



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

Sea Link Energy Cable

**Appendix K6 to the Natural England Deadline 6 Submission.  
Natural England's comments on the Examining Authority's Written Questions 3 [PD-023]**

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

13<sup>th</sup> April 2026

**Table 1: Natural England’s response to the Examining Authorities Questions 3 [PD-023]**

ExQ3 Ref	Question to	Question	Response
<b>General</b>			
3GEN2	Applicant and all interested parties	<p><b>Critical national priority</b>            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 onto 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.</p> <p>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</p>	<p>Natural England has no specific points to raise in relation to NPS EN-1, Our advice on impacts to NERC and/or Irreplaceable habitats is incorporated within our advice on adopting mitigation measures to avoid impacts where possible, and ensure every effort is made to reduce impacts where it is not. However, the ability to implement these mitigation measures and ensure effectiveness is reliant on appropriate pre and post construction monitoring which we have again advised on through-out examination.</p>

		<p>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”?</p> <p>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)?</p>	
<b>Ecology and Biodiversity</b>			
3ECOL7	Natural England	<p><b>Downgrading of bat assemblage</b> Provide comment on the applicant’s downgrading of the importance of the bat assemblage in <a href="#">[REP4-025]</a> and <a href="#">[REP5-017]</a> from national to regional based on level of use.</p>	<p>The accepted methodology to assess ‘the importance of a bat assemblage’ (Bat Mitigation Guidelines (Reason &amp; Wray, 2023)) has been used. This methodology returns a result of ‘National’ importance for the bat assemblage present.</p> <p>We note that National importance has been downgraded to regional (county) importance on the basis of low bat activity levels during the walked transects.</p> <p>These transects have limitations both in location (for example avoiding livestock which attract insect food source for bats) and timing (providing a snapshot of time after sunset) and therefore the result and conclusions are limited.</p> <p>Natural England does not consider that sufficient evidence and justification has been provided to support the downgrading of the bat assemblage to regional importance. We further highlight the national</p>

			importance of the barbastelle populations in both Suffolk and Kent for the wider UK population.
3ECOL19	NE, SCC, ESC	<p><b>Outline Landscape and Ecological Management Plan</b></p> <p>Should the Suffolk oLEMP <a href="#">[REP4-065]</a>, or another control document, be updated to identify sensitive areas for water vole or the need for a watching brief within Leiston-Aldeburgh SSSI to minimise risks of impacts in the event of frac out and if not, why not?</p>	<p>Natural England agrees that sensitive areas for water vole should be identified and linked HDD management measures and contingency plan in the oLEMP in the event of frac out. Natural England must be contacted for any advice should this situation rise or to ensure that should a situation arise the mitigation measures included within the final LEMP are sufficient and not damaging in their own right.</p>
3ECOL20	NE	<p><b>Outline Landscape and Ecological Management Plan – Functionally Linked Land</b></p> <p>Confirm whether the oLEMP <a href="#">[REP4-067]</a> provides sufficient detail regarding the management and monitoring of the proposed functionally linked land at Great Stonor. If not, confirm any additional provisions that should be secured and provide suggested drafting.</p>	<p>Natural England advises that a greater degree of certainty is provided for the management prescriptions to give a high degree of certainty as to what will happen when. In their current form, they provide a high degree of uncertainty as to what the management proposals will be using phrases such as ‘it is likely that’, ‘will be maintained as long as possible’, for example. Such ambiguity provides uncertainty that the habitat will be suitable for golden plover associated with the Special Protection Area. Therefore, we advise that the Applicant provides clearer wording within the oLEMP as to what the management options are and their timing.</p> <p>In relation to the monitoring and feedback mechanism, Natural England advises that the targeted use of the site by birds (to assess its effectiveness as a mitigation measure) should more closely reflect the number of golden plover assessed by the Applicant as being directly and indirectly impacted by the works and as a result of loss of</p>

