



The Planning Act 2008

Application by National Grid Electricity Transmission for the Sea Link Project

East Suffolk Council's response to Action Points arising from Issue Specific Hearing 3 (ISH3) on environmental issues held on Wednesday 25 March to Friday 27 March 2026

Issued: 30th March 2026

Deadline 6: 13th April 2026

Application: EN020026

East Suffolk Council: [REDACTED]

Action / Description / Action by / When	East Suffolk Council Response
General	
<p>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.</p> <p>All Parties / DL6</p>	<p>ESC provided a set of detailed comments on the draft DCO in Annex 1 to its comments on the Applicant's Deadline 4 submissions [REP5-172], and these comments still apply. More substantive comments where ESC has provided suggested drafting changes over the course of the Examination are provided below. ESC has also provided its suggested amendments to the REAC in Appendix 2 to this submission.</p> <p><u>Article 2</u></p> <p>ESC suggests that advanced mitigation planting is added to the list of pre commencement operations in Article 2 of the draft DCO.</p> <p>ESC also noted in Annex 1 to its comments on the Applicant's Deadline 4 submissions [REP5-172] that it considers the current definition of "maintain" to be too broad. ESC has therefore provided suggested amended wording in response to ExQ3 Question 3GEN14, and has reproduced this wording below for expediency (amendments shown in red:</p> <p style="padding-left: 40px;">"maintain" includes inspect, upkeep, repair, adjust, alter, dismantle, remove, clear, refurbish, paint, surface treat, decommission, improve, reconstruct or replace (but only in relation to any of the ancillary works in Part 2 of Schedule 1 (ancillary works) to the extent assessed in the environmental statement) and "maintenance" must be construed accordingly; any part, but not remove, reconstruct or replace the whole of the authorised project including through the use of robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, provided such works do not give rise to any materially</p>

~~new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of “maintain” must be construed accordingly;~~

Article 4 (Maintenance of authorised project)

ESC also requested in Annex 1 to its comments on the Applicant’s Deadline 4 submissions [REP5-172] that the Applicant is required to serve written notice on the relevant planning authority prior to the commencement any “material” maintenance works

4.—(1) The undertaker may at any time maintain the authorised project, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

(2) The power to maintain conferred under paragraph (1) does not relieve the undertaker of any requirement to obtain any further licence under Part 4 of the 2009 Act (marine licensing) for offshore works not covered by the deemed marine licence.

(3) The undertaker must give 28 days’ notice in writing to the relevant planning authority prior to the commencement of any maintenance works which may give rise to effects or impacts not assessed in the Environmental Statement and those works must not be undertaken unless the relevant planning authority has confirmed in writing that it has no objection to such works.

Article 7

ESC suggests that a new paragraph (6) is inserted in Article 7 as follows –

(6) The undertaker must give the relevant planning authority not less than 56 days' notice of its intention to transfer or grant to another person any or all of the benefit of the provisions of the Order.

Article 10

ESC has liaised with SCC to agree wording for Article 10 and understands that SCC has submitted this proposed wording into the Examination at Deadline 6.

Article 49

ESC requested, in response to ExQ2 Question 2GEN13 [REP5-189], that Article 49(1)(b)(i) be amended to refer to an operational noise limit DCO Requirement (see request for a new Requirement relating to operational noise below), rather than the Construction Noise and Vibration Management Plan, as this contains no operational noise controls and so is not relevant to the use of the authorised development. Despite the ExA querying this in its ExQ2 Question 2GEN13, ESC notes that no amendments were made to Article 49 at Deadline 5.

he Applicant must propose an operational noise limit DCO Requirement (see above), and then make reference to this in Article 49. ESC also requested, in Annex 1 to its comments on the Applicant's Deadline 4 submissions [REP5-172], that Art 49(1)(a)(iii), 49(1)(a)(iv) and 49(1)(b)(ii) are amended to provide that the demonstration that the nuisance cannot '*reasonably be avoided*' be demonstrated to '*the relevant planning authority's reasonable satisfaction*'.

ESC suggests the following wording (amendments to current draft DCO wording shown in red):

'Defence to proceedings in respect of statutory nuisance

49.—(1) Where proceedings are brought under section 82(1) (summary proceedings by persons aggrieved by statutory nuisance) of the Environmental Protection Act 1990(b) in relation to a nuisance falling within paragraphs (g) (noise emitted from premises so as to be prejudicial to health or a nuisance) and (ga) (noise from vehicles, machinery or equipment in a street) of section 79(1) of that Act no order must be made, and no fine must be imposed, under section 82(2) of that Act if—

(a) the defendant shows that the nuisance—

(i) relates to premises used by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with a notice served under section 60 (control of noise on construction sites) or a consent given under section 61 (prior consent for work on construction sites) of the Control of Pollution Act 1974(a); or

(ii) relates to premises used by the undertaker for the purposes of or in connection with the construction of the authorised project and that the nuisance is attributable to the carrying out of the authorised project in accordance with the controls and measures relating to noise as described in the relevant Onshore Construction Environmental Management Plan or the relevant Construction Noise and Vibration Management Plan; or

(iii) is a consequence of the construction or maintenance of the authorised project and **it is demonstrated to the relevant planning**

authority's reasonable satisfaction that it cannot reasonably be avoided; or

(iv) is a consequence of complying with a requirement of this Order and it is demonstrated to the relevant planning authority's reasonable satisfaction that it cannot reasonably be avoided; or

(b) the defendant shows that the nuisance—

(i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised project and that the nuisance is attributable to the use of the authorised project which is being used in ~~accordance with the Construction Noise and Vibration Management Plan~~ compliance with Requirement X (Control of noise during operational phase); or

(ii) is a consequence of the use of the authorised project and it is demonstrated to the relevant planning authority's reasonable satisfaction that it cannot reasonably be avoided.

(2) For the purposes of paragraph (1) above, compliance with Requirement X (Control of noise during operational phase), and the controls and measures relating to noise described in the relevant code of construction practice, the CEMP and the Construction Noise and Vibration Management Plan will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided.

(3) Where a relevant planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974 in relation to the construction of the authorised project then the local authority must also have regard to the controls and measures relating to noise referred to in the relevant code of

construction practice, the CEMP or the Construction Noise and Vibration Management Plan approved under Schedule 3 (Requirements).

(4) Section 61(9) (prior consent for work on construction site to include statement that it does not of itself constitute a defence to proceedings under section 82 of the Environmental Protection Act 1990) of the Control of Pollution Act 1974 does not apply where the consent relates to the use of premises by the undertaker for the purposes of or in connection with the construction or maintenance of the authorised project.

(5) In this article “premises” has the same meaning as in section 79 of the Environmental Protection Act 1990(b).

Requirement 3 (Detailed Design)

ESC provided its suggested wording for Requirement 3 in its response to ISH2 Action Point 131 [[REP4-119](#)]. After liaising with Suffolk County Council, ESC and SCC have made amendments to this proposed wording, including incorporating a post-consent independent design review of the converter stations, Kent substation, and the River Fromus bridge:

3. Detailed design parameters onshore —

(1) No stage of development of the above ground elements of the authorised development comprised in Work No. 3B (Suffolk Converter Station) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. The submitted details must be in accordance with the Converter Station Design Principles and the Design Engagement Strategy found in Document 7.12.1 Design Principles – Suffolk. Approval of the submitted details may

not be withheld where doing so would contravene a Critical Design Constraint. Work No. 3B must be carried out in accordance with the approved details.

(2) Suffolk Substation (Friston)

(a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the details within the documents submitted for the discharge of Requirement 12 of part 3 of schedule 1 to SI 2022/433 (insofar as those details relate to the design, scale and layout of Work No. 1B)

(b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or East Anglia ONE North projects do not progress as currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a).

(3) Bridge over the River Fromus

(a) Development of the bridge crossing of the River Fromus (part of Work No. 3A) must not commence until details of the design, layout and scale of the bridge have been submitted to and approved by the relevant planning authority, following consultation with Suffolk County Council, in accordance with the Design Engagement Strategy, and the relevant local planning authority has confirmed, following consultation with the Environment Agency, that the parameters set out in (3)(b) have been met.

(b) The bridge over the River Fromus should be designed in accordance with the following parameters:

	<p>(i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level);</p> <p>(ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and</p> <p>(iii) the bridge shall not have a deck width greater than 6m.</p> <p>(c) The details of the design, layout and scale submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge and achieve good design in accordance with national policy, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, external colour, surface finish, materials, separation of pedestrian and vehicular traffic and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.</p> <p>(d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority.</p> <p>(e) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by</p>
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East Suffolk Council, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:

(i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing.

