

**The Great Grid Upgrade**

Sea Link

# Sea Link

**Volume 9: Examination Submissions**

Document 9.133 Applicant's Written Summaries of Oral Submissions at Issue Specific Hearing 3

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# 1. About This Document

## 1.1 Introduction

- 1.1.1 This document summarises the oral submissions made by National Grid Electricity Transmission plc (the Applicant) at Issue Specific Hearing 2 (ISH2) held between Wednesday 25 March 2026 and Friday 27 March 2026, in relation to the Sea Link Project (the Proposed Project).
- 1.1.2 The hearing on Wednesday 25 March was split into two sessions across the afternoon, and commenced and concluded at the following times:
- Session 1, Wednesday 25 March 2026, start 14.00, closed 15.29
  - Session 2, Wednesday 25 March 2026, start 15.45, closed 17.47.
- 1.1.3 The hearing on Thursday 26 March 2026 was split into four sessions across the day, and commenced and concluded at the following times:
- Session 1, Thursday 26 March 2026, start 10.00, closed 11.29
  - Session 2, Thursday 26 March 2026, start 11.45, closed 13.15
  - Session 3, Thursday 26 March 2026, start 14.00, closed 15.31
  - Session 4, Thursday 26 March 2026, start 15.45, closed 17.36
- 1.1.4 The hearing on Friday 27 March 2026 was split into two sessions across the morning, and commenced and concluded at the following times:
- Session 1, Friday 27 March 2026, start 10.00, closed 11.30
  - Session 2, Friday 27 March 2026, start 11.45, closed 12.49.
- 1.1.5 The agenda for the ISH3 dealing with environmental matters was set out by the Examining Authority (ExA) in advance of the hearing **[EV9-001]**. The summary of oral submissions provided in this document follows the order of the agenda items as undertaken during the issue specific hearing, noting that the numbering is not in order to reflect the discussions during the sessions.
- 1.1.6 This document has been prepared with the assistance of Artificial Intelligence (AI). In this instance CoPilot was used in April 2026 to help with summarising the dialogue between the Applicant and the ExA during Issue Specific Hearing 3. The Applicant's use of AI has been limited to highlighting key points in the back-and-forth discussion between the parties, captured in Tables 2.1 – 14.1. The use of AI has not replaced members of the project team taking notes during the hearings or listening back to the recordings of the hearings.
- 1.1.7 Furthermore, in line with the Planning Inspectorate's guidance, the Applicant's use of AI has been lawful and the Applicant takes responsibility for the factual accuracy of the content and conclusions within this document.

## 1.2 Attendees on Behalf of the Applicant

1.2.1 [REDACTED] and [REDACTED] appeared on behalf of National Grid Electricity Transmission plc, the Applicant.

1.2.2 The following representatives were also in attendance:

- [REDACTED] (Water Environment)
- [REDACTED] (Traffic and Transport)
- [REDACTED] (Traffic and Transport)
- [REDACTED] (Onshore Engineering)
- [REDACTED] (Consents)
- [REDACTED] (Archaeology)
- [REDACTED] (Built Heritage)
- [REDACTED] (Terrestrial EIA and Cumulative Effects)
- [REDACTED] (Marine Physical Environment)
- [REDACTED] (Marine engineering)
- [REDACTED] (Marine Consents)
- [REDACTED] (Noise and Vibration)
- [REDACTED] (Air Quality)
- [REDACTED] (Ornithology)
- [REDACTED] (Ecology)
- [REDACTED] (BCLP, solicitor)
- [REDACTED] (Project Director)

## 2. Applicant's Summary of Case on Item 2.0: Matters arising from the Examining Authority's third written questions (ExQ3) published on 23 March 2026

**Table 2.1 The Applicant's Summary of Oral Submissions on Item 2.0: Matters arising from the Examining Authority's third written questions (ExQ3) published on 23 March 2026**

Item discussed	Summary of Oral Case
<b>2.0 Matters arising from the ExQ3 published on 23 March 2026</b>	
ExAs third written questions published, responses and approach from the Applicant	<p>The Applicant confirmed that it would respond in full to the relevant written questions at the applicable deadline, including matters raised under ExQ3.</p> <p>In relation to the mitigation hierarchy, the Applicant confirmed that it considers the hierarchy has been applied in full throughout the iterative Environmental Impact Assessment process, including to all residual effects.</p> <p>The Applicant noted that the mitigation hierarchy is directed at significant environmental effects and residual significant effects are expected. Reference was made to paragraph 4.3.8 of EN1, which states that: <i>'In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms 'effects', 'impacts' or 'benefits' should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.'</i> Therefore, the Applicant will provide further detail on how the mitigation hierarchy has been applied to each residual significant effect will be provided at Deadline 6 to reassure the ExA that this is the case.</p> <p>The Applicant noted that compensation is not treated equally in policy terms to other aspects of the mitigation hierarchy and it is not expected that the mitigation hierarchy should be applied until there are no residual significant effects.</p> <p><b>Action Point 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.</b></p>

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Item discussed	Summary of Oral Case
Aldeburgh Town Council raised that a meeting with the Applicant has not yet been arranged	<p>The Applicant acknowledged concerns raised by the Aldeburgh Town Council regarding email communications and correspondence and confirmed that these matters would be investigated. The Applicant explained that recent sickness absence and wider resourcing pressures had contributed to the situation, which was regretted. The Applicant confirmed that it would make contact to address the issues raised and would provide a further response where possible.</p> <p><i>Post meeting note: The Applicant spoke to Aldeburgh Town Council at the hearings and has since held a meeting to discuss concerns.</i></p>

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### 3. Applicant's Summary of Case on Item 3.0 Water Environment

**Table 3.1 The Applicant's Summary of Oral Submissions on Item 3.0: Water Environment**

Item discussed	Summary of Oral Case
<b>3.1 Flood Risk</b>	
Environment Agency provided an update of progress with Applicant	<p>The Applicant thanked the Environment Agency for setting out the relevant points and provided a general update on progress. The Applicant confirmed that it has been working closely and constructively with the Environment Agency and expressed appreciation for the focus and consideration given to the matters raised. The Applicant advised that actions have been agreed which it considers will resolve all outstanding issues, and that the Applicant will aim to complete actions and reflect decisions in updated submissions at Deadline 6.</p> <p>The Applicant outlined that updates to the Flood Risk Assessment for Deadline 6 will include additional information on coastal erosion and flood risk; drawings of the Fromus and Stour bridges showing soffit levels relative to mAOD; a high-level construction method statement for the Stour bridge; details of flood conditions affecting the western approach to the Fromus bridge; and further information and assessment relating to two temporary drainage ponds located within Flood Zone 3a in Suffolk and Flood Zone 3b in Kent.</p> <p>In relation to commitments, the Applicant referred to commitments W02, W06, GG14 and W35, which secure floodplain compensation storage, prevent or restrict temporary works within Flood Zone 3 and areas of high and medium surface water flood risk (including materials storage and haul road construction), and secure the removal of temporary works and reinstatement of land following construction. The Applicant confirmed that the Stour bridge construction method statement is available and can be provided to the Environment Agency immediately.</p> <p><b>Action Point 2: Provide a summary of the current position regarding outstanding issues raised at DL5, set out any live flood risk issues that the ExA needs to be aware of, and draft any additional commitments/requirements necessary to mitigate the effects of flood risk.</b></p>
Flood risk at Minster Marshes	<p>In response to points raised regarding flood risk at Minster Marshes, the Applicant explained that it has worked closely with the Environment Agency and the relevant local authority in preparing the Flood Risk Assessment, which has been reviewed and subject to feedback, with concerns being actively addressed. The Applicant</p>

Item discussed	Summary of Oral Case
	<p>advised that the issues raised by local objectors are not reflected by the statutory bodies. The Applicant referred to information submitted at Deadline 5, which describes recent flooding conditions and explains that rainfall has been unable to infiltrate the ground due to the underlying soils and geology, resulting in surface water remaining on the land. This assessment is based on available ground investigation data.</p>
<h3>3.2 The applicant's approach to the sequential and exception tests</h3>	
<p>Suffolk County Council's position on the sequential test</p>	<p>The Applicant provided an update in response to concerns raised by SCC. The Applicant confirmed that changes have been made to commitment W06, which now differentiates between works in Kent and Suffolk. The Applicant explained that, in Suffolk, the revised commitment secures that all material storage would be located within Flood Zone 1.</p>
<p>Temporary storage basin in Flood Zone 3 (Suffolk)</p>	<p>In response to concerns raised regarding the location of the temporary drainage pond, the Applicant explained that the matter has been discussed extensively with the Environment Agency, whose remit covers fluvial flooding. The Applicant confirmed that the pond is located within Flood Zone 3a rather than Flood Zone 3b. The Applicant advised that the Environment Agency is reviewing the relevant policy wording and will confirm its position on whether compensatory floodplain storage is required, but is no longer insisting that the pond be relocated (albeit this would be the preference).</p> <p>The Applicant explained that its position is that the pond cannot reasonably be moved due to significant constraints on the Order Limits, which were defined prior to the most recent flood mapping update. The pond is located within a natural topographical low point and has been sited to minimise impacts on the affected landowner. The Applicant confirmed that, should compensatory storage be required, a suitable design solution would be provided.</p> <p>The Applicant noted that an alternative design solution has been considered, involving a linear drainage feature along the construction swathe rather than a pond. While space constraints mean this option would be more difficult to deliver and the Applicant's preference is to retain the pond, it remains feasible if required.</p> <p>In addressing the local authority's ongoing concerns, the Applicant confirmed that the Environment Agency is no longer insisting on relocation of the pond. The Applicant explained that concerns relating to fluvial floodwater ingress would be mitigated by the shallow depth of floodwater during a 1-in-100-year flood event and the presence of a raised bund to exclude floodwater, meaning there would be no loss of storage volume available for surface water runoff. The Applicant emphasised that it is actively considering compensatory storage where required, that alternative solutions remain available if necessary.</p>

