traffic, either alone or in combination with other developments, is it likely that alternative routes would be taken by the public in their vehicles, potentially having an impact on more minor highways? If so, has this been

assessed and are there actions needed to avoid this?

In relation to the onshore element of the development in Kent (particularly in relation to the Dover District), the Council could see that some residents of Richborough Road may be tempted to use alternative accesses (e.g. via Cooper Street Drove, Cop Street Road or Lower Goldstone) to access properties/agricultural land to the west of Whitehouse Drove (rather than accessing Richborough Road via Ash Road to the east). Visitors to Richborough Roman Fort and Amphitheatre would however be more likely to use the Ash Road/Richborough Road junction following published routes and directional signage. Given the relatively limited number of HGVs that would be accessing White House Drove and period of time this work would occur, this is likely to result in temporary disruption. In terms of vehicle movements on Ramsgate Road, there are a limited number of alternative routes drivers could take which would avoid this route. The Council would however defer to KCC as local highway authority.

**25.** The ExA require that the Councils work together and provide wording for a requirement within the DCO, if the Councils considered it necessary, for the monitoring and possible adaptive management in regards to tourism impacts.

The Council will defer to SCC, ESC and TDC on this matter as ESC have an agreed scheme in place (discussed at ISH3) in relation to other NSIP developments which could use similar wording for the requirement.

**27.** If there was to be a Skills and Employment Plan submitted by the applicant which would be considered acceptable by the Councils, would this be sufficient to overcome any remaining concerns relating to economic impacts?

The Council was sent a draft skills and employment plan on 19<sup>th</sup> March 2026 and attended a Teams Meeting with the Applicant and representatives of KCC and TDC to discuss the draft plan. It is understood the applicant intends to submit this plan at Deadline 6. The Council has sent the applicant comments on the plan and echoed those of KCC and TDC at the meeting so would expect to see points discussed at the meeting incorporated within the document. Subject to the content of the report, it is considered likely this would address remaining concerns relating to economic impacts.

**28.** Are there remaining concerns with regard to the potential displacement of tourists by workers of the proposed development (or in combination with other workers of other developments in the area) in tourist accommodation?

The Council would defer to TDC on this matter, noting they commented on this at ISH3 and may be providing further detail in their post-hearing submission.

**32.** With regard to the proposed exceptions included in requirement 7, are there any that the Council considers as should be omitted or amended?

The Council has no comments on this, noting that point (6) (definition of severe weather conditions) was discussed at ISH3 and a further response is expected from the applicant.

**34.** All councils to work together to submit alternative wording with respect to core working hours including any restrictions and exceptions required, if the councils consider this necessary.

The Council defers to SCC, ESC, KCC and TDC on this suggested wording and understands this will be submitted by SCC.

**39.** Does there need to be any changes to the draft DCO or the support documents submitted by the applicant in relation to cultural heritage? If so, please set this out with alternative or additional

wording.

The Council has no comments on this matter.

**44.** The applicant and the Councils to work together and provide a document which provides the reasonings of the parties and DCO (and/or if appropriate REAC) wording to secure the measures identified in responding to 2WQ 2CEIntra3 should the Secretary of State deem this to be necessary. The Council will defer to SCC and ESC who have dealt with a number of DCO's and will be more familiar with wording used on other projects which could be suggested.

I hope these responses adequately identify DDC's current position in respect of these matters and assist the Examination accordingly.

Yours sincerely



Principal Planning Officer

Development Management