(ii) Principles of the contingency monetary fund set out in (f) and criteria for when provision of the fund would be triggered.

(f) Following receipt and review of the monitoring results under (e)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.

(4) No stage of development of the above ground elements of the authorised development comprised in Work No. 9B (Kent Converter Station) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Kent County Council and Historic England. The submitted details must be in accordance with the design details and the Converter Station Design Principles and the Design Engagement Strategy found in Document 7.12.2 Design Principles – Kent. Approval of the submitted details may not be withheld where doing so would contravene a Critical Design Constraint. Work No. 9B must be carried out in accordance with the approved details.

(5) No stage of development of the above ground elements of the authorised development comprised in Work No. 11 (new Kent Substation) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Kent County Council and Historic England. The submitted details must be in accordance with the Substation Design Principles and the Design Engagement Strategy found in Document 7.12.2 Design Principles – Kent. Approval of the submitted details may not be withheld where doing so would contravene a Critical Design Constraint. Work No. 11 must be carried out in accordance with the approved details.

(6) The details of layout, scale and external appearance of Work Nos. 3B, 3A, 9B, and 11 submitted under sub-paragraphs (1), (3), (4), and (5) above must be accompanied by a technical statement demonstrating how these details have been informed by feedback received during the implementation of the relevant Design Engagement Strategy from relevant stakeholders and from an independent review of the detailed design

The Councils expect the Design Principles – Kent and Design Principles – Suffolk documents to contain a section providing details of the independent design review process ('the Design Engagement Strategy'), which the proposed wording above makes reference to. SCC has included detail of this strategy as part of its Deadline 6 submissions.

Requirement 6 (Management Plans to be Approved)

As noted in ESC's response to ExQ2 Question 2LVIA8 [\[REP5-189\]](#) and to ExQ3 Question 3LVIA3, ESC considers that the relevant planning authorities must have the ability to regulate and control details of operational lighting. Detailed justification is provided in response to the ExA's questions referenced above, but in summary,

ESC does not consider that the controls over operational lighting currently suggested in Requirement 3 provide sufficient protection for the local community and requests that the Applicant prepares an outline lighting management plan covering the operational lighting for both the converter station and substation sites, with a more detailed Lighting Management Plan to be submitted to the relevant planning authority for approval through a discharge of Requirement 6 of the draft DCO. With regards to specific wording, ESC suggests that Paragraph (1) of Requirement 6 is amended as follows (amendments to current draft DCO wording shown in red):

'(1)

...

(q) Flood Management Plan (FMP); ~~and~~

(r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice);;

(s) Lighting Management Plan – Suffolk (which must be substantially in accordance with the Outline Lighting Management Plan – Suffolk); and

(t) Lighting Management Plan – Kent (which must be substantially in accordance with the Outline Lighting Management Plan – Kent).'

...

Alternatively, if the ExA does not consider it appropriate for outline lighting management plans to be submitted at this stage of the Examination, the following wording could be included as an additional DCO Requirement, which ESC has prepared based on the wording of Requirement 25 in the EA1N and EA2 DCOs:

‘Control of artificial light emissions during operational phase

(3) Work Nos. 1B, 3B, 9B and 11 must not begin operation until an operational artificial light emissions management plan for that Work providing details of artificial light emissions during the operation of that Work, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.

(4) The approved operational artificial light emissions management plans for Work Nos. 1B, 3B, 9B and 11 must be implemented upon, and maintained during, the operation of the relevant Works.’

Requirement 7 (Construction hours)

ESC has liaised with the other Councils and suggests the following wording for Requirement 7 (amendments to current draft DCO wording shown in red).

It is important to note, as raised by ESC at ISH3, ESC is concerned that the breadth of the exceptions listed in paragraphs (4) and (7) (previously (8)) of Requirement 7, together with the inclusion of start-up and close-down hours either side of the core working hours, provide the Applicant with a very broad scope to work outside of those core working hours, to the point that it undermines those core working hours. ESC is requesting further justification for each of the individual exceptions, which it considers has not yet been adequately provided by the Applicant. Therefore, whilst the list of exceptions proposed by the Applicant has been retained in ESC’s below Requirement wording, ESC will require justification for the extent of these exceptions, and ESC reserves the right to amend its suggested wording in light of provision of this justification.

Construction hours

7.—(1) Subject to sub-paragraphs ~~7(2), 7(3), and 7(4) and 7(7)~~ onshore construction work may only take place between 0700 and 1900 Monday to Friday and between 0700 and ~~1700~~ 1300 on Saturdays, ~~Sundays and Bank Holidays~~ (the core working hours), unless otherwise approved by the relevant planning authority. ~~There will be no working on Bank Holidays in respect of Work No. 3B, Work No. 9B, and Work No. 11, except for the operations described in paragraph (4) below or with the prior agreement of the local planning authority. In respect of those works, for Bank Holiday Mondays (meaning Easter Monday, the early May bank holiday, the Spring bank holiday, and the summer bank holiday) there will also be no working on the preceding Saturday or Sunday in each case.~~

(2) ~~No P~~percussive piling works may take place outside the core working hours ~~are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays~~, unless otherwise approved by the relevant planning authority.

(3) ~~Subject to sub-paragraph (4), No~~ HGV deliveries may be made outside the core working hours ~~are limited to 0700 to 1900 Monday to Friday and 0700 to 1700 on Saturdays and may not occur on Sundays or Bank Holidays~~, unless otherwise approved by the relevant highway authority.

(4) ~~Only t~~The following operations may take place outside the core working hours referred to in sub paragraph (1)—

(a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses;

(b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;

(c) the jointing of underground cables;

(d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused;

(e) delivery to the transmission works of abnormal loads and any highway works **provided they have been** requested by the highway authority to be undertaken outside the core working hours;

(f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities;

(g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities **where not doing so would lead to a disproportionate delay to the construction programme or a disproportionate increase in adverse effects. In such cases, the undertaker must, as soon as practicable, inform the relevant planning authority in writing of the disruption or interruption and explain why that work could not be completed within the core working hours referred to in sub-paragraph (1);**

(h) activity necessary in the instance of an emergency where there is a risk to persons or property;

(i) marine works (all works below the mean high water springs line);

(j) security monitoring;

(k) intrusive and non-intrusive surveys;

(l) mechanical and electrical installation works within buildings once erected and enclosed;

(m) any highway works requested by the highway authority to be undertaken outside the core working hours; and

(n) any railway works to be undertaken as part of the project on a Saturday, Sunday, Bank Holiday or outside the core working hours.

(5) The core working hours referred to in sub-paragraph (1) exclude start-up and close down activities up to 1 hour either side of the core working hours. **Start up and close down activities will be inaudible at the nearest noise sensitive receptor during these times. Where this cannot be reasonably met, justification must be provided to the relevant local planning authority, and as a fall back in accordance with the relevant BS5228-1 Category Threshold (Table E.1), a 50dBA noise limit (where Category B) and a 45dBA noise limit (where Category A) will apply at the nearest noise-sensitive receptors for start-up and close down activities up to one hour either side of the core working hours.**

(6) The severe weather conditions referred to in sub-paragraph (4)(g) means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) and, as the case may be, the hours referred to in sub-paragraph (3) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access, wind or otherwise) or being contrary to safe working practices.

~~(7) In respect of Work No.1A and Work No. 1B, and all other elements of the authorised development, including associated development, located within the area defined in Sheets 2 and 3 of the Works Plans – Suffolk, construction work may only take place between 0700 hours and 1900 hours Monday to Friday and 0700 hours~~

~~and 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in sub-paragraph (8).~~

~~(78)~~ Outside the hours specified in sub-paragraph ~~(17)~~, construction work in respect of Work No. 1A, Work No. 1B, and all other elements of the authorised development, including associated development, located within the area defined in Sheets 2 and 3 of the Works Plans – Suffolk, may be undertaken for essential activities including but not limited to—

(a) continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring and the installation and removal of conductors, pilot wires and associated protective netting across highways or public footpaths;

(b) internal fitting out works associated with the substation;

(c) the completion of construction activities commenced during the approved working hours which cannot safely be stopped;

(d) the testing or commissioning of any electrical plant installed as part of the authorised development; and

(e) activity necessary in the instance of an emergency where there is a risk to persons or property.

~~(89)~~ With the exception of activities undertaken in accordance with sub-paragraph ~~(87)~~(e), the timing and duration of construction work undertaken in accordance with sub-paragraph ~~(87)~~ and, where works do not fall within sub-paragraphs ~~(87)~~(a) to ~~(87)~~(e), whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.