			<p>functionally linked land associated to the project. If the site is not used by a similar number of birds to those impacted by the proposal, then remedial action should be required.</p> <p>Section 6.1.15 of the oLEMP details that remedial management measures will be required 'if golden plover numbers are shown to be reducing from those in the first survey where the species is recorded using the habitat'. This approach does not provide the certainty that that the land will support the number of birds impacted and we therefore recommend that the monitoring approach is amended.</p> <p>Whilst Natural England welcomes the proposed wintering bird monitoring to understand the usage of the site by golden plover, we advise that details of the survey methodology and feedback mechanism should also be secured, either within the Outline Landscape and Ecological Management Plan or through a commitment that this will be agreed with all relevant parties prior to survey being undertaken.</p> <p>As currently proposed, there does not appear to be a mechanism for any remedial management actions to be agreed. Section 6.1.15 of the oLEMP details that 'The specific nature of any remedial action, if needed, would be identified at the time rather than prescribed in advance as part of the LEMP, as it would be based on whichever management prescriptions were considered needing adjustment to benefit golden</p>
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			<p>plover'. Whilst Natural England agrees that the remedial actions need to be dynamic, there should be an agreed mechanism for sharing the results of the wintering bird monitoring and also agreeing the remedial management measures post-consent and we recommend that this is embedded within the oLMEP.</p> <p>As Natural England is not aware of the agreement with the landowner nor their farming practices, we do not feel it appropriate for us to provide suggested wording; instead, we would recommend that the Applicant proposes clarity on these matters and their preferred way of securing them, along with a draft wording.</p>
3ECOL21	NE	<p><b>REAC [REP5-115] provision AQ11</b>  Is Natural England satisfied that the provisions of AQ11 relating to location of generators are sufficient to avoid significant effects on the Sandwich Bay to Hacklinge Marshes SSSI.</p>	<p>Natural England notes the provision of an updated air quality assessment under REP5-136 (<i>9.123.1: Applicant's Responses to Second Written Questions – Appendices</i>), which is based on the two generators being placed 100m apart. The assessment shows that if the diesel generators are placed more than 80m from the SSSI, there would be no likely significant air quality effects on the SSSI. As a precaution, an exclusion zone of 100m has been recommended.</p> <p>Natural England is therefore satisfied that the provisions of AQ11, which states that generators will be placed at least 100m from Sandwich Bay to Hacklinge Marshes SSSI, and at least 100m apart from each other, are sufficient to avoid significant effects on the SSSI.</p>

3ECOL22	Applicant, NE	<p><b>REAC <a href="#">[REP5-115]</a> provision B65 - Sandwich Bay and Hacklinge Marshes SSSI tree height reduction</b></p> <p>It is noted that although tree height reductions in operation now avoid the March to August period, it is unclear from the wording whether there are now no controls on tree height reduction during construction. Provide alternative wording to clarify this or robust justification to explain why this wording is appropriate. NE may wish to comment.</p>	Natural England is content to provide further advice, if appropriate, once the Applicant has responded to this question.
<b>Air Quality</b>			
3AQ4	ESC, TDC, RSPB, NE	<p><b>Outline Air Quality Management Plan (oAQMP) and other air quality control measures (REAC and oCEMP)</b></p> <p>Comment on whether any further amendments to the oAQMP <a href="#">[REP5-074]</a>, <a href="#">[REP5-076]</a> or other air quality controls are required and propose alternative drafting where relevant.</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 <a href="#">[REP3-117]</a> of our Deadline 3 submission for further guidance on this.</p>
<b>Noise and Vibration</b>			
3NV5	ESC, TDC, RSPB, NE	<p><b>Outline Construction Noise and Vibration Management Plan and other noise control measures (REAC and oCEMP)</b></p> <p>Comment on whether any further amendments to the oCNVMP or other noise controls are required and propose alternative drafting where relevant.</p>	<p>Natural England notes the provision of <a href="#">REP5-124 (9.102 Operational Noise Contour Plan for Minister Converter Station)</a>, which provides evidence to show that noise levels are unlikely to be significant within the SSSI during operation. We also note that the B50 REAC commitment secures “<i>Any activities relating to construction of the Minster Converter Station and Substation... to be above 60dB LAmax at the boundary of the SSSI, are to be undertaken outside of the breeding bird season (March to June).</i>”</p>