Item discussed	Summary of Oral Case
	<p><b>Action Point 3: Suffolk County Council (SCC), EA and applicant to pull together a position statement regarding the need, or otherwise, to locate the temporary drainage pond out of fluvial flood zone 3 in Suffolk.</b></p>
Flood risk to local communities	<p>In response to concerns raised, the Applicant confirmed that, in relation to Suffolk, there would be no increase in flood risk to local communities during either construction or operation of the Proposed Development. The Applicant explained that this position is secured through the package of controls and mitigation measures proposed, together with the implementation of a sustainable drainage design, and that there would be no resulting detriment to communities. In terms of wider sustainability benefits, the Applicant advised that these are set out most comprehensively within the Planning Statement [AS-057].</p> <p><b>Action Point 4: Suffolk County Council to confirm if any wider sustainability benefits to the community are deemed necessary to outweigh flood risk as per NPS EN1, section 5.8.11. In answering, provide full reasoning for your position and, if necessary, drafting for the DCO and/or Register of Environmental Actions and Commitments (REAC) suitable to secure.</b></p>
<p><b>3.3 Matters relating to the objectives of the Water Framework Directive</b></p>	
Update on objectives of the Water Framework Directive	<p>The Applicant provided an update in relation to matters arising under the Water Framework Directive. The Applicant confirmed that, as at Deadline 5, the Environment Agency was satisfied with the design of the bridge in relation to the WFD objectives. The Applicant advised that five further issues are being resolved following further discussions and the identification of appropriate solutions. The Applicant confirmed that matter EA053 was resolved through email correspondence dated 20 March.</p> <p>The Applicant further advised that updated commitments have been shared with the Environment Agency, which has confirmed that the wording is acceptable and should be incorporated into the Applicant's submissions. The Applicant confirmed that a new commitment relating to firefighting water (W36) has been included within the Register of Environmental Actions and Commitments, and that the Environment Agency has confirmed by email that it is content with this approach.</p> <p>The Applicant also confirmed that the Kent drainage strategy has been updated so that its wording now aligns with the Suffolk strategy. Commitment W32 has been updated within the Register of Environmental Actions and Commitments in relation to concrete pours and washout, with the Environment Agency confirming that it is content for this to be included. The Applicant advised that the Environment Agency has been included as a named consultee under Requirement 6 in response to matter EA043.</p>

Item discussed	Summary of Oral Case
Save Minster Marshes hydrogeological assessment	<p>In addition, the Applicant confirmed that commitment GG15 has been updated in response to matter EA045, and that commitment W26 has been updated to address the Environment Agency’s comments in relation to matter EA046, in accordance with the agreed briefing note position.</p> <p><b>Action Point 5: Joint position statement with respect to all matters relating to the proposed development meeting the objectives of the WFD. In answering confirm position with respect to 5 outstanding matters identified at DL4 – EA040, EA041, EA043, EA045 and EA046.</b></p>

## 4. Applicant's Summary of Case on Item 4.0: Traffic and Transport

**Table 4.1 The Applicant's Summary of Oral Submissions on Item 4.0: Traffic and Transport**

Item discussed	Summary of Oral Case
<b>4.1 Junction Capacity Modelling – responses and updates</b>	
Kent junction capacity modelling	<p>The Applicant expressed thanks to KCC highways for its engagement and noted that the traffic impacts arising from the Proposed Development are relatively small. The Applicant explained that, following submission of the traffic modelling, further feedback has been received from KCC including requests relating to additional measures and mitigation. The Applicant confirmed that these comments have been received recently and are currently under review, and that it will revert both to the KCC and to the Examining Authority on the feasibility of delivering the requested measures and how these could be appropriately secured.</p> <p>The Applicant advised that it has received helpful comments and is actively working through these to prepare a response. The Applicant confirmed that, by Deadline 6, revisions to the relevant control documents, including the Construction Traffic Management Plan, may be submitted, with a view to agreeing matters as soon as possible.</p> <p>In relation to existing capacity issues at certain junctions, the Applicant explained that, while these are known to KCC, the Proposed Development's contribution to traffic at those locations would be negligible in comparison to existing traffic flows. The Applicant confirmed that average daily construction traffic would be significantly lower than the worst-case scenario modelled, with the worst- case representing the single busiest day within the peak year. The Applicant advised that even this worst-case scenario would be approximately 40–50% lower than existing peak traffic flows and would be limited to a short peak period of around one month.</p>
Suffolk junction capacity modelling	<p>The Applicant agreed to share the relevant material with SCC highways authority ahead of Deadline 6, by 1 April, in order to allow sufficient time for discussion and feedback to be provided at Deadline 6.</p> <p>In responding to concerns raised, the Applicant explained that committed highway schemes on the A12 are expected to come forward well in advance of the peak construction period for the Proposed Development and would therefore provide additional capacity on the A12, which would be beneficial in the context of the Proposed Development.</p>

Item discussed	Summary of Oral Case
	<p>In relation to journey time analysis, the Applicant confirmed that journey time and delay effects are addressed through the junction modelling and associated delay analysis. The Applicant explained that undertaking further strategic transport modelling would not be feasible, necessary or proportionate.</p> <p>The Applicant confirmed that it does not agree with concerns raised regarding the scope of the transport modelling and will provide a written justification of the modelling scope. The Applicant explained that approximately 96% of construction traffic would utilise the routes included within the modelling. By way of context, the Applicant stated that traffic movements at certain locations where further modelling has been requested by SCC, such as the signalised Aldeburgh roundabout, would involve fewer than 10 Heavy Goods Vehicles per day. The Applicant emphasised that, in proportional terms, the impacts are negligible and below thresholds that would warrant further investigation. The Applicant confirmed that the relevant modelling results would be issued by 1 April 2026.</p> <p><b>Action Point 6: Suffolk County Council to provide a written summary of the A12 works, setting out what is currently happening and what more is planned over the next few years. SCC to also set out if these works could benefit the proposed development, particularly the construction phase.</b></p>
<p>Traffic and transport baseline data</p>	<p>The Applicant provided an update in relation to baseline data and modelling. The Applicant explained that the transport modelling undertaken is a thorough process, incorporating baseline data collection and a validation exercise. The scenarios modelled include cumulative development, taking account of all relevant schemes previously discussed. The Applicant confirmed that the modelling results, including the cumulative scenario, will be shared imminently.</p> <p>In relation to Baseline traffic numbers, the Applicant explained that Baseline survey data collected in January and February (2024) informed the modelling undertaken. In addition, the modelling reflects the single busiest day associated with Sea Link, representing a robust assessment of peak impacts. The Applicant advised that applying a seasonality factor to the baseline data would not materially alter the conclusions of the assessment, but would simply marginally increase baseline figures without changing the overall results.</p>
	<p>In response to points raised, the Applicant confirmed that it has considered requests relating to construction traffic at the Aldeburgh roundabout. While there is currently no specific commitment limiting movements to a defined number of Heavy Goods Vehicles at that location, the Applicant confirmed that the request has been acknowledged and is actively under review.</p> <p>In relation to seasonality of the Baseline data, the Applicant confirmed that this matter has been addressed and not disregarded. The Applicant explained that use of a neutral month traffic survey data for the Baseline (in this case winter months) results in a lower Baseline traffic level, which in turn produces a greater apparent scheme impact. Conversely, a higher seasonal Baseline would reduce the relative effect of the Proposed Development.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant emphasised that the assessment is based on a worst-case modelling scenario, including cumulative projects, such that the specific Baseline season does not alter the robustness of the conclusions. The Applicant confirmed that a further written response will be provided at Deadline 6.</p> <p><b>Action Point 7: Suffolk County Council and the Applicant to meet to discuss whether journey time analysis, particularly for the A12 in the area of the proposed development in Suffolk, could be produced, maybe with the use of the junction modelling. Provide an update at DL6.</b></p>
	<p>In response to points raised on junction modelling, the Applicant explained that the number of vehicles generated by the Proposed Development making turning movements at the relevant junctions would be minimal. The Applicant confirmed that the turning movements attributable to the Proposed Development are very low and would not give rise to material impacts.</p> <p>The Applicant further explained that, in relation to movements between the A-road network and the local road network towards Friston, the likelihood of construction vehicles making those turning movements is limited. The Applicant confirmed that the distribution of construction traffic has been assessed through the modelling and demonstrates that movements associated with the Proposed Development would be minimal in scale.</p> <p>The Applicant also addressed concerns regarding the suitability of junctions for heavy goods vehicles, explaining that these matters have been considered as part of the assessment and that the low number of construction vehicle movements means that any such effects would be negligible.</p> <p><b>Action Point 8: Provide details on how larger vehicles would manage to turn safely at the junction of the A1094 onto B1121 south of Friston. This should include diagrams to show swept paths of larger vehicles including HGVs.</b></p>
Junction from A1094 towards Friston	<p>In response to questions regarding peak construction traffic and information submitted by the Local Authority at Deadline 5, the Applicant explained that the relevant submissions have been reviewed alongside information provided during discussions earlier in the year. The Applicant advised that comparisons drawn with forecast construction traffic for other projects demonstrate that, while individual peak days may vary, the actual peak could occur between forecast scenarios. The Applicant emphasised that the assessment has consistently modelled a worst-case cumulative scenario and that the proposed construction traffic for the Proposed Development sits within, and does not exceed, that worst-case position.</p> <p>In relation to comments regarding 2028 being identified as a peak year, the Applicant confirmed that it has reviewed the relevant written questions and will update the Transport Assessment Tables accordingly. The Applicant explained that different parts of the highway network experience peak impacts in different years, depending on the interaction of access points and overlapping construction programmes. The Applicant</p>