New Requirement akin to Requirement 44 of the EA1N/EA2 DCOs

ESC has requested, in Annex 1 to its comments on the Applicant's Deadline 4 submissions [[REP5-172](#)], that a requirement comparable to Requirement 44 (Control of development during operational phase) of the EA1N and EA2 DCOs be added to the Sea Link draft DCO. This would ensure that Permitted Development rights are not used by the Applicant in a way that would undermine consented landscape and drainage mitigation. ESC is proposing the following wording:

“Control of development during operational phase

(1) During the operation of and within operational land related to Work Nos. 1B, 2, and 3B in the District of East Suffolk and Work Nos. 9A, 9B, 10 and 11 in the District of Thanet and Dover, any development in addition to that authorised in this Order that is permitted under Schedule 2 Part 15 Class B (d), (e), or (f) of the General Permitted Development Order 2015 (“electricity undertakings permitted development) or any equivalent successor provision is subject to the following conditions –

(2) In respect of operational drainage –

(a) No electricity undertakings permitted development may commence until an amendment to the Drainage Management Plan approved pursuant to requirement 6 (o) in relation to Suffolk and requirement 6 (p) in relation to Kent that includes provision for the replacement of any existing drainage measures to be removed and maintenance of any new drainage measures to be provided as part of the permitted development, has been submitted to and approved by the relevant lead local flood authority, in consultation with the relevant planning authority and the Environment Agency;

(b) The measures in the amendment to the operational drainage management plan in respect of the permitted development must be implemented as approved.

(3) In respect of the provision, implementation and maintenance of landscaping –

a) No electricity undertakings permitted development may commence until an amendment to the written Landscape and Ecological Management Plan and associated work programme approved pursuant to requirement 6 (f) in relation to Suffolk and requirement 6 (g) in relation to Kent that includes provision for the replacement of any existing landscape measures to be removed and maintenance of any landscape measures to be provided as part of the permitted development, has been submitted to and approved by the relevant planning authority; and

(b) The measures in the amendment to the written landscape management plan and associated work programme plan in respect of the permitted development must be implemented as approved.”

New Requirement relating to fencing

ESC requested, in response to ExQ2 Question 2LVIA8 [REP5-189], a DCO Requirement to provide relevant planning authorities with control over fencing, for protection of trees and hedgerows, and of ecological receptors, and to ensure the safety of Public Rights of Way users. ESC suggests the following wording, which is based on the wording of Requirement 17 of the EA1N and EA2 DCOs:

‘Fencing and other means of enclosure

(1) No stage of the onshore works may commence until for that stage written details of all proposed permanent and temporary fences, walls or other means of enclosure of the onshore works have been submitted to and approved by the relevant planning authority.

(2) All fencing and other means of enclosure of the onshore works must be in accordance with the approved details.

(3) Any temporary fencing must be removed on completion of the relevant stage of the onshore works unless otherwise approved by the relevant planning authority.

(4) Any approved permanent fencing in relation to Work Nos. 1B, 3B, 9B and 11 must be completed before that Work is brought into use and must be maintained for the operational lifetime of the Work to which it relates.'

New Requirement relating to operational noise

ESC has been continually requesting an operational noise DCO Requirement, which has not yet been forthcoming. ESC met with the Applicant and Thanet District Council on 9th April and understands that the Applicant intends to submit such a Requirement into the Examination in due course. In the meantime, ESC suggests the following wording, which it proposed in response to ExQ2 2NV1 [[REP5-189](#)]:

Control of noise during operational phase

(1) The noise rating level for Work No. 3B and Work No. 9B must not exceed [34] dB Lar,T at any noise sensitive receptor in accordance with the principles set out in BS 4142:2014+A1:2019.

(2) Work No. 3B and No. 9B must not operate until Monitoring Schemes for monitoring compliance with the noise rating level or levels set out in paragraph (1) above have been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply.

(3) The noise rating level for Work No. 1B must be at least 5 dB below background noise level at any noise sensitive receptor in accordance with the principles set out in BS 4142:2014+A1:2019.

(4) Work No. 1B must not commence operation until a Monitoring Scheme for monitoring compliance with the noise rating level or levels set out in paragraph (3) above has been submitted to and approved by the relevant planning authority.. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply.

(5) In order to demonstrate that the noise levels have been achieved, the Monitoring Schemes referenced in paragraphs (2) and (4) above must identify–

(a) the required meteorological and other conditions under which the measurements will be taken, acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not to be taken into account;

(b) suitable monitoring locations (and alternative surrogate locations if appropriate);

(c) times when the monitoring is to take place; and

(d) when it has taken place.

(6) In the event that Work No. 1B (the new Substation at Grove Wood, Friston) is not delivered under this Order, in order to ensure that the work to be delivered under Work No. 2 of this Order does not result in exceedances of the operational noise rating levels at the substation site at Grove Wood, Friston, Work No. 2 must not operate until a scheme for monitoring compliance with the noise rating levels set out in Requirement 27 of the East Anglia TWO DCO (SI 2022/433) has been submitted to and approved by the relevant planning authority.

(7) In order to demonstrate that the lowest reasonably practical operational noise levels have been achieved, the schemes referenced in paragraphs (2) and (4) above must also provide an assessment to demonstrate, to the relevant planning authority's satisfaction, whether it is possible to achieve lower noise rating levels than those identified in paragraphs (1) and (3) above and for the sites during their operational life.

(8) The schemes must be implemented as approved, and the Monitoring Reports must be submitted to the relevant planning authority, three months and then six months after operation and thereafter on an annual basis commencing on the anniversary of the six month submission.

New Requirement relating to trenchless landfall

ESC provided, in response to ExQ2 Question 2GEN17 [\[REP5-189\]](#), suggested wording for a trenchless landfall requirement.

ESC's preference would be for the Applicant to prepare an outline landfall construction method statement, and an outline landfall monitoring plan during this Examination, as was the case for EA1N and EA2. ESC therefore suggests the following Requirement wording:

‘(1) No part of Work No. 6 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body and, in respect of sub-paragraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation—

(a) a landfall construction method statement for the construction of that part of Work No. 6 (which accords with the outline landfall construction method statement); and

(b) a landfall monitoring plan (which accords with the outline landfall monitoring plan).

(2) The landfall construction method statement and the landfall monitoring plan must be implemented as approved.

(3) In the event that inspections carried out in accordance with the landfall monitoring plan indicate that, as a result of the rate and extent of landfall erosion, Work No. 6 could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial works or mitigation measures to protect Work No. 6 from coastal retreat, together with a timetable for their implementation, to the relevant planning authority for approval in consultation with the relevant statutory nature conservation body, and the remedial works or mitigation measures must be implemented as approved.’

Alternatively, if the ExA considers it not appropriate for the Applicant to produce an outline landfall monitoring plan at this stage, Paragraph (1) of the requirement could be replaced with the following:

‘(1) No part of Work No. 6 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant

statutory nature conservation body and, in respect of sub-paragraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation—

(a) a landfall construction method statement for the construction of that part of Work No. 6. This must secure use of a trenchless landfall technique and include the final proposed profiles for the trenchless cable burial, demonstrating a minimum cable burial depth of 25m below the contemporary nearshore and foreshore level; and

(b) a landfall monitoring plan which commits to coastal geomorphology impact assessments and comparison of collected data to baseline topographic surveys to ascertain whether any coastal change is taking place that could risk cable exposure if unmitigated.’

New Requirement relating to advanced planting

Advanced planting

(1) No pre-commencement operations may commence until details of advanced planting have been submitted to and approved by the relevant planning authority, including a timetable for their implementation.

New Requirement relating to Workforce Accommodation Strategy

The Applicant’s assessment fails to address the fundamental issue that accommodation in East Suffolk operates as a single, finite market, which is already under significant pressure from Sizewell C and other NSIPs. In these circumstances, it is not sufficient for each project to assess its impacts in isolation. Without coordination, multiple NSIPs will compete for the same limited

accommodation supply, creating a cumulative effect that is materially greater than the sum of its parts. In order to avoid this outcome, a coordinated accommodation strategy is required whereby the Applicant works jointly with other major projects, including Sizewell C, to plan, manage and, where necessary, provide appropriate worker accommodation. Without such a mechanism, there is a clear risk of unregulated competition, block booking, and price inflation, all of which would adversely affect the availability of accommodation for visitors.

This issue must also be considered in the context of established tourism policy and strategy at both local and regional level. A consistent objective of those strategies is to convert high volumes of day visitors into overnight stays, thereby increasing economic value. The 2024 Cambridge economic model demonstrates that overnight visitors contribute significantly more per head than day visitors, both in terms of direct spend and wider economic impact. The availability of accommodation is therefore a critical enabler of this strategy. If that accommodation is instead occupied by construction workers, particularly over extended periods, the ability to grow higher-value overnight tourism is fundamentally constrained.