			Provided that an Ecological Clerk of Works (ECoW) is secured to check for breeding birds for any works above 60dB at the SSSI boundary that take place July through August, then Natural England has no further comments to make on noise controls.
<b>Marine Physical Environment</b>			
3PE2	NE, Applicant	<p><b>Cross Ledge, Goodwin Sands and Aldeburgh Napes</b></p> <p>NE has highlighted a number of concerns regarding impacts on sand banks including Cross Ledge, Goodwin Sands and Aldeburgh Napes <a href="#">[REP5-217]</a>. Explain whether the updated Marine Chapter 1 <a href="#">[REP5-019]</a> addresses NE's concerns or detail the necessary information required to be supplied by the applicant. The ExA suggests that a further meeting may help to agree the necessary information requirements, where they remain outstanding. The applicant may wish to comment.</p>	<p>Natural England's concerns remain regarding impacts on these sandbank features, noting their importance for either protection of the coast and/or nature conservation.</p> <p>No new information has been presented on Aldeburgh Napes since we provided our previous advice at Deadline 5.</p> <p>With regards to Goodwin Sands MCZ and Cross Ledge Sandbank, we signpost to our latest advice in Appendix D6 which reiterates our concerns regarding the potential for morphological and sedimentary change due to the presence of cable protection in the vicinity of Cross Ledge and the MCZ. We advise that the Applicant may be able to resolve this issue by increasing understanding of the potential impacts, through analysis of their available evidence to assess the following:</p> <ul style="list-style-type: none"> <li>• Geomorphology (including bedform characterisation, migration direction and rate)</li> <li>• Metocean conditions, sediment transport processes, and effects of climate change.</li> <li>• Morphodynamics prior to installation, during operation</li> </ul>

			<ul style="list-style-type: none"> <li>Scour potential due to presence of cable protection.</li> </ul> <p>Natural England welcomes the opportunity to discuss further information/assessment options with the Applicant, which is to happen on 14<sup>th</sup> April 2026.</p>
3PE6	TDC, EA, NE, MMO	<p><b>Outline Offshore CEMP</b> <a href="#">[REP5-066]</a>  <b>provision MPE09</b>  Should the need for further monitoring after five years in MPE09 be subject to agreement with relevant stakeholders?</p>	<p>Natural England advises that the need for further monitoring should be determined by an appropriate regulatory body, with advice from relevant statutory bodies. This should be secured through appropriate monitoring conditions.</p>
<b>Benthic Ecology</b>			
3BE2	MMO, NE, Applicant	<p><b>Benthic surveys</b>  Within the outline Cable Specification and Installation Plan (oCSIP) <a href="#">[REP5-117]</a> under section 3.2 it states that the applicant would undertake pre-construction surveys. For benthic ecology it suggests the use of drop-down video or remotely operated vehicle.  <b>MMO and NE:</b> Are these suitable forms of potential pre-construction benthic surveys? Should pre-construction benthic surveys be secured with a condition within the DML? If so, how should this be worded and would the details of the survey need by be agreed prior to the undertaking of these surveys?  <b>Applicant:</b> The oCSIP only suggests what pre-installation surveys may be included. The ExA requests that the</p>	<p>Within Natural England’s previous Benthic responses ([REP3A-027], [REP5-218]) we have requested benthic monitoring conditions. Our position has not changed.</p>

		applicant set out how pre-installation benthic surveys are secured.	
3BE3	MMO, NE	<p><b>Final cable route condition</b></p> <p>If the final route of the offshore cable (including micro-siting) should be agreed prior to installation (informed by a pre-installation survey) then how should this be secured? If it is considered that a condition within the DML is most suitable, provide wording for this.</p>	<p>Natural England advises that the final cable route should be approved and this approval should be secured through condition. We also note that micro siting should be discussed and agreed prior to the submission of the final cable route. A micro siting report should be conditioned, and this report should be informed by pre-construction monitoring which we have previously advised should be included and secured through appropriate condition.</p> <p>Furthermore, in areas where micro-siting cannot be achieved post construction monitoring of impacted features of conservation importance should be required and secured through condition. Should the developer successfully micro site around all features the post construction monitoring could be signed off as not required. We would refer to monitoring conditions secured within the East Anglia 2 OWF DCO as good examples of condition wording that could be adapted to use by Sea Link.</p>
3BE5	MMO, NE	<p><b>Benthic Mitigation Plans and monitoring conditions</b></p> <p>Should the Benthic Mitigation Plans referred to with within the oCEMP <a href="#">[REP5-066]</a> and the subsequent IPMP (BE05 and BE06 of the REAC <a href="#">[REP5-115]</a>) be secured as a condition within the DML? If so, provide wording for the condition.</p>	<p>Please see Natural England's advice provided in Appendix E6 to our Deadline 6 submission where we highlight the limitations of the Applicants mitigation commitments.</p> <p>Natural England has discussed with the MMO and agreed that both plans should be secured through condition. We would defer to the MMO on wording.</p>