Item discussed	Summary of Oral Case
	<p>confirmed that the peak year for the Proposed Development may differ from the cumulative peak year, which in some locations is driven by other major projects, and that this variation will be clearly explained in the updated material.</p> <p><b>Action Point 9: Suffolk County Council to respond to the submitted document 9.107 Applicant's Response to SCC's DL4 Submission on Alternate Access to Saxmundham Converter Station.</b></p>
<p>Transport of aggregate and number of vehicles in Kent, transporting to Converter Station site</p>	<p>In response to concerns raised regarding the scale of aggregate movements and suggestions of very high construction traffic volumes, the Applicant clarified that the assessment is based on the single busiest construction day, which would involve up to 108 Heavy Goods Vehicles which is the maximum total across all access points. The Applicant explained that average daily construction traffic during the peak year would be approximately 50% lower than this worst-case scenario; and that traffic in other years was lower still.</p> <p>The Applicant confirmed that junction modelling has been undertaken on a worst-case basis and that construction traffic would be distributed across different routes depending on the relevant access points, rather than all vehicles using a single route. The Applicant acknowledged that the A256 would function as the principal access route, but emphasised that the assessed impacts reflect a robust worst-case position and do not support claims of significantly higher vehicle numbers.</p> <p><b>Action Point 10: Applicant to respond to Mr Stevens concerns regarding numbers of HGVs which would have to access Minster Marshes during the construction phase.</b></p>
<p><b>4.4 Benhall Railway Bridge update and abnormal load routes</b></p>	
<p>Update on structure investigations on Benhall Railway Bridge</p>	<p>The Applicant provided an update on the approval in principle process, confirming that this remains ongoing. The Applicant explained that discussions have been ongoing for a number of months and that the outcome of this work will inform the option ultimately taken forward for Benhall Bridge. The Applicant confirmed that a more detailed written update, including a clearer chronology, can be provided.</p> <p>The Applicant confirmed that Network Rail has indicated its consent to the proposed approach, subject to the provision of method statements for access, which the Applicant will supply. The Applicant advised that comments were received from SCC shortly before the hearing, including references to a historic report, which has not yet been provided and is awaited. The progression of the investigations has been delayed by SCC's response timescales and the programme is not within the Applicant's control.</p> <p>The Applicant explained that any structural assessments necessary prior to AIL movements are generally undertaken post consent and the assessment of Benhall Bridge will not be complete before the close of Examination. The Applicant confirmed that the bridge has a load capacity of 46 tonnes and is suitable for the majority of the Proposed Project construction traffic. The Applicant noted that the relevant alternative route option</p>

Item discussed	Summary of Oral Case
	<p>has always been included within the Construction Traffic Management Plan and reflects routes used by other consented projects.</p> <p>The Applicant also addressed the potential for temporary closure of a local road to facilitate a temporary bridge, explaining that any closure would be localised to the bridge location, with the B1121 (Church Hill) junction remaining open and access towards Friston maintained.</p>
Repair of Benhall Railway Bridge	<p>In response to points raised regarding the wording of options for Benhall Bridge, the Applicant explained that the current position refers to a preference rather than a commitment. The Applicant noted that committing to a specific option involves third party approvals and processes, including those of Network Rail and SCC. It will also depend on the outcome of the structural assessment, which may show either that no work is required or that work required is too significant to complete within available timescales. The Applicant advised that it remains the intended approach to deliver additional benefits by repairing the bridge and that this may be possible even if not completed prior to the first AIL movement. The Applicant will consider whether it is possible to provide a firmer commitment than is in application documents whilst acknowledging that there are reasons why the mini-bridge option may still become the approach taken forward.</p> <p><b>Action Point 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? Should it be that if Option 1 is fully available then the applicant commits to taking this option ahead of the other options?</b></p>
Clarification on HGV numbers on Sundays and Bank Holidays	<p>The Applicant clarified that the relevant restriction applies in association with works undertaken outside of core working hours, such as horizontal directional drilling or cable jointing activities. The Applicant confirmed that restrictions on heavy goods vehicle movements would apply outside of core working hours.</p>
<p><b>4.5 Potential capping of heavy good vehicles using the local road network</b></p>	
Monitoring and potential capping of construction traffic	<p>In response to points raised regarding monitoring and potential capping of construction traffic, the Applicant explained that commitment TT02 within the Register of Environmental Actions and Commitments provides a cross reference to the comprehensive suite of controls secured through the Construction Traffic Management Plans for both Suffolk and Kent, including a combination of timing restrictions and targeted caps at specific locations.</p> <p>The Applicant explained that national policy does not support the imposition of restrictions or caps unless they are strictly necessary and justified. The Applicant confirmed that the transport assessment demonstrates no significant traffic impacts and, as such, the imposition of blanket caps or additional regulatory controls is not considered justified. The Applicant has agreed to specific caps, despite the Applicant not considering them</p>

Item discussed	Summary of Oral Case
	<p>necessary, in an effort to reach agreement and is hoping the relevant planning authorities will similarly consider a compromise position. The Applicant emphasised that reliance is placed on the Outline Construction Traffic Management and Travel Plans, which provide robust controls and restrictions appropriate to the scale of impact. The Applicant explained how this approach would operate in practice, confirming that construction activities would not take place on bank holidays in response to concerns raised. The Applicant advised that caps are proposed at certain junctions and that further review is underway in relation to other junctions and road sections within Kent. The Applicant confirmed that a dedicated traffic coordinator would be appointed to liaise with other projects and the highway authorities, and that this could result in adjustments to programme or activities to reduce vehicle movements at locations where caps have been agreed or where routes have not been adhered to. The Applicant noted that experience on other projects has demonstrated that fixed caps can be difficult to operate in practice and can have a significant adverse effect on construction programmes and efficiency. Assumptions on traffic numbers in an Environmental Statement are not intended to be secured on a day to day basis; nor do they need to be.</p> <p>In response to questions regarding decision-making on further measures to restrict vehicle numbers or routing, the Applicant explained that matters would be considered on a case-by-case basis depending on the nature of the issue identified. This could include addressing route compliance through signage, managing short-term peaks associated with specific activities, or adjusting contractor programmes where necessary to realign traffic levels.</p> <p>In responding to comparisons drawn with other projects, the Applicant confirmed that national policy does not require the imposition of caps on all assessed traffic, and that any such measures must be justified by reference to capacity and impact. The Applicant emphasised that comparisons with other schemes are not directly transferrable and that the Proposed Development must be considered on its own merits. The Applicant confirmed that the controls and mitigation proposed are sufficient and proportionate.</p> <p><b>Action Point 11: The ExA requires the Applicant to work with the County Councils (as Highway Authorities) to consider how any caps to HGV movements could be secured with wording also submitted, should the Secretary of State deem that capping is necessary. Please confirm whether this should be a requirement or part of a control document for securing the caps. This should also include which road links and junctions capping should be set and how the numbers of HGVs would be derived at to set the cap.</b></p> <p><b>Action Point 12: Suffolk County Council to Respond on the 10 HGV cap proposed by the applicant for the signalised junction in Saxmundham</b></p>
Aldeburgh Roundabout	The Applicant confirmed that it has noted the request in relation to the roundabout junction at Aldeburgh and will provide a response in due course.

Item discussed	Summary of Oral Case
Use of B1121 as an HGV route	<p>In response to concerns relating to use of the B1121, the Applicant drew attention to commitments recently added to the Outline Construction Traffic Management and Travel Plan, which specifically restrict use of the B1121 to overhead line works only. The Applicant confirmed that this approach has been deliberately tailored to address the concerns raised.</p> <p>The Applicant further explained that the latest update to the Register of Environmental Actions and Commitments reflects this position, with heavy goods vehicle movements into Friston limited solely to those associated with the overhead line works. The Applicant confirmed that construction traffic on this route would be capped at a total of 30 construction vehicles and that the route would not be used for any other heavy goods vehicle movements.</p>
Baseline data	<p>In response to points raised regarding Baseline traffic data, the Applicant confirmed that it does not agree with the concerns expressed. The Applicant explained that Baseline data, which was collected during a “neutral” time of year, is relevant to the junction modelling only insofar as determining whether junctions would operate over capacity, and that this has been appropriately addressed within the assessment. This approach is standard practice, is in line with guidance and was agreed with relevant highway authorities prior to the assessment being undertaken.</p> <p>The junction modelling is not required for the Environmental Impact Assessment, but is a separate exercise requested by the local highway authorities looking at junction capacity, although thresholds are not met that would normally require this modelling. The Applicant has applied a sensitivity test to the junction modelling undertaken to account for the different traffic patterns in the summer months.</p> <p><b>Action Point 24: Given the winter months the applicant undertook baseline traffic surveys, does there need to be a seasonal adjustment with the junction modelling to take into account busier summer months with tourism traffic? If so, please include with the junction modelling</b></p>
	<p>In response to points raised by SCC, the Applicant confirmed that three access options remain available. The Applicant acknowledged SCC’s position but emphasised that the third option reflects the route consented for SPR’s EA1N and EA2. The Applicant explained that, while surveys for this option have not yet been undertaken, this is entirely normal practice, with surveys commonly carried out post consent, and the route has already been subject to examination.</p> <p>The Applicant confirmed that it is willing to agree a cap on construction traffic at the Aldeburgh roundabout, as previously discussed.</p> <p>In relation to timing and progress on Benhall Bridge, the Applicant explained that discussions have been ongoing with the relevant bodies and that approval documentation was submitted to Network Rail and the local authority on 13 November 2025. The Applicant confirmed that Network Rail returned the documentation with comments on</p>