ESC therefore requires a coordinated, enforceable accommodation strategy secured through a DCO Requirement. Without this, there is no mechanism to prevent cumulative harm to the tourism economy. ESC suggests the following wording for a new DCO Requirement:

(1) No part of the authorised development may commence until a Workforce Accommodation Strategy has been submitted to and approved in writing by the relevant planning authority.

(2) The Workforce Accommodation Strategy must include:

	<p>(a) a coordinated accommodation plan demonstrating how the undertaker will work jointly with the undertakers of other nationally significant infrastructure projects and major development proposals in the locality, as approved by the relevant planning authority, to manage cumulative workforce accommodation demand;</p> <p>(b) an assessment of cumulative accommodation demand and supply, taking into account all known and committed projects within the relevant travel-to-work and accommodation catchment;</p> <p>(c) Identification of accommodation types to be used (including serviced and non-serviced accommodation), and the proportion of workforce expected to occupy each;</p> <p>(d) details of secured accommodation provision, including evidence of availability and arrangements to prevent displacement of visitor accommodation;</p> <p>(e) measures to avoid the use of tourist accommodation, including enforceable controls on contractors and subcontractors;</p> <p>(f) Mechanisms to prevent block booking of visitor accommodation, particularly within identified tourism-sensitive areas;</p> <p>(g) a monitoring and reporting framework, including provision of sufficient data to enable independent verification by the relevant planning authority;</p> <p>(h) a mitigation and intervention strategy, including clear and enforceable action to be taken in advance of, and not after, any identified impact on visitor accommodation; and</p>
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	<p>(i) a procedure to report the results of the implementation of the Workforce Accommodation Strategy to East Suffolk Council, Suffolk County Council, the Local Visitor Economy Partnership, and the Destination Management Organisation on a regular basis, including a mechanism for adapting the Strategy based on the reported results.</p> <p>(3) The approved Workforce Accommodation Strategy must be implemented as approved for the duration of the construction period.</p> <p>(4) No variation to the approved strategy shall be made without the prior written approval of the relevant planning authority.</p> <p>(5) In Suffolk, the results of the implementation of the Workforce Accommodation Strategy must be reported to East Suffolk Council, Suffolk County Council, the Local Visitor Economy Partnership, and the Destination Management Organisation.</p>
Traffic and Transport	
<p>13. The Construction Traffic Management Plan says the applicant has a preference for Option 1 (repairing or strengthening the existing bridge). Is this a strong enough form of wording?</p> <p>Should it be that if Option 1 is fully available then the applicant commits to taking this option ahead of the other options?</p>	<p>ESC defers to SCC as the relevant Highways Authority, noting that the Benhall Bridge is an SCC asset.</p>

<p>SCC, East Suffolk Council (ESC), Applicant / DL6</p>	
<p>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 is there actions needed to avoid this?</p> <p>Applicant, All Councils / DL6</p>	<p>ESC defers to SCC as the relevant Highways Authority.</p>
<p>Socio-economics and tourism</p>	
<p>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.</p> <p>All Councils / DL6</p>	<p>ESC notes that the wording of this ISH3 Action Point 25 is the same as ExQ3 Question 3SERT2. To avoid duplication, ESC has provided a response to Action Point 25 in its response to ExQ3 3SERT2.</p>
<p>27. If there was to be a Skills and Employment Plan submitted by the applicant which would be considered acceptable by the</p>	<p>ESC and SCC received a draft copy of the Sea Link Skills, Supply Chain, and Employment Plan from the Applicant on 19 March. This was followed by a meeting</p>

<p>Councils, would this be sufficient to overcome any remaining concerns relating to economic impacts?</p>	<p>with the Applicant on 23 March where the content was discussed, and ESC and SCC provided joint feedback to the Applicant on 8 April.</p>
<p>All Councils / DL6</p>	<p>The Applicant will submit a revised plan by Deadline 6.</p> <p>ESC welcomes the Applicant's commitment to a Skills and Employment Plan, provided that the revised version is acceptable to the Councils.</p> <p>However, ESC considers that the purpose of the Skills and Employment Plan is to maximise the economic benefits of the proposed project across the thematic areas of Skills, Supply Chain, and Employment. It is not a mitigation strategy.</p> <p>ESC considers the plan to be insufficient to overcome the many serious remaining concerns relating to the economic impacts of the proposed project. On its own, it is only part of the solution and needs to be recognised within the context of a suite of required mitigation planning that includes:</p> <ol style="list-style-type: none"> 1. A commitment to delivering the Sea Link Skills, Supply Chain, and Employment Plan that is integrated into, and supportive, of existing programming being delivered locally. 2. A commitment to monitor the impacts of the proposed project on tourism accommodation throughout the construction period as provisionally described within section SE05 of the REAC [REP5-115]. 3. A commitment to work with local tourism stakeholders through a tourism sub-group and shape jointly agreed and appropriate mechanisms for collecting,

analysing, and acting on data that is appropriate and supportive of the tourism sector

The Councils (ESC and SCC) suggest that, given the stage reached in the Examination, it is unlikely that the Applicant and the Councils will reach a point of agreement on the content of the Skills, Supply Chain, and Employment Plan (SSCEP) prior to the close of Examination. This includes the Councils' request for cumulative workforce modelling, detailed assessments, and supply chain analysis, which the Councils consider necessary and which are currently absent from the Plan. The Councils therefore consider that the SSCEP to be submitted into the Examination at Deadline 6 should be considered an outline version, with a detailed version to be submitted to, and approved by, the relevant planning authority post-consent, in consultation with Suffolk County Council, through a discharge of Requirement 6 of the draft DCO. Where the Applicant is unable to provide the details requested by the Councils prior to the end of the examination, appropriate commitments should be made in the outline SSCEP to provide these details in the detailed SSCEP to be approved post-consent. Further engagement would be appreciated to agree appropriate wording for these commitments.

The SSCEP that has been shared with the Councils to date falls significantly short of the Councils' expectations. Unless this Plan is amended to the Councils' satisfaction, it is suggested that instead of an outline SSCEP taking the form of an outline plan to be certified under the DCO, a Requirement such as that proposed by Suffolk County Council in its response to ExQ2 2CEInter1 (page 64 of [\[REP5-204\]](#)) should be added to the draft DCO.

<p>30. Respond to the proposed permissive paths and whether they should be proposed as public rights of way?</p> <p>ESC/SCC / DL7</p>	<p>ESC defers comment on the Applicant's specific proposed permissive paths to SCC as the Local Highway Authority. However, as a general point, ESC notes that permissive paths cannot be regarded as permanent public access. An agreement can be made between the landowner and the highway authority that can specify the time in which the path can be made available to the public, but without such an agreement in place, the landowner can revoke permission at any time. If it is considered by SCC that the proposed permissive paths would add value to the network (convenience and/or enjoyment to a substantial section of the public), there may be a strong case for the permissive paths to instead be proposed as public rights of way.</p>
<p>Health and Wellbeing</p>	
<p>32. With regard to the proposed exceptions included in requirement 7, are there any that the Council considers as should be omitted or amended?</p> <p>All Councils / DL6</p>	<p>Refer to Action Point 1 for Requirement 7 redrafted text.</p>
<p>34. All councils to work together to submit alternative wording with respect to core working hours including any restrictions and</p>	<p>Refer to Action Point 1 for Requirement 7 redrafted text.</p>

<p>exceptions required, if the councils consider this necessary.</p> <p>All Councils / DL6</p>	
<p>Cultural Heritage</p>	
<p>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.</p> <p>All Councils, Historic England / DL6</p>	<p>ESC does not require any changes to the draft DCO or support documents in relation to cultural heritage.</p>
<p>Cumulative Effects</p>	
<p>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.</p> <p>Applicant and councils / DL6</p>	<p>SCC, on behalf of the Councils, contacted the Applicant on 2 April to query how the Applicant was intending to progress discussions for actions and ExQ3 questions requesting a joint position between the Councils and the Applicant. The Councils received no reply, and SCC and ESC were informed at their regular catch-up meeting with the Applicant on 9 April that the Applicant had been progressing responses to these actions/questions independently from the Councils. No meeting was therefore arranged to discuss the issue of mitigation measures for intra-project cumulative effects. ESC notes that it did not suggest any measures in response to ExQ2 2CEIntra3, with only SCC suggesting a measure (reduced core working hours). As ESC has made clear throughout the Examination, ESC strongly objects</p>