		Furthermore, should there be an agreement with MMO or NE as to whether a Benthic Mitigation Plan and associated IPMP is necessary, based on pre-installation surveys and the proposed final cable route? If so, incorporate this into your suggested wording.	
3BE7	NE, MMO	<p><b>Cable protection removal</b></p> <p>In the applicant's response to ExA question 2BE7 <a href="#">[REP5-135]</a> in relation to the removal of cable protection at decommissioning stage, the applicant states that removability of cable protection can be a factor in the final choice of cable protection used for the proposed development in some cases, although engineering and other sea users will also be a key factor in cable protection decisions. For example, the applicant states that to protect cable integrity at cable crossings, cable protection may not be removed at these locations. With the applicant committed to having removability of cable protection as a factor at decommissioning, is this a satisfactory approach?</p>	<p>Natural England agrees with the Applicant that it is standard practice to not remove cable protection at cable crossings and therefore we have no issue with this approach being adopted for this project.</p> <p>At non-cable crossing locations Natural England notes that our advice in relation to OSPAR requirements provided at E5.20 in <a href="#">[REP5 -218]</a> on the Applicant's 9.93 (A) Offshore Decommissioning Technical Note <a href="#">[REP4-091]</a> has not been committed to. We note that in the Cable Specification and Installation Plan <a href="#">[REP118]</a> Section 5.1.6 that removability will be considered. However, we advise that this should be done prior to the placement of cable protection to ensure that removability is not only possible from an engineering perspective, but also from an ecological perspective such that further impacts to designated site features and project habitats can be avoided. This should be secured in a named plan.</p>
3BE8	NE, MMO	<p><b>Drill fluid management</b></p> <p>Within the offshore CEMP <a href="#">[REP5-066]</a> the applicant has included details of drilling fluid management. From a benthic ecology perspective, does this address</p>	<p>Please see Natural England's advice provided in Appendix E6 to our Deadline 6 submission where we set out the limitations of what has been included.</p>

		any concerns about potential drill fluid impacts to benthic ecology?	
3BE9	NE	<p><b>Jack-Up vessels</b></p> <p>The applicant [REP5-135] has stated that there may be some faunal mortality due to the use of grounded or jack-up vessels during construction, but this is anticipated to be limited. Provide a response to these points and whether NE agrees with the conclusions on this issue.</p>	Please see Natural England's advice provided in Appendix E6 to our Deadline 6 submission where we have highlighted concerns in relation to the use of JUV within designated sites.
<b>Marine mammals</b>			
3MM5	NE	<p><b>Underwater noise modelling</b></p> <p>Does the information provided by the applicant in [REP5-132] deal with the concern expressed in [REP5-199]. If not, explain what further information is required from the applicant.</p>	Based on the Applicants' submissions Natural England has now downgraded F15 within the R&I log to a yellow risk issue. This reflects the stage of the examination and a case specific risk review and does not represent a change in Natural England's view on importance of empirical noise modelling. Our advice has taken into consideration that further assessment will be required for the UXO works after consent and advise the empirical underwater noise modelling should be undertaken to inform that future assessment. This matter is considered closed.
3MM6	NE	<p><b>In-combination effects</b></p> <p>Has the information provided by the applicant in [REP5-135] addressed the concerns of NE expressed in [REP5-219]? If not, explain what additional information is required.</p>	Natural England is <b>not</b> satisfied that AEoI of the Southern North Sea SAC can be excluded from in-combination effects of underwater noise to harbour porpoise. Whilst we welcome the updated figures for this project, and Lion Link, and agree that OWF's will make up the majority of the in-combination impact we do not agree that OWFs can be disregarded. HRAs require that all projects, that include noise generating activities that could overlap, regardless of scale are included in the in-combination assessment. A full

			assessment is still required to demonstrate the Applicant's conclusion that Sea Link's contribution to the In-combination impact is minimal.
<b>Marine Ornithology</b>			
2MO1	NE	<b>Reach et al. (2013) methodology</b> Provide a copy of the Reach et al. (2013) methodology to the applicant to allow calculation of the proportion of 'bird (Red-Throated Diver) days' lost to enable the applicant to assess and quantify the implications for the Outer Thames Estuary by DL6. Otherwise provide an alternative methodology to achieve the same outcome or explain why this is not possible. If a methodology is not available, should the applicant provide information reasonably required to assess a potential derogation under the Habitats Regulations as soon as is reasonably possible and before the close of examination as set out in section 5.4 of NPS EN-1 and if not, why not?	Natural England met with the Applicant on 1 <sup>st</sup> April 2026 to discuss options to sufficiently mitigate the impacts, noting that any additional impact to RTD during the Outer Thames Estuary SPA sensitive overwintering period will add to the existing AEol in-combination. We will provide further advice following the Applicant's Deadline 6 submission, but we anticipate this issue will be resolved without the need for a derogations case.
2MO2	NE, Applicant	<b>Emergency operation and maintenance activities in the Outer Thames Estuary</b> Explain whether a strategic compensation mechanism, such as the Offshore Wind Environmental Improvement Package, could be used as a mechanism to secure compensation in the event that longer term operation and maintenance activities are required in the designated site during the winter period	Natural England met with the Applicant on 1 <sup>st</sup> April 2026 to discuss options to address emergency O&M activities. We will provide further advice following the Applicant's Deadline 6 submission, but we anticipate this issue will be resolved without the need for a derogations case during the consenting phase. Please see Appendix G6 to our Deadline 6 submissions There are currently no projects in the MRF library of strategic compensation measures that would directly