Item discussed	Summary of Oral Case
	<p>2 December 2025, with SCC returning it on 19 March 2026 with a January 2020 report still outstanding from SCC. The Applicant confirmed that it remains committed to undertaking the required surveys, noting that progress is dependent on third party processes. The Applicant encouraged continued engagement, confirmed agreement that this represents the preferred solution, and highlighted the potential to deliver additional community benefits.</p>
	<p><b>Action Point 14: Applicant and SCC to consider whether there should be a restriction on any HGV movements (other than in relation to the bridge works) if and when Benhall Railway Bridge is closed to public traffic. If so, explain how this should be secured and provide wording.</b></p>
	<p><b>Action Point 15: Does Kent County Council have any remaining concerns that need to be addressed during this examination in relation to Abnormal Indivisible Loads (AIL) access and the routes proposed? If so, explain how these issues could be resolved and how this should be secured.</b></p>
	<p><b>Action Point 16: Applicant to respond to Aldeburgh Town Council concerns about health care access impacts through the period of construction and suggest possible mitigation if needed.</b></p>
	<p><b>Action Point 17: Explain the time distribution of HGVs throughout a typical working day. Would there be peak times of the day for HGVs?</b></p>
	<p><b>Action Point 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?</b></p>
	<p><b>Action Point 20: Provide a joint submission from the applicant and SCC on the junction modelling, with a conclusion of how this influences the overall cumulative traffic assessment for Suffolk and whether this indicates the need for mitigation.</b></p>
	<p><b>Action Point 21: The ExA requires that the applicant and the highway authorities at SCC and KCC meet to discuss remaining matters of disagreement and try to find a way to progress on these matters as soon as possible. Provide an update at deadline 6.</b></p>

## 5. Applicant's Summary of Case on Item 5.0: Socio-economics and tourism

**Table 5.1 The Applicant's Summary of Oral Submissions on Item 5.0: Socio-economics and tourism**

Item discussed	Summary of Oral Case
<b>Health and wellbeing</b>	
Health impacts	<p>In response to matters raised regarding health impacts, the Applicant confirmed that it has heard the concerns expressed by SCC and that a meeting has been scheduled to discuss these issues further. The Applicant explained that a cumulative assessment of health effects has been undertaken and does not demonstrate significant impacts in a health context, while recognising that the Proposed Development would contribute to existing activity in the area.</p> <p>The Applicant advised that it does not consider monitoring to be an effective or proportionate response, given the significant background activity associated with other major projects (such as SZC), which would make it difficult to isolate effects attributable to the Proposed Development. Instead, the Applicant outlined a package of engagement and support measures, including the appointment of a community liaison officer trained in mental health awareness, provision of one-to-one community surgeries, and the use of neutral spaces where questions and concerns can be raised. The Applicant also confirmed the provision of a dedicated community contact telephone line and email address to ensure that enquiries can be responded to quickly and personally. This demonstrates that notwithstanding the lack of any robust evidence of individual or cumulative significant effects will occur, the Applicant has made efforts to identify actions that could further minimise effects.</p> <p>The Applicant further confirmed that it will attend and contribute to the relevant health and wellbeing working group established for SZC, noting that this approach has been agreed in principle. The Applicant reiterated that it considers this engagement led approach to be more productive than formal monitoring arrangements.</p> <p><b>Action Point 35: It is understood that SCC and the applicant are to meet on 7 April regarding access to healthcare and the implementation, monitoring and coordination of mitigation measures to minimise disruption to healthcare access. Provide an update following this meeting.</b></p>

### 5.2 Tourism impact monitoring and mitigation

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**Item discussed****Summary of Oral Case**

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In the broader context, the Applicant explained that it has committed to monitoring construction worker accommodation and the location of that accommodation under commitment SE05, with provision for responsive steps to be taken if required. The Applicant acknowledged comments on the wording of this commitment and confirmed that it is willing to discuss refinements, emphasising that the approach is intended to be proactive.

In relation to tourism impacts, the Applicant reiterated its position that formal tourism monitoring would not be feasible or effective, given the difficulty in establishing any causal link between Sea Link and any tourism outcome in general, and specifically isolating effects attributable to the Proposed Development from the potentially much larger influence of SZC. The Applicant confirmed that it has nevertheless committed to engagement and collaboration through commitment SE04, which secures liaison with relevant tourism organisations, including regular meetings to ensure issues are identified and addressed effectively. The Applicant explained that a standalone tourism fund is not considered justified, with focus instead placed on accommodation management and wider tourism engagement.

The Applicant acknowledged comments on SE04 and confirmed that it will review the wording of SE04 to clarify whether further detail can be usefully added to the commitment.

The Applicant confirmed that points raised by East Suffolk Council will be responded to in writing and noted that a meeting would also be beneficial. In relation to the threshold of 18 construction workers within defined accommodation areas, the Applicant confirmed that this figure is not arbitrary but is derived from an established methodology and provides a meaningful threshold for intervention. The Applicant explained that, in context, the Proposed Development would involve a peak workforce that is very significantly lower than other projects in the area, and would not give rise to significant effects. The Applicant noted that they had asked local authorities for any suggestions of alternative thresholds and would be very happy to consider alternatives but had not, to date, received any alternative suggestions. The Applicant noted that the commitment represented a relatively strong and unusual commitment in respect of worker accommodation, with 18 workers being a very low number by any assessment methodology, providing reassurance that the feared impact on accommodation in the Suffolk Coastal area would not occur.

The Applicant explained that it has been proactive in investigating the management of construction worker accommodation, including early engagement with main works contractors, use of booking portals, preferential rates and block bookings, and consideration of coastal accommodation areas. The Applicant confirmed that it is already taking on board comments regarding definition of relevant areas and is exploring ways to strengthen commitments to require, rather than simply encourage, use of specified accommodation for its employees and principal contractors, while recognising practical limitations for some specialist roles.

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Item discussed	Summary of Oral Case
	<p><b>Action Point 25:</b> 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><b>Action Point 26:</b> Applicant to respond to comments from SEAS that there has been no attitudinal survey of tourism in the areas of the proposed development.</p>
	<p>In response to a question regarding potential impacts on Coastal Paths, the Applicant confirmed that it would provide further information in writing.</p> <p><b>Action Point 29:</b> Provide plans of the proposed permissive paths and how they would be secured? Furthermore, why have permissive paths been proposed rather than new public rights of way?</p> <p><b>Action Point 30:</b> East Suffolk Council and Suffolk County Council to respond to the proposed permissive paths and whether they should be proposed as public rights of way?</p>
<p><b>5.1 Accommodation for workers of the proposed development</b></p>	<p>The Applicant confirmed that it will respond to the points raised, including through written submissions. In relation to concerns regarding public rights of way in Kent, the Applicant confirmed that these matters will be taken away and further clarification will be provided.</p> <p>In response to points raised on cumulative effects, the Applicant clarified that it is incorrect to suggest that no cumulative assessment has been undertaken. The Applicant confirmed that cumulative effects have been assessed within the Environmental Statement and that this assessment concludes that there would be no significant effects.</p> <p>The Applicant explained that national policy requires the consideration of whether requirements and commitments are necessary and justified, and confirmed that the package of requirements and commitments proposed is robust, effective, and goes beyond what would typically be secured, subject to ongoing consideration with the relevant consultees. The Applicant also confirmed that it is mindful of the specific local context, including seasonal factors in Suffolk, and will address these matters further in writing.</p> <p><b>Action Point 27: Host Authorities – If there was to be a Skills and Employment Plan submitted by the applicant which would be considered acceptable by the Councils, would this be sufficient to overcome any remaining concerns relating to economic impacts?</b></p> <p><b>Action Point 28: Host Authorities – Are there remaining concerns with regard to the potential displacement of tourists by workers of the proposed development (or in combination with other workers of other developments in the area) in tourist accommodation?</b></p>