	<p>to the proposed core working hours and supports SCC's request and has provided its suggested amended Requirement 7 wording in response to Action Point 1.</p>
<p>48. Applicant and local authorities to develop a joint position statement with regard to the unmitigated significant residual landscape and visual effects to see if there are further mitigation measures that can be included or compensation measures to offset any residual significant effects, if the Secretary of State considers that to be necessary.</p> <p>Applicant, ESC, SCC, TDC, KCC / DL6</p>	<p>SCC, on behalf of the Councils, contacted the Applicant on 2 April to query how the Applicant was intending to progress discussions for actions and ExQ3 questions requesting a joint position between the Councils and the Applicant. The Councils received no reply, and SCC and ESC were informed at their regular catch-up meeting with the Applicant on 9 April that the Applicant had been progressing responses to these actions/questions independently from the Councils. No meeting was therefore arranged to discuss the issue of unmitigated significant residual landscape and visual effects. ESC understands that the Applicant intends to provide a joint position statement at Deadline 7, which ESC will feed into.</p>
<p>49. Continue discussions with the councils to seek to identify appropriate mitigation, including measures to compensate and offset significant effects. Provide a position statement at DL6, which includes reasoning as to why the parties consider these measures to be necessary, or not, and wording that can secure such measures should the Secretary of State deem them necessary. All parties to clearly identify any deemed conflicts they consider remain with the applicant's ability to meet the</p>	<p>SCC, on behalf of the Councils, contacted the Applicant on 2 April to query how the Applicant was intending to progress discussions for actions and ExQ3 questions requesting a joint position between the Councils and the Applicant. The Councils received no reply, and SCC and ESC were informed at their regular catch-up meeting with the Applicant on 9 April that the Applicant had been progressing responses to these actions/questions independently from the Councils. No meeting was therefore arranged to discuss the issue of the mitigation hierarchy and the Critical National Priority test, but ESC has provided its comments in this regard in response to ExQ3 3GEN2.</p>

<p>requirements of the Critical National Priority test.</p> <p>Applicant, ESC, SCC, TDC, KCC / DL6</p>	
<p>Noise and Vibration</p>	
<p>58. Respond to the applicant's points relating to noise during start up and close down periods.</p> <p>ESC / DL6</p>	<p>ESC provides its suggested wording in relation to Requirement 7 within Action Point 1.</p>
<p>Air Quality</p>	
<p>64. Confirm whether diversion of construction traffic through Saxmundham would have any implications for the impact assessment.</p> <p>ESC / DL6</p>	<p>The ExA requested at ISH3 that ESC consider if it had any air quality concerns in relation to Saxmundham arising out of the diversion of light construction traffic through Saxmundham. ESC does not have any specific concerns but supports SCC as highways authority in its requirements to reduce congestion where possible by implementing controls where necessary. Any congested area of traffic will have an effect on the local air quality, even if this is at a low level and ESC would seek to avoid this where possible. SCC, in ensuring optimal traffic flow through suitable diversion routes, will also reduce the impact on air quality.</p>
<p>Ecology and Biodiversity</p>	

<p>78. Provide a list of hedgerows of particular concern for bats, where the council considers that use of horizontal directional drilling (HDD) might be justified.</p> <p>ESC / DL6</p>	<p>ESC understands that the Applicant's position is that the bat activity survey work carried out for the project is intended to describe the bat assemblage present within the Order Limits, not to inform detailed mitigation measures for each hedgerow crossing. The project intends to utilise the same construction mitigation measures for each hedgerow crossing, as though they were all important for bat commuting. It should be noted that the project's proposed construction mitigation will only be in relation to commuting bats, not foraging bats, as the temporary Heras fencing will not generate any insect biomass for bats to feed on. ESC has maintained its concern with the practical deliverability of this approach throughout the construction of the project (ESC LIR paragraph 7.2.5.5 [REP1-128], section 3.4 of ESC ISH2 Written post hearing submissions including Written summaries of oral cases made at hearings the w/c 26 January 2026 - Issue Specific Hearing 2 [REP4-117]), particularly as it is unclear exactly which hedgerows are likely to provide important connectivity for bats. ESC also maintains the concern set out in its LIR (paragraphs 7.2.5.3 and 7.2.5.4 [REP1-128]) regarding the static bat detector failure rate that the project has experienced and the limitations that this has created in understanding seasonal bat activity across the order limits. In particular, there were significant failures in August 2023 (four of nine detectors recorded for less than the minimum 5 nights in the month) and August 2024 (five of nine detectors recorded for less than the minimum 5 nights in the month). August is a key month at the end of the maternity season where young bats may still be being suckled (and therefore females are still undertaking extra foraging to produce milk) or are just starting to be free flying.</p> <p>At ISH3 the ExA requested that ESC provides its consideration of hedgerows crossed by the project which may be important for foraging/commuting bats. This is provided below and on the accompanying annotated drawings. It is caveated that this consideration is provided based on the bat survey work submitted as part of this</p>
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DCO application, publicly available biological records, consideration of the wider landscape around the project corridor and professional opinion; no additional field surveys have been undertaken. ESC believes that the following criteria are relevant to considering a hedgerow's likely importance for foraging/commuting bats:

- bat species recorded at or near the hedgerow during project survey work (where sufficient coverage is available);
- other available bat records at or near the hedgerow; and
- connectivity provided by the hedgerow to onsite or offsite potential foraging or roosting areas.

These are in accordance with the more extensive list provided in paragraph 3.4.22 of the UK Bat Mitigation Guidelines (Reason, P.F. and Wray, S. (2025). UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Version 1.2. Chartered Institute of Ecology and Environmental Management, Ampfield).

Appendix A to this response provides plans of the hedgerows to be removed by the project (as per Sheets 1 to 5 of 2.12 Trees and Important Hedgerows to be Removed or Managed Plans (Version 2, change request) [[CR1-023](#)]), with hedgerow numbers added by ESC. Appendix A also provides ESC commentary on each hedgerow.

The identification of these hedgerows does not mean that ESC considers that the Applicant should downgrade their committed mitigation proposals on hedgerows which are not listed. The commentary is provided at the request of the ExA to assist their consideration of the proposal, to highlight the number of likely important hedgerows that the project will cross, and to seek consideration of whether they could be crossed using trenchless construction measures such as HDD or similar.

<p>81. Respond to the applicant's comments regarding hedgerow gaps.</p> <p>ESC, SCC / DL6</p>	<p>ESC understands that this point relates to the Applicant's comments at ISH3 that it may be possible to narrow hedgerow removal gaps further than currently identified in some locations. ESC would welcome the Applicant's consideration of this in situations where the only effective construction option is hedgerow removal, as it will reduce the width of gaps that need to be temporarily spanned for commuting bats using Heras fencing or similar and will therefore make this mitigation measure easier to deploy and maintain during construction.</p>
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13th April 2026

Appendix A

Hedgerows crossed by the project that are considered potentially important for connectivity for commuting bats by ESC

N.B. Please also refer to the corresponding response in Row 78 of East Suffolk Council's response to Action Points arising from Issue Specific Hearing 3 (ISH3) on environmental issues held on Wednesday 25 March to Friday 27 March 2026.

Vegetation Removal Plans Sheet Number	ESC Hedgerow Number	Considered potentially important for connectivity for commuting bats by ESC	Description
Sheet 1	1	Yes	<p>Provides a link between Bloomfield's Covert (which the project has identified as containing a potential Barbastelle bat roost) and Coltschase Pickle (a strip of Ancient woodland) to the north. This hedgerow will be permanently breached for the access road to the converter station.</p> <p>Barbastelle calls were recorded north and south of the proposed crossing point in this hedgerow in August and October 2023.</p>
Sheet 1	2	Yes	<p>Provides connectivity between Harris's Belt and Nut Tree Belt, and south and west towards Ash Belt, Leekshill Plantation and the River Fromus. Also likely to provide foraging habitat as part of the local network of hedgerows, tree belts and woodland.</p> <p>Static bat detector 8 was located on this hedgerow, to the south of the proposed crossing point. This detector recorded Barbastelle passes in 6 months out of the 8 that it was deployed for. Of those 8 months, it failed to record completely for one month.</p> <p>Barbastelle calls were also recorded north of the proposed crossing point in this hedgerow in October 2023.</p>