		that have potential to give rise to adverse effects on integrity. The applicant may wish to comment.	benefit RTD. Although we cannot discount potential admissions in the future that may be suitable or whether non-like for like compensation would become a more easily admissible practice following the proposed compensatory reforms for offshore wind and the introduction of The Conservation of Habitats and Species (Offshore Wind) (Amendment etc.) Regulations 2026.
2MO3	NE	<p><b>Displacement effects</b></p> <p>NE <a href="#">[REP5-199]</a> has provided a substantial number of references that demonstrate the potential for displacement due to vessel movements. Can NE signpost to specific references to demonstrate that harm is likely from a small number of isolated vessel movements (as opposed to continuous offshore windfarm construction vessel traffic).</p>	<p>In forming this response Natural England has assumed the word ‘harm’ referred to by the Examiner in the question is equivalent to AEoSI and that they are referring to divers or similar species in the non-breeding season.</p> <p>Natural England know of, no specific research that has shown a small number of isolated vessel movements could cause harm and, although it remains plausible, we would not necessarily anticipate isolated or very infrequent vessel movements of short duration to cause harm/AEoSI within SPAs designated for red-throated divers in the non-breeding season. However, we highlight that the question of ‘harm’ is context dependent and whilst evidence in the literature is clear that displacement can occur as a result of single vessel movements the implications of that displacement are case specific and would need to be assessed against the duration of the vessel movements within the SPA, area and number of divers affected as well as in-combination with other pressures on the SPA population and its supporting habitat before they could be disregarded. In this case, we highlight that we could not view the</p>

			<p>PLGR in isolation and disregard its potentially small impacts due to the already heavy use of the site by existing marine-traffic, OWF and sub-sea cable infrastructure, aggregate extraction, fishing and recreational activities as well as various projects planned in future. Notably recent work to map risk within the site and identify potential areas of opportunity found few in the sector that will be traversed by the project (Nelson et al. in prep).</p> <p>We also need to consider the SPA site conservation objectives and what would be required to safeguard its attributes. In this case we'd need to ask how the PLGR would contribute to the key targets to <b>reduce disturbance</b> from anthropogenic activity and <b>maintain the extent and distribution</b> of the divers.</p> <p>Natural England is keen to work collaboratively with the Applicant and has no intention of seeking disproportionate and unreasonable mitigation. Given the great pressure already being exerted on RTD in the SPA and the clear need to avoid further disturbance, we have discussed with the Applicant if mitigation measures can be adopted in the form of a seasonal restriction for installation and all planned works, particularly as it would not require many days to complete.</p> <p>We will provide further advice following the Applicant's Deadline 6 submission, but we anticipate this issue will be resolved without the need for a derogations case during the consenting phase.</p>
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			Please see Appendix G6 of our Deadline 6 submissions
<b>Other</b>			
3OTH1	Applicant	<p><b>Deposit of plastic and synthetics at sea</b> Part 1(7)(e) of the dDML sets out that plastic and synthetics are authorised for deposit at sea. NPS EN-1 5.15.11 states that assessment should include other uses of material before disposal to sea.</p> <p><b>Applicant:</b></p> <ul style="list-style-type: none"> <li>• Confirm whether this assessment has been carried out or whether it would be secured through a control document.</li> <li>• Provide an estimate of quantities and likely locations.</li> </ul> <p><b>MMO/NE:</b> Comment as to whether this is acceptable.</p>	<p>Natural England notes that the licence grants deployment of plastics as part of construction. This would be an act of construction, and we would question if it's use as a construction material would meet the definition of disposal to sea. We will defer to the MMO as the regulator for the marine environment on if the inclusion of plastic and synthetics as construction is appropriate.</p>