## 6. Applicant's Summary of Case on Item 6.0: Health and wellbeing

**Table 6.1 The Applicant's Summary of Oral Submissions on Item 6.0: Health and wellbeing**

Item discussed	Summary of Oral Case
<b>6.1 Core working hours</b>	
Definition of 'severe weather conditions'	<p>The Applicant explained that the wording relating to severe weather conditions reflects precedent wording taken from the BTNO Development Consent Order.</p> <p>The Applicant confirmed it would review the definition of 'severe weather conditions' and advised that this matter will be addressed through a written response.</p> <p><b>Action Point 31: Applicant to reconsider text within the dDCO, requirement 7, regarding the definition of severe weather as an exception to core working hours.</b></p>
Core working hours – exceptions	<p>The Applicant clarified that the listed exceptions are wider and differ from those applied on other schemes due to the nature of the works proposed, including cable jointing, overhead line works, horizontal directional drilling and the need for certain 24-hour operations. The Applicant confirmed that further context can be provided in writing to explain where and how those exceptions would apply.</p> <p><b>Action Point 32: Host Authorities – With regard to the proposed exceptions included in requirement 7, are there any that the Council considers as should be omitted or amended?</b></p> <p><b>Action Point 33: Applicant to provide further detailed justifications for all exceptions included in requirement 7, relating to core hours.</b></p>
Precedent of Core Working Hours	<p>The Applicant responded to comments on core working hours, explaining that the approach proposed reflects established precedent, having been approved on other nationally significant infrastructure projects (BTNO, Yorkshire Green, Hinkley Point C Connection Project). The Applicant emphasised that flexibility in working hours is necessary to avoid prolonging construction activity and to allow works to be completed efficiently.</p>

Item discussed	Summary of Oral Case
Core Working Hours – update	<p data-bbox="477 185 2069 292"><b>Action Point 34: Host Authorities – All councils to work together to submit alternative wording with respect to core working hours including any restrictions and exceptions required, if the councils consider this necessary.</b></p> <p data-bbox="477 320 2069 464">In relation to working hours specifically, the Applicant explained that programme implications have been carefully considered and that bank holidays have now been excluded from core working hours, including associated Saturdays and Sundays. The Applicant confirmed that the DCO had been updated to include a commitment to mirror the working hours proposed for the Friston substation with those of SPR.</p> <p data-bbox="477 480 2069 655">The Applicant confirmed that further refinements are being made to the drafting of the Development Consent Order to clarify the treatment of associated works, including overhead line works, drainage and landscaping at Friston substation. The Applicant advised that it is content to commit to restrictions on these associated works and is re-wording the relevant provisions to ensure clarity, including where such works relate to specific numbered works.</p> <p data-bbox="477 671 2069 810">The Applicant also provided reassurance that set-up and close-down activities would not give rise to significant effects and confirmed that this will be reflected appropriately in the drafting. The Applicant further clarified that core working hours are distinct from heavy goods vehicle delivery hours, which are already subject to separate and more restrictive controls.</p>

## 7. Applicant's Summary of Case on Item 7.0: Cultural heritage

**Table 7.1 The Applicant's Summary of Oral Submissions on Item 7.0: Cultural heritage**

Item discussed	Summary of Oral Case
<b>7.1 Archaeology update and assessed impacts</b>	
General update and recent information provided to local authorities	<p>The Applicant confirmed that it does not anticipate submitting any further survey work or technical reports. The Applicant explained that a substantial body of information has already been provided and that no additional surveys are currently expected. The Applicant confirmed that the Environmental Statement will be updated at Deadline 6 to reflect additional assessments, including updates to the Planning Statement and the Heritage Statement. The Applicant explained that these updates relate primarily to heritage matters, including refinement of the assessment of affected heritage assets.</p> <p><b>Action Point 37: Considering the latest information submitted by the applicant in relation to listed buildings, conservation areas and scheduled ancient monuments, is Historic England content with the level of detail and assessment submitted for this examination?</b></p> <p><b>Action Point 39: Historic England and Host Authorities to confirm if 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.</b></p>
Update on bronze age enclosure	<p>The Applicant provided an update in relation to the Bronze Age enclosure. The Applicant explained that the current approach is to avoid the enclosure entirely. The Applicant confirmed that a change request was submitted to allow for additional trenching in the area, and that, as a result of this work, avoidance of the enclosure is now achievable.</p> <p>The Applicant advised that, should it ultimately prove necessary to pass through the area, the approach would be full archaeological excavation of the site. The Applicant confirmed that this would most likely occur if, following further investigation, it transpired that this was the best option from a heritage perspective due to an unexpected find in the new route. However, this is considered unlikely and the current position is preservation in situ. The Applicant explained that retaining flexibility within the Order Limits allows for this approach, but reiterated that the intention is to avoid the enclosure.</p>

Item discussed	Summary of Oral Case
Fromus bridge approach from western side – updates for Flood Risk, is there any impact on heritage assets?	<p><b>Action Point 40: Is Historic England satisfied with the current level of information and the approach the applicant has set out in regards to the D-shaped enclosure in Suffolk?</b></p> <p>The Applicant confirmed that the requested level for the access is very low. The Applicant explained that the change involves a 100mm increase in the level of the access road only, and does not affect the ramps or the bridge itself. This is a detailed design matter and would not be a ‘change’ to the Proposed Project as the final ground level is not fixed. However, the Applicant can confirm that a 100mm increase in the height of the access road would not change any of the Environmental Statement assessments or outcomes and specifically would not affect the approach to Hurts Hall.</p>
Methodology	<p>In response to points raised by SEAS, the Applicant confirmed that the matters raised will be addressed through written submissions. The Applicant emphasised that the scope of work undertaken has been robust and has been developed in consultation with Historic England.</p> <p>The Applicant confirmed that a response has already been provided to the comments raised at Deadline 5, and that no new matters were raised during the hearing that require a further oral response. The Applicant explained that any additional points would need to be set out through written questions in order to enable a formal response.</p> <p>The Applicant also provided an update on archaeological matters, confirming that the Historic England has advised that it expects all outstanding archaeological issues to be agreed by Deadline 6. The Applicant confirmed that, on this basis, the Statement of Common Ground with Historic England is anticipated to be completed by that deadline.</p> <p><b>Action Point 36: Applicant to respond in writing to [REDACTED] oral submission, where new points have been made.</b></p> <p><b>Action Point 38: There are several examples where the applicant’s assessment conclusions for listed building impacts is that there was an initial assessment as part of the consented EA1N/2 project with no impact predicted, with then no additional impact predicted in relation to the Suffolk Onshore Scheme (such as with Knodishall Place). For clarity, does this mean that for the Sea Link proposed development alone the applicant considers that there would be no impact to the setting or significance of these listed buildings?</b></p>

## 8. Applicant's Summary of Case on Item 8.0: Cumulative effects

**Table 8.1 The Applicant's Summary of Oral Submissions on Item 8.0: Cumulative effects**

Item discussed	Summary of Oral Case
<b>8.1 Intra-project cumulative effects including the estimation of significance and need for mitigation (including how that is secured)</b>	<p data-bbox="477 660 2040 764">The Applicant provided a further verbal update on the consideration of receptors, confirming that these matters will also be addressed in a written update to supplement the response to question AP111 at Deadline 6. The Applicant explained that additional receptor types have been considered in more detail.</p> <p data-bbox="477 780 2069 852">In relation to users of public rights of way, the Applicant confirmed that three sections have been identified where potentially significant effects were previously identified.</p> <ul data-bbox="477 868 2069 1163" style="list-style-type: none"> <li data-bbox="477 868 2069 932">● <b>Suffolk - Bridleway 491/010/0 – Moderate (Significant) at most</b> due to short length affected and only temporarily, bring fully reinstated after construction. Diversion for up to 4 weeks.</li> <li data-bbox="477 963 2069 1067">● <b>Kent - The Saxon Shore Way and EE42 - Moderate (Significant)</b> at most due to short length affected and only temporarily, bring fully reinstated after construction. Either a short-term closure (one to five days) or local diversion (up to four weeks)</li> <li data-bbox="477 1091 2069 1163">● <b>Kent - Footpath TE37 - Moderate (Significant) at most</b> due to short length affected and only temporarily, bring fully reinstated after construction. Long term temporary diversion of 60m section during construction.</li> </ul> <p data-bbox="477 1187 2051 1402">The Applicant explained that consideration has been given to what would constitute a major effect for users, noting that such effects would typically arise where there are long-term or permanent diversions or cumulative intra-project impacts. The Applicant confirmed that no cumulative significant effects on public rights of way have been identified. Instead, the effects comprise short, temporary diversions, including a short section of bridleway diverted for approximately four weeks, with preferential access retained for users. The Applicant explained that mitigation includes measures such as vehicle set-backs to allow users to cross safely, particularly in recognition</p>

Item discussed	Summary of Oral Case
	<p>of potential effects on horse riders. The Applicant advised that, on this basis, effects on bridleways are more likely to be moderate and potentially not significant, with a precautionary approach taken to reflect uncertainty.</p> <p>The Applicant addressed temporary effects on the Saxon Shore Way in Kent, explaining that only a short section would be affected on a temporary basis, with either very short-term closures of between one and five days or a local diversion of up to four weeks. In addition, the Applicant explained that a footpath in Kent would be diverted for the duration of construction over a short length of approximately 60 metres to separate users from construction traffic, with full reinstatement following completion of works. Recreational users have therefore been considered together with users of public rights of way.</p> <p>In relation to road users, the Applicant explained that some temporary disruption and views of construction activity may occur. The Applicant clarified that a major effect on road users would typically arise from large, permanent increases in traffic or the introduction of substantial new infrastructure resulting in permanent harm to previously high-quality views, without mitigation. The Applicant confirmed that the Proposed Development does not give rise to such effects, and that temporary impacts associated with a limited number of road links during a short-lived traffic peak are considered to be moderate at most.</p> <p>The Applicant also addressed potential effects on residential receptors. The Applicant explained that a precautionary approach was initially taken in identifying potential significant effects, but that further detailed consideration, undertaken specifically in response to the question raised, has not identified any residential properties that would experience significant intra-project cumulative effects. The Applicant confirmed that, even where effects do arise, they are likely to be moderate at most. The Applicant therefore confirmed that it does not consider a precautionary approach identifying major effects to be justified.</p>
Additional mitigation, mental health monitoring plans	<p>In response to points raised regarding mental health and wellbeing, the Applicant clarified that its position is not that the issue is unimportant, but that a formal monitoring plan would not be necessary or effective. The Applicant explained that it would not be possible to isolate impacts attributable to the Proposed Development alone, given the scale of other major projects in the area, and that monitoring would therefore be unlikely to achieve any meaningful outcome. The Applicant also noted the inherent difficulty in attributing stress or wellbeing effects experienced by residents to a specific project or indeed any infrastructure project; and the difficulty of the Applicant developing and implementing a robust methodology for measuring or monitoring mental health.</p> <p>In relation to concerns raised regarding public rights of way, the Applicant explained that it is important not to become overly focused on the distinction between mitigation and enhancement given that the impact on public rights of way are so limited. The Applicant advised that the nature of the direct impact to the public rights of way being discussed comprises two temporary diversion periods of approximately four weeks each. The Applicant explained that the proposal for a permanent new public right of way would not be proportionate to the scale or</p>