Sheet 1	3	Yes	Provides connectivity between Harris's Belt and Nut Tree Belt, and south and west towards Ash Belt, Leekshill Plantation and the River Fromus. Also likely to provide foraging habitat as part of the local network of hedgerows, tree belts and woodland.
Sheet 1	4	Yes	Provides connectivity between Harris's Belt and Nut Tree Belt, and south and west towards Ash Belt, Leekshill Plantation and the River Fromus. Also likely to provide foraging habitat as part of the local network of hedgerows, tree belts and woodland.
Sheet 1	4A	No	Understood to be a Christmas tree plantation. Habitat considered to be sub-optimal for bat foraging. Retained plantation areas would allow for continued connectivity through the landscape.
Sheet 1	5	Yes	<p>Links Fristonmoor Covert to the woodland south of the B1119 and west of Fristonmoor Lane. A 2018 Soprano Pipistrelle bat record exists for this woodland.</p> <p>Static bat detector 7 was located on this hedgerow. This detector recorded Barbastelle passes in 5 months out of the 8 that it was deployed for. Of those 8 months, it failed to record completely for two months and didn't reach a minimum of 5 nights of recording in another two months. Of particular note is that it failed to record completely in June 2024 and only achieved 2 nights of recording in August 2024, both of these months are key bat maternity months and therefore the lack of data for this peak period means that it is highly likely that significant Barbastelle, and other bat, activity has been missed. Particularly as in August 2023 (where only 4 nights of recording were achieved), Barbastelle were the joint third most commonly recorded species (along with Noctule) behind Common and Soprano Pipistrelle bats.</p>
Sheet 1	6	Yes	Links Fristonmoor Covert to potential foraging and roosting habitats at High House Farm.
Sheet 2	7	Yes	Links Laurel Covert and Grove Wood (which is an Ancient Woodland and County Wildlife Site) to Fristonmoor Covert.

			<p>Static bat detector 6 was in part (6B and 6C) located on this hedgerow. This detector recorded Barbastelle passes in 5 months out of the 8 that it was deployed for. Of those 8 months, it failed to record completely for 1 month and didn't reach a minimum of 5 nights of recording in 1 other month.</p> <p>Barbastelle calls were also recorded on this hedgerow in October 2023.</p>
Sheet 2	8	Yes	Links Grove Wood (Ancient Woodland and County Wildlife Site) and Laurel Covert to the hedgerow network running north/north-east towards the Hundred River.
Sheet 3	9	Yes	<p>Links Manor Farm and Grove Wood in the north to Long Covert in the south, via Watch Walk Whin.</p> <p>Static bat detector 5 was located on this hedgerow, south of the proposed crossing point. This detector recorded Barbastelle passes in 4 months out of the 8 that it was deployed for. Of those 8 months, it failed to record completely for 2 months and didn't reach a minimum of 5 nights of recording in another two months, so 50% of the survey effort fell below the minimum best practice requirement.</p> <p>Of note is that the detector recorded 44 Barbastelle passes in August 2024, despite only operating for 3.5 nights that month. Barbastelle were the third most commonly recorded species in that month (behind Common and Soprano Pipistrelles). August is a key maternity month for bats, and this level of activity could indicate that a maternity roost is present in the vicinity, potentially within Long Covert (to the south), Watch Walk Whin (immediately adjacent to the detector location) or Grove Wood ancient woodland (to the west).</p>

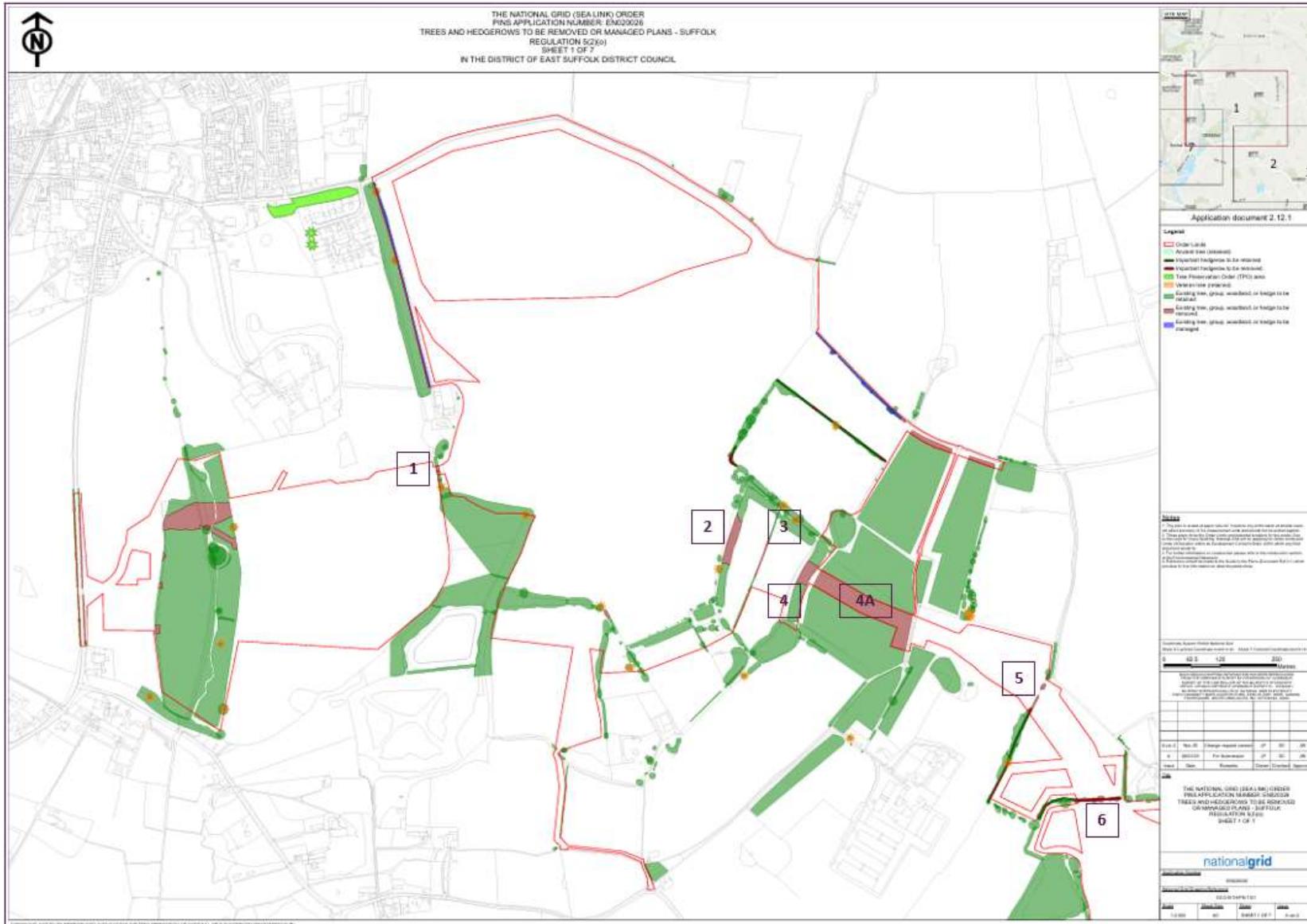
			Barbastelle calls were also recorded north and south of the proposed crossing point in this hedgerow in August and September 2024.
Sheet 3	10	Yes	Links Grove Wood (Ancient Woodland and County Wildlife Site) to Long Covert and Wood Walk Whin. Hedgerow is connected to the east to Hedgerow 9 (above) where static detector 5 was located. Barbastelle calls were recorded either side of the proposed hedgerow gap on the walked transect survey in August 2024 and September 2024.
Sheet 3	11	Yes	Links Long Covert south and west towards Friston and south and east towards Bull's Hall (where there is potential roosting and foraging habitat). Part of a local network of hedgerows, along with 12 and 13 which together provide connectivity in this part of the Order Limits. This is also the hedgerow where the potential dormouse record was made.
Sheet 3	12	Yes	Links Long Covert to Bull's Hall (where there is potential roosting and foraging habitat). Part of a local network of hedgerows, along with 11 and 13 which together provide connectivity in this part of the Order Limits. It is understood that the majority of this hedgerow will be temporarily lost to a construction compound and it is therefore unclear how Heras fencing based construction mitigation will be implemented. Barbastelle calls were recorded to the west of proposed hedgerow to be removed on the walked transect survey in August 2024.
Sheet 3	13	No	Relatively newly planted hedgerow, considered to have relatively limited bat connectivity to foraging/roosting areas in the wider landscape. Importance may increase in the future as the hedgerow matures.
Sheet 3	14	No	North side of B1069. Provides some landscape connectivity, however may be to an extent compromised by the immediately adjacent road.