Item discussed	Summary of Oral Case
	<p>duration of the impact, and would represent a mismatch, particularly where this would require the creation of a new route across private land. The Applicant confirmed that such an approach would require a compelling public interest case to justify the compulsory acquisition, which it does not consider is justified in this instance.</p> <p>The Applicant addressed suggestions that there would be a significant adverse effect on public rights of way that remains unmitigated, explaining that the assessment identifies, at most, a moderate cumulative effect at a network level. The Applicant confirmed that this does not justify permanent compensatory measures of the type proposed. The Applicant emphasised that, even where residual significant effects arise, national policy is clear that compensation must still be proportionate and justified. The Applicant confirmed that appropriate measures are already proposed to address residual effects and noted that nationally significant infrastructure projects may result in some residual significant effects, which does not in itself constitute grounds for objection to the development. The Applicant further emphasised that the Councils have requested extensive different 'compensatory' measures and other compensatory measures have been accepted, such as creation of permissive paths at Saxmundham Converter Station. It is therefore incorrect to state that no compensatory measures have been introduced.</p> <p><b>Action Point 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.</b></p>

## 8.2 Matters relating to the application of the mitigation hierarchy

Summary of Applicant's position	<p>The Applicant summarised its position in relation to cumulative effects on residential receptors, amenity and noise, transport users, public rights of way and road users, and how these effects have been addressed through application of the mitigation hierarchy.</p> <p>The Applicant confirmed that it has not relinquished its obligation to apply the mitigation hierarchy. Rather, it has applied the hierarchy in accordance with national policy, recognising that policy does not require compensation for every residual significant effect. Reference was made to National Policy Statement EN-1, which acknowledges that some significant residual adverse effects are inevitable in delivering nationally significant infrastructure, and that such effects are to be minimised through application of the mitigation measures set out in policy, rather than eradicated entirely.</p> <p>The Applicant explained that paragraphs 4.10 and 4.11 of EN1 require decision makers to consider the mitigation hierarchy, including the potential for compensation or offsetting where appropriate, but do not require compensation to be provided in every case. Where residual significant effects remain, an evidenced judgement must be reached as to whether further compensation or offsetting would be proportionate, justified and effective. The Applicant emphasised that this assessment must be undertaken on a case-by-case basis and that it is</p>
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**Item discussed****Summary of Oral Case**

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incorrect to suggest that the existence of a residual significant effect automatically triggers a requirement for compensation.

In relation to residential receptors, amenity and noise, the Applicant confirmed that cumulative effects have been assessed and that no residential properties have been identified as experiencing significant intraproject cumulative effects. Where effects arise, these are assessed as moderate at most. The Applicant explained that such effects do not lend themselves to offsetting or compensation, as they are temporary, context-specific and cannot be meaningfully remedied through measures applied elsewhere.

In relation to transport users, including road users, the Applicant explained that a major effect would typically involve a large, permanent increase in traffic volumes or permanent changes to highway infrastructure resulting in lasting harm to amenity or views. The Applicant confirmed that the Proposed Development does not give rise to such effects. Instead, any impacts are temporary, associated with a short-lived construction peak affecting a limited number of routes, and are assessed as moderate at most. The Applicant explained that such effects do not justify compensatory measures.

In relation to public rights of way and recreational users, the Applicant explained that effects comprise short, temporary diversions affecting limited sections of routes. The Applicant confirmed that no significant cumulative effects have been identified across the public rights of way network. The Applicant addressed proposals for permanent compensatory provision, explaining that such measures would not be proportionate to the nature or duration of the impacts identified. In particular, the Applicant explained that provision of a permanent new public right of way would not remedy a temporary diversion affecting a short section of an existing route, and would constitute enhancement rather than mitigation. The Applicant further explained that such proposals would require a compelling public interest justification, particularly where they would involve creation of a new route across private land, which is not considered justified in this instance.

The Applicant emphasised that offsetting and compensation are most effective where impacts can be directly remedied, such as in relation to habitat loss, but are widely recognised as inappropriate or ineffective for other topics, including noise, traffic, visual effects and temporary disruption to users. The Applicant explained that such effects do not become compensable simply because they are considered cumulatively.

In relation to specific proposals for compensatory public rights of way provision, the Applicant explained that there is a spatial and temporal mismatch between the temporary impacts identified and the permanent measures proposed. The Applicant confirmed that temporary alternative routes are already provided during construction, operating concurrently with any temporary diversions, and that provision of permanent routes following completion of works would not remedy the temporary effects experienced during construction.

The Applicant concluded that it has properly applied the mitigation hierarchy, has considered whether further compensation or offsetting would be appropriate, and has reached a reasoned and evidenced conclusion that

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Item discussed	Summary of Oral Case
	<p>additional measures of the type proposed by other parties would not be proportionate, justified or necessary. The Applicant confirmed that while some residual significant effects may remain, this is an acknowledged and accepted consequence of delivering nationally significant infrastructure and does not in itself constitute grounds for objection to the Proposed Development.</p>
<p>Cumulative effects on PROW, related to questions on proposals in Suffolk</p>	<p>In response to points raised regarding the mitigation hierarchy and public rights of way, the Applicant reaffirmed that the mitigation hierarchy has been fully and systematically applied throughout the development of the Proposed Development and should be considered in the context of the application as a whole.</p> <p>Using the public rights of way around the converter station as an example, the Applicant explained that impacts have been avoided where possible, including by avoiding severance and permanent closures. Where impacts could not be avoided, the Applicant has reduced effects through minimising the length and duration of diversions, providing gates to assist users, and considering additional vehicle set-backs to reduce potential disturbance, particularly for bridleway users.</p> <p>The Applicant addressed suggestions that requests from SCC had not been considered, explaining that, in this specific case, further measures have been agreed, including permissive access through landscaping at the converter station and a permissive route across the Fromus Bridge. The Applicant confirmed that all steps of the mitigation hierarchy have been applied and that additional enhancements have been proposed beyond what is strictly required. The Applicant emphasised that the remaining areas of disagreement relate to a small number of specific requests, rather than a failure to apply the hierarchy.</p> <p>The Applicant clarified that permissive routes have not been relied upon as mitigation for residual effects, as they do not directly remedy the specific impacts identified. The Applicant explained that the principal contributing factor to any remaining intra-project cumulative effect on public rights of way is landscape and visual impact, which has been reduced through mitigation but cannot be entirely removed.</p> <p>The Applicant explained that permissive paths and proposed new routes should properly be regarded as enhancements rather than compensation, as they do not directly offset or undo the temporary impacts experienced by users of existing routes. In particular, the Applicant explained that provision of a permanent public right of way would not remedy a temporary impact affecting a short section of bridleway, especially where an alternative route is already provided during construction and operates concurrently with the diversion. The Applicant noted that delivering a permanent route following construction would not address the temporary impact experienced at the time.</p> <p>The Applicant confirmed that it considers the proportionate response to the identified effects has been delivered through landscape mitigation and access arrangements. While there is a difference of view regarding the</p>

Item discussed	Summary of Oral Case
	<p>definition of compensation, the Applicant confirmed that, even applying the local authority’s interpretation, the measures proposed go beyond what would ordinarily be required.</p> <p>The Applicant confirmed that this position, including its application of the mitigation hierarchy and conclusions on proportionality and justification, will be set out clearly in the written response to the relevant examination questions.</p> <p><b>Action Point 46: The Environmental Statement shows residual significant effects (both moderate and major) at year 15 for landscape and visual receptors in both Kent and Suffolk for which no additional mitigation is proposed. Why is it not possible to offset or compensate for this residual effect? Explain how this accords with the mitigation hierarchy.</b></p> <p><b>Action Point 47: Potentially significant cumulative landscape and visual effects are identified in the onshore inter-project effects chapter for Suffolk with LionLink, South Saxmundham Garden Neighbourhood and the Scottish Power Renewables (SPR) schemes with the conclusion that no further cumulative mitigation is available. Why is it not possible to offset or compensate in some way? Explain how this accords with the mitigation hierarchy.</b></p> <p><b>Action Point 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.</b></p>
Mitigation hierarchy	<p>In response to the question from the ExA in regard to the Applicant’s position that there is no additional opportunity to directly, mitigate, offset or compensate in some other way, the Applicant explained that all appropriate measures are in place to address the temporary effects on users and that the mitigation hierarchy has been followed as far as reasonably possible. The Applicant confirmed that it has fully explored potential options and has not identified any measures that would constitute appropriate or proportionate compensation for the residual effects identified.</p> <p><b>Action Point 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 requirements of the Critical National Priority test.</b></p>

# 9. Applicant's Summary of Case on Item 9.0: Marine Physical Environment

**Table 9.1 The Applicant's Summary of Oral Submissions on Item 9.0: Marine Physical Environment**

Item discussed	Summary of Oral Case
<b>9.1 Update on additional sediment modelling</b>	
Applicant update on additional sediment modelling	<p>The Applicant provided an update on further sediment dispersion modelling being undertaken in response to issues raised by other parties. The Applicant explained that additional modelling has been carried out to better understand sediment dispersion processes, including sediment release locations at both the Kent and Suffolk landfalls, to support further interpretation.</p> <p>The Applicant confirmed that more detailed sediment dispersion modelling has been undertaken within Pegwell Bay, using an enhanced and more detailed model than previously available. This work specifically examines the potential for re-erosion of trench backfill material following cable installation, as well as the behaviour of suspended sediment. The Applicant also explained that the potential effects of the cofferdam, measuring approximately 30 metres by 5 metres within the upper intertidal area, have been assessed, including its potential to interfere with tidal flow patterns within Pegwell Bay.</p> <p>The Applicant advised that the additional modelling, undertaken both within the wider North Sea region and with a particular focus on near-shore landfall areas, demonstrates results that are consistent with the conclusions of the Environmental Statement. The Applicant explained that the modelling provides further reassurance in relation to the zones of influence and magnitude of effects, including slightly offshore, and supports the suitability of the subsequent assessments undertaken.</p> <p>The Applicant confirmed that the more detailed modelling within Pegwell Bay has validated the position previously set out at the last hearing, including findings relating to elevated suspended sediment concentrations, localised scour and re-erosion of less compact material following cable installation. The Applicant further confirmed that the modelling substantiates the earlier assumption that the cofferdam would not result in increased current speeds near the saltmarsh edge, providing increased confidence in that conclusion.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant confirmed that the modelling runs are now complete and that the outputs are currently being analysed and reported. As previously indicated, a technical note will be submitted at Deadline 6, and the findings will also be incorporated into a further revision of the relevant Environmental Statement chapter. The Applicant confirmed that the updated assessment does not result in any change to the significance of effects, which remain consistent with, and in some cases slightly reduced from, those reported in the original Environmental Statement.</p> <p>In response to questions regarding outstanding matters raised by Natural England, the Applicant confirmed that these relate to separate issues recorded within Natural England’s tracker. The Applicant advised that a number of meetings are scheduled in the near term with statutory bodies, including Natural England, during which the visual outputs from the modelling will be presented and discussed in order to address and allay previously raised concerns.</p> <p><b>Action Point 50: Update dDCO requirement 16 to reflect the commitment to the trenchless crossing exiting 45m east of the continuous Coralline Crag outcrop in Suffolk.</b></p>
<p><b>9.2 Effects on the Coralline Cragg and coastal processes, the need for requirements to secure a minimum depth of burial and exit location, and any other mitigation</b></p>	
<p>Coralline Cragg Technical Note - offset</p>	<p>The Examining Authority acknowledged the usefulness of the Coralline Cragg Technical Note in progressing discussion on this matter. The Examining Authority noted that Requirement 16 currently secures a minimum offset of 50 metres from Mean Low Water Springs in relation to the Leiston-Aldeburgh SSSI, whereas commitment GH14 within the Register of Environmental Actions and Commitments refers to an offset of 45 metres east of the continual Coralline Cragg outcrop. In response, the Applicant confirmed that it will consider this point further but advised that, in principle, it sees no reason why the Development Consent Order requirement could not be updated to reflect the 45 metre offset.</p>
<p>Entry and exit pits as separate works numbers</p>	<p>The Applicant explained that the location of the trenchless exit is constrained through a number of secured commitments, which collectively define the acceptable parameters for the works. The Applicant confirmed that the precise boundary of the exit location will be informed by survey work and that a degree of flexibility is required, particularly in Suffolk, given the geographical constraints of the landfall area.</p> <p>In response to the Examining Authority’s request for additional certainty, the Applicant explained that the sensitive environmental receptors, including the Coralline Cragg and adjacent saltmarsh, are protected through offsets secured within the Register of Environmental Actions and Commitments. The Applicant confirmed that these measures are designed to avoid impacts on those sensitive environments and that, taken together, the commitments provide appropriate certainty while allowing the necessary flexibility to determine the final exit</p>

Item discussed	Summary of Oral Case
25m depth of burial at foreshore	<p>location. The Applicant confirmed that it considers the proposed approach to meet the relevant policy and examination requirements.</p> <p>The Applicant provided clarification in relation to commitment MPE02 within the Register of Environmental Actions and Commitments. The Applicant explained that this commitment constrains the trenchless exit location through a combination of secured measures, with the precise location to be confirmed by survey, and that some flexibility is required given the geographical constraints of the Suffolk landfall. The Applicant confirmed that the drafting of MPE02 will be reviewed and refined, including consideration of whether equivalent wording should apply to the Suffolk landfall, and that this will be addressed in writing.</p> <p>The Applicant clarified that the reference to 25 metres relates to the maximum depth of the horizontal directional drilling beneath the Suffolk landfall, rather than the horizontal distance of the exit point, and confirmed that this point will be addressed clearly in the written response.</p> <p>In response to questions regarding the potential exposure of the cable under conditions of substantial coastal erosion, the Applicant explained that the depth of the drilled cable beneath this area is such that exposure as a result of coastal erosion is extremely unlikely, if not impossible. The Applicant confirmed that monitoring of coastal change is nevertheless proposed in order to track erosion conditions over time.</p> <p>The Applicant referred to commitment MPE06, which secures ongoing monitoring of beach levels, and confirmed that discussions with the Environment Agency have resulted in modifications to the wording of this commitment to include monitoring of sub-tidal sections extending to the depth of the HDD. The Applicant confirmed that this updated wording will be reflected in the revised Register of Environmental Actions and Commitments to be submitted at Deadline 6.</p>
Open cut activity?	<p><b>Action Point 51: Refine the minimum depth commitment in the Suffolk near-shore/fore-shore area to ensure no exposure of cable in a worst-case erosion scenario.</b></p> <p>In response to questions regarding the potential for open-cut activity at the landfall locations, the Applicant clarified that it has no intention of undertaking open-cut works to access the horizontal directional drilling at either end. The Applicant explained that the design includes a spare duct to provide resilience should any issue arise, and confirmed that no land rights have been secured that would allow excavation down to the drilled section. The Applicant confirmed that this position can be set out clearly in writing.</p> <p><b>Action Point 52: Provide draft requirement wording that commits to no excavation within designated sites in the Suffolk and Kent landfall areas during operation (including emergency repair), or only if subject to a separate approval process.</b></p>

Item discussed	Summary of Oral Case
<b>9.3 Use of pneumatic casing</b>	
Exclusion of pneumatic casing	<p>The Applicant confirmed that pneumatic casing is not intended to be used as part of the works and that this can be explicitly excluded from the drafting. The Applicant acknowledged that the current wording is ambiguous and confirmed that it will be tightened to provide clarity.</p> <p>The Applicant also confirmed that a Construction Method Statement will be provided for the Suffolk landfall. In response to points raised regarding terminology used in relation to offshore elements, the Applicant explained that the project comprises three distinct components, which has contributed to some ambiguity in terminology. The Applicant confirmed that this will be reviewed, including through reference to the Pegwell Bay Technical Note, to ensure clarity and consistency. The Applicant emphasised that the assessment relates to impacts on the foreshore or intertidal environment, as appropriate.</p> <p><b>Action Point 53: Confirm that there would be no use of pneumatic casings or provide an assessment of the use of temporary casings, either in terms of significant noise effects at either landfall or any impact on the integrity of the Coralline Crag.</b></p> <p><b>Action Point 54: Update Pegwell Bay construction method technical note to confirm use of bentonite in the foreshore area and ensure that the technical note and relevant technical chapters provide a clear and consistent definition of the near shore, foreshore and offshore.</b></p>
<b>9.4 River Stour channel migration and mitigation including scope of monitoring</b>	
River Stour channel migration and mitigation	<p>The Applicant addressed the implications of the Habitats Regulations Assessment, noting that the assessment is undertaken prior to the implementation of any mitigation measures. The Applicant confirmed that its position is underpinned by productive discussions with the Environment Agency and that updated commitments build on matters already agreed.</p> <p>The Applicant outlined proposed updates to commitment MPE09, which secures monitoring of the River Stour channel throughout the operational life of the asset. The Applicant confirmed that monitoring would be undertaken annually for the first five years following installation, after which the frequency and scope would be reviewed in consultation with the Environment Agency. Monitoring would adopt a proportionate, risk-based approach to identify any material change in channel position, morphology or migration over time.</p> <p>The Applicant confirmed that a trigger for consultation with the Environment Agency would arise if monitoring demonstrates that the River Stour channel has migrated to within 50 metres of the as-built cable location. Following consultation, any required mitigation measures would be agreed with the Environment Agency and</p>

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**Item discussed****Summary of Oral Case**

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approved by the relevant discharge authority prior to the undertaking of any remedial works, with other consultees likely to include Natural England and the relevant local planning authorities.