Sheet 3	15	No	South side of B1069. Provides some landscape connectivity, however may be to an extent compromised by the immediately adjacent road.
Sheet 4	16	Yes	Links Jay's Covert to Park Farm New Covert and Park Farm (potential roosting and foraging area). Static bat detector 4 was located on this hedgerow. This detector recorded Barbastelle passes every month that it recorded for except one, despite failing to achieve a minimum of five nights of monitoring for 2 months out of 8 (including one month on no recordings).
Sheet 4	17	Yes	Links Foxburrow Covert (Ancient Woodland) to Park Farm New Covert and Park Farm (potential roosting and foraging area).
Sheet 4	18	Yes	Links Foxburrow Covert (Ancient Woodland) to Park Farm New Covert and Park Farm (potential roosting and foraging area).
Sheet 4	19	Yes	Links Great Wood (Ancient Woodland and County Wildlife Site) to potential foraging habitats around the farm reservoir to the south. The walked transect survey in October 2023 recorded a Barbastelle pass adjacent to the reservoir.
Sheet 4	20	Yes	Links Great Wood (Ancient Woodland and County Wildlife Site) to Miller's Covert (Ancient Woodland). Static bat detector 3 was located on this hedgerow, south of the proposed crossing point. This detector recorded Barbastelle passes every month that it recorded for, despite failing to achieve a minimum of five nights of monitoring for 2 months out of 8 (including one month on no recordings).
Sheet 5	21	Yes	Links woodland on Aldeburgh Golf Course (Old Broom Covert) to potential foraging habitats around Chapel Barn Farm. The walked transect surveys recorded Barbastelle passes between Hedgerow 21 and Hedgerow 22 in August 2023, October 2023 and May 2024.

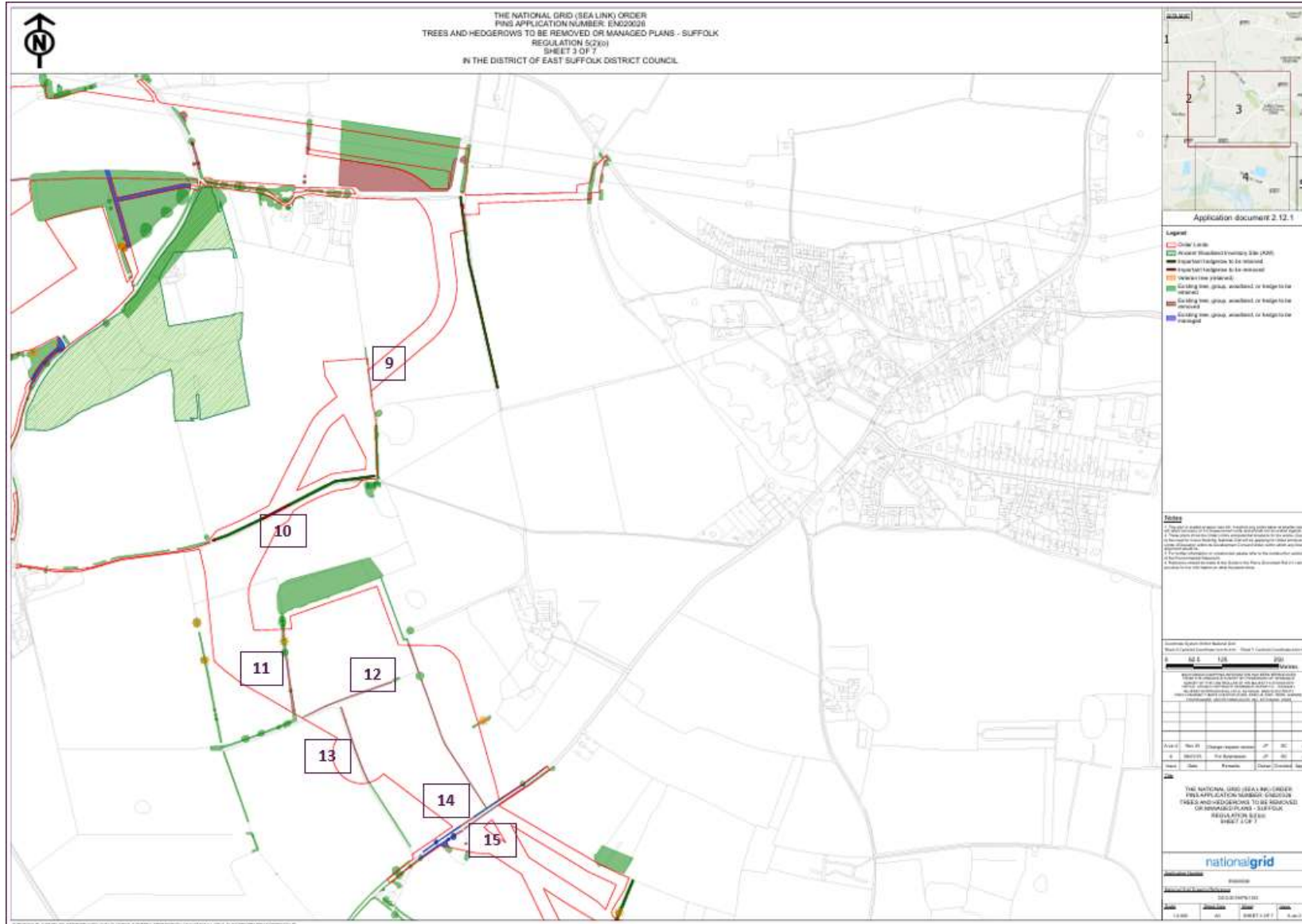
Sheet 5	22	Yes	<p>Links woodland on Aldeburgh Golf Course (Old Broom Covert and Round Plantation) to potential foraging habitats around Chapel Barn Farm.</p> <p>Static bat detector 2 was located on this hedgerow. This detector recorded Barbastelle passes in all months that it was deployed for except one (7 out of 8 months), despite failing to achieve a minimum of five nights of monitoring for 3 months out of 8. A peak per month of 130 Barbastelle calls was recorded in May 2024, despite the detector only recording for 4 nights in that month.</p> <p>In addition, the walked transect surveys recorded Barbastelle passes between Hedgerow 21 and Hedgerow 22 in August 2023, October 2023 and May 2024.</p>
Sheet 5	23	Yes	<p>Links woodland on Aldeburgh Golf Course (Old Broom Covert and Round Plantation) to potential foraging habitats around Chapel Barn Farm.</p> <p>The walked transect surveys recorded Barbastelle passes between Hedgerow 21, 22 and 23 in October 2023 and May 2024.</p>
Sheet 5	24	No	<p>Whilst similar to Hedgerow 23, the hedgerow is already fragmented to the south by the golf course development.</p>
Sheet 5	25	No*	<p>Area of trees and scrub. Appears unlikely to be important for connectivity.</p> <p>*However, this area is considered to have potential to be of some value for foraging (and possibly roosting) bats. Barbastelle calls were recorded nearby (to the east) on transect survey in June 2024.</p>
Sheet 5	26	No	<p>End of tree line with no connectivity to the east.</p>

			Static bat detector 1 was located on this treeline. A very small number of barbastelle calls were recorded at this location, with a peak per month of 18 calls in 4.5 nights in September 2023.
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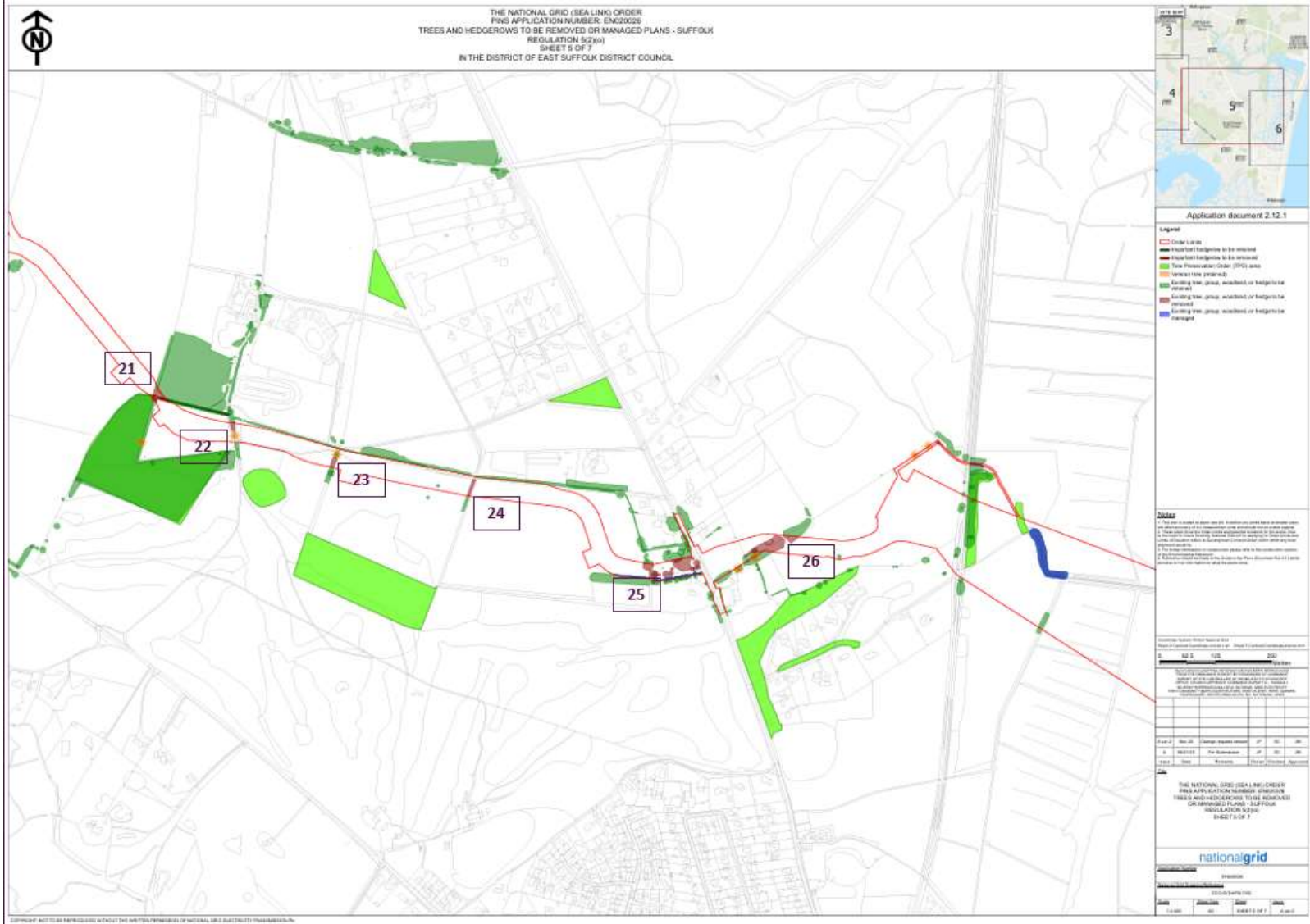
Sheet 1



Sheet 3



Sheet 5



Appendix B – ESC comments on draft Register of Environmental Actions and Commitments (REAC)

ESC is concerned that the wording employed by the Applicant in the draft REAC is in places vague, ambiguous and on occasion, meaningless.

Requirement 5 “*Management Plans and Commitments*” in the draft DCO provides that –

- (1) *All works forming part of the authorised development must be carried out in accordance with the management plans, schemes and strategies listed in sub-paragraph (2) below unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan, scheme or strategy concerned.*
- (2) *The plans, schemes and strategies referred to in paragraph (1) above comprise the following –*
 - (a)
 - (b)
 - (c) *Register of Environmental Actions and Commitments Section 1 (contained within Chapter 2 of the Register of Environmental Actions and Commitments).*

The practical reality, however, is that the obligation in Requirement 5 is meaningless insofar as the REAC is concerned if the wording contained in the REAC is so drafted that the performance and interpretation of any given commitment is entirely at the subjective discretion of the Applicant – which ESC believes to be the case in a large number of the proposed actions and commitments.

Paragraph 1.1.4 claims that the REAC “*has been developed to provide firm, precise commitments for measures that are not subject to amendment*”. It continues that section 1 of the REAC “*provides reassurance to Interested Parties, the Examining Authority and the Secretary of State that these measures will apply as written*”. The Applicant has asserted that it is bound by the REAC. ESC, however, does not believe that to be an accurate portrayal of the actual effect of document – rather it seems to be a “get out of jail free” card for the Applicant.

We have referenced first the ID number (Column 1), the Potential Changes (Column 3) followed by our proposed amendments to the Mitigation Commitment (Column 4). Proposed additions to the text of the commitments are highlighted in red, while deleted text is shown as struck out.

General Onshore Scheme

Table 2.1 – REAC - Onshore mitigation

General Project Commitments

Ecology and Biodiversity

B11 - To reduce ecological impact: *Between the Saxmundham Converter Station and Friston Substation the HVAC and HVDC cables will both be in trench, so the width will be greater. In this area, the width would be minimised to 39m. ~~where possible~~.*

B64 – Impact on ponds: Where there are existing ponds (~~as shown on Ordnance Survey mapping~~) within the Order limits, these will not be removed as part of the works. ~~This measure does not apply to any new ponds created since submission of the application.~~

Geology and Hydrogeology

GH12 – Impacts on sensitive groundwater features: Sensitive routeing and siting of infrastructure and temporary works ~~will be adopted as~~ to avoid sensitive features such as groundwater Source Protection Zone (SPZ) 1. ~~where possible~~ A risk assessment, ~~to be approved by the relevant planning authority~~, will be undertaken if the most vulnerable areas cannot be avoided.”

GH13 – Impact from geotechnical hazards: *The Proposed Project ~~incorporates suitable will incorporate~~ consideration of in accordance with best practice and in consultation with the relevant planning authority.*

Agriculture and soils

AS10 – Permanent landtake from agricultural land: *During construction, the design will be developed to minimise permanent land take requirements from agricultural land. ~~where possible.~~*

Noise and Vibration

NV04 – Impacts on noise sensitive receptors: *For ~~both~~ routine and more substantial maintenance activities, the contractor will conduct ~~an a proportionate a comprehensive~~ assessment of potential noise and vibration impacts, ~~as may be required.~~ ~~Where applicable and in consultation with the relevant planning authority~~ mitigation measures will be incorporated into the works to reduce the effects from noise and vibration ~~to an acceptable level.~~*

ESC notes that “*routine and more substantial*” are not defined and requests clarity in this regard.

NV05 – Impacts on noise sensitive receptors: *For decommissioning activities, the contractor will conduct a comprehensive ~~a proportionate~~ an assessment of potential noise and vibration impacts. ~~as may be required.~~ In consultation with the relevant planning authority, mitigation measures will be incorporated into the works to reduce the effects from noise and vibration to an acceptable level.*

Air Quality

AQ15 – Impact on air quality sensitive receptors: *Where **substantial** maintenance activities are required during the operational phase and have the potential to generate dust or emissions, ~~proportionate~~ dust and emissions management measures consistent with those committed to for the construction phase shall be implemented, ~~as appropriate,~~ to minimise*

Climate Change

CC03 – Operational carbon as a result of the Proposed Development: *At the detailed design stage, the Contractor shall review all switchgear and substation equipment to determine whether the proposed Project can be designed to avoid the use of SF6 reliant assets. Where SF6 free alternatives are not technically feasible or are grossly disproportionate in cost, the contractor shall document the alternatives considered and the justification for the continued use of SF6 reliant equipment and implement an emissions monitoring and control plan that is fully compliant with the Fluorinated Gas (F gas) Regulation and any successor legislation. **The written review, written document and all related information will be forwarded to the relevant planning authorities for their consideration prior to implementation.** The contractor shall ensure that any SF6 reliant assets installed are subject to **non-low** leakage specifications. Where SF6 reliant equipment is required, the design shall, ~~wherever practicable~~ accommodate the potential for future replacement with SF6 free alternatives.*

CC04 – Embodied carbon as a result of the Proposed Development: *Low carbon construction techniques, including low carbon plant, vehicles and equipment, will be used. ~~, where appropriate, in line with National Grid policy.~~*

Table 2.2 – REAC - Suffolk Onshore Scheme

General Project Commitments

GG41 – Radiation emergency event: *The Applicant will prepareand will be submitted to Suffolk County Council for review and approval prior to commencement.*

Ecology and Biodiversity

B19 – Impacts from polarised light pollution on the River Fromus: *In consultation with the relevant planning authority a light-coloured.....*

B21 - Impacts on Sandlings SPA or Leiston-Aldeburgh SSSI: *HVDC cables will ~~would~~ be installed*

B29 - Impacts on the orchid population: *During worksmicro-sited to avoid the orchid population wherever possible*

Agriculture and Soils

AS13 - Impact on graziers: *The Applicant will not restrict the ability of graziers and their animals to freely move about the RSPB North Warren Reserve without first notifying the RSPB and securing the RSPB's approval in writing. ~~prior notification to RSPB~~*

Noise and vibration

NV07 – Impacts on noise sensitive receptors: *Saxmundham Converter Station will include appropriate noise mitigation measures in the design to be approved by the relevant planning authority.*

Proposed substations Additionally, ~~where practicable~~, the substation and converter station will be designed so as to operate at designs will seek to achieve noise levels which measured at nearby noise sensitive receptors will be as low as reasonably practicable. ~~possible~~.