In response to questions regarding whether any remedial works would require a separate consent or assessment, the Applicant explained that, once any remediation approach has been agreed with the Environment Agency and other stakeholders, the appropriate marine licensing process would be followed. The Applicant confirmed that this would include a further Habitats Regulations Assessment once the nature of any remedial works is known, noting that it is not possible to determine this in advance.

The Applicant advised that, based on discussions with the Environment Agency, the most likely remediation option, should it ever be required, would be re-burial of the cable, which is considered the most environmentally sensitive approach. The Applicant confirmed that any remediation would be determined having regard to the prevailing conditions at the time and agreed with the Environment Agency.

The Applicant also confirmed that the Environment Agency and the Marine Management Organisation would retain the ability to reject proposed remediation options if they were not satisfied that the approach was acceptable at that stage.

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# 10. Applicant's Summary of Case on Item 10.0: Noise and vibration

**Table 10.1 The Applicant's Summary of Oral Submissions on Item 10.0: Noise and vibration**

Item discussed	Summary of Oral Case
<b>10.1 Construction noise effects and mitigation</b>	
DCO Requirement for s61	<p>The Applicant confirmed that it would accept a requirement for applications under section 61 of the Control of Pollution Act, reflecting the position expressed by the local planning authorities during previous hearings. The Applicant confirmed that the relevant section of the Noise and Vibration Management Plan will be updated accordingly, and that section 61 applications would be undertaken in line with the authorities' requests.</p> <p>In response to points raised regarding measure NV03, the Applicant agreed that the wording should be driven by the requirements of the local authority. The Applicant explained that, where a local authority requires a pre-assessment prior to submission of a section 61 application, this would be undertaken, with section 61 then providing the formal mechanism through which mitigation would be agreed where deemed necessary. The Applicant acknowledged differing views on whether section 61 should apply to all works and confirmed that the drafting will allow flexibility for local authorities to determine the extent to which section 61 applications should be used, recognising the resource implications of such an approach. The Applicant advised that the current mechanism is secured through the management plan rather than on the face of the Order, but confirmed that this will be discussed further with the relevant parties and agreed (as per Action Point).</p> <p>In response to points raised regarding noise assessment assumptions, the Applicant clarified that the assessment does not apply a blanket 10 dB reduction. Instead, the assessment has been undertaken on a robust worst-case basis, assuming the closest receptors, all relevant construction activities taking place concurrently, and the full plant associated with those activities. The Applicant explained that the assessment considers approximately 1,330 dwellings across the onshore works area and assumes all activities occur without mitigation. The Applicant confirmed that, in practice, when contractors are appointed and further detail becomes available regarding plant, methodology, timing and layout, the level of impact would be refined and is expected to reduce</p>

Item discussed	Summary of Oral Case
	<p>as assumptions are made more realistic. The Applicant emphasised that a detailed assessment has been undertaken and that its purpose is to present a robust worst-case position.</p> <p>The Applicant explained that the use of best practicable means is secured through a suite of commitments within the Register of Environmental Actions and Commitments, including NV01, NV03, NV06, NV08 and NV10. These commitments ensure that detailed assessment and mitigation are undertaken by contractors through the Outline Noise and Vibration Management Plan, with section 61 providing a formal process for agreement with the local authority where required.</p> <p><b>Action Point 55: Meet with the ESC and TDC (and if relevant KCC and SCC) for a tripartite noise meeting. The aim of the meeting:</b></p> <ul style="list-style-type: none"> <li>• <b>draft a dDCO requirement relating to the s61 process and confirm whether s61 commitments should be on the face of the DCO or within the outline construction noise and vibration management plan (oCNVMP).</b></li> <li>• <b>agree wording of Article 49 as it relates to both construction and operation.</b></li> <li>• <b>draft a dDCO requirement for operational converter and substation noise limits and confirm whether noise thresholds should be on the face of the DCO or part of the REAC.</b></li> </ul>
Elevated vehicle noises at the hoverport	<p>In response to questions regarding construction vehicle noise assessment and whether it reflects the most recent available information, the Applicant explained that this matter sits at the interface between the onshore terrestrial works and other elements of the Proposed Development. The Applicant confirmed that the onshore noise assessment includes construction traffic movements associated with access to the hoverport location and that these movements are reflected within the construction noise output figures.</p> <p>The Applicant clarified that the point raised in relation to offshore works, including potential effects on residential properties on the opposite side of Sandwich Road, will be taken away for further consideration. The Applicant confirmed that this will be reviewed and clarified as part of the written submissions, including any relevant technical notes.</p>
Residential receptors	<p>In response to points raised regarding the number of residential receptors considered in the construction noise assessment, the Applicant confirmed that the study area for construction noise extends 300 metres from the Order Limits, within which over 1,000 residential properties have been identified and assessed. The Applicant acknowledged that background noise levels in parts of the Suffolk onshore scheme area are exceptionally low and confirmed that this has been explicitly taken into account within the assessment. The construction noise assessment has therefore adopted the lower assessment threshold, assuming a worst-case scenario based on Category A sensitivity, with no reliance placed on higher threshold values.</p>

Item discussed	Summary of Oral Case
Noise mapping for soft ground, rather than hard ground at Hoverport	<p>In response to points raised, the Applicant confirmed that a technical note on construction traffic will be provided, which will include clarification of the assumptions made in relation to the ground conditions at the hoverport. The Applicant also confirmed that the matters raised have relevance to ecological considerations and will be addressed accordingly within the technical material submitted.</p> <p><b>Action Point 56: Provide a technical note, outlining the effect of 24-hour construction vehicle noise from the hoverport area for residential receptors and any necessary mitigation. The technical note should include noise contour mapping based on the marine ornithology maps [REP5-032]. The modelling should apply a hard ground assumption to the hoverport.</b></p> <p><b>Action Point 57: Comment on the need for an R-wave study at the hoverport and the potential impact on invertebrates from any nighttime lighting.</b></p>
Noise and vibration impacts associated with start-up and shut-down periods	<p>In response to questions regarding noise and vibration impacts associated with start-up and shut-down periods, the Applicant explained that any works undertaken during these periods would be assessed against the appropriate assessment thresholds for the time at which they occur, applying the ABC methodology. The Applicant confirmed that noise assessment would reflect the nature of the works being carried out during those periods and would be subject to the relevant limits.</p> <p>The Applicant clarified that the one-hour start-up and shut-down periods have not been assessed as standalone periods of construction activity, as it is not anticipated that plant would be operating during those times. The Applicant confirmed that, should any plant operation occur, it would be subject to assessment and control in line with the applicable noise limits.</p> <p>The Applicant further explained that the purpose of the start-up period either side of core working hours is to ensure readiness for the commencement and completion of the main working hours, rather than to facilitate additional active construction works.</p>
50dB limits on 'shoulder' hours (as per BTNO DCO, suggested by SCC)	<p>The Applicant clarified that the appropriate ABC noise thresholds would be applied to works undertaken during any relevant period. This would comprise a threshold of 45 dB during night-time periods, 60 dB during daytime periods, and 55 dB during evening and weekend periods, including Saturday afternoons and Sundays.</p>
White noise reversing alarms	<p>In response to questions regarding the safety implications of using white noise reversing alarms, the Applicant confirmed that their use is preferred where practicable. The Applicant explained that there may be limited, unforeseen circumstances where conventional tonal reversing alarms may be required for safety reasons, and that flexibility is therefore necessary to ensure safe site operation. The Applicant confirmed that this point is understood and will be taken away for further consideration and reflected as appropriate.</p>

Item discussed	Summary of Oral Case
	<p><b>Action Point 60: Comment on the use of white noise alarms (or equivalent quiet systems) and what level of commitment the applicant could make to secure their use.</b></p>
<p><b>10.2 Operational noise emissions from converter stations and substations including, but not limited to, low frequency noise emissions and evidence to demonstrate that 5dB below background level is unachievable.</b></p>	<p>In response to questions regarding the figures presented within the noise assessment, the Applicant explained that the red shaded areas shown on the figures (shown in 9.102 Operational Noise Contour Plan for Minster Converter Station [REP5-124]) principally represent transformers associated with the converter station and substation during normal operation. The Applicant clarified that these figures reflect normal operational conditions and do not include temporary plant such as generators, which fall outside of normal operation.</p> <p>The Applicant further explained that the noise contours presented within the Habitats Regulations Assessment include the maximum noise levels associated with operation of the converter station and substation. These figures account for worst-case operational noise sources, primarily associated with switchgear, which represent the maximum operational noise scenario. The Applicant clarified that any generators used during testing would operate for short durations and would generate lower noise levels than those assumed within the worst-case assessment.</p> <p>In relation to potential additional screening or barriers along the southern boundary of the site, the Applicant explained that the agreed noise thresholds with Natural England underpin the assessment. A noise level of 55 dB has been agreed as a no-effect level, while 60 dB represents the threshold at which effects would occur. The Applicant confirmed that mitigation is designed to ensure that the 60 dB threshold is not exceeded at the designated site boundary. The Applicant advised that no further mitigation is required in order to achieve this outcome.</p> <p>The Applicant explained that a change in noise level of less than 3 dB would not be perceptible and that this position has been agreed with Natural England. The Applicant confirmed that the agreed thresholds apply to both construction and operational phases.</p> <p>The Applicant clarified that transformers would operate continuously during normal operation, whereas generators would only run intermittently for short testing periods. As such, the operational noise assessment is driven by the transformer noise, representing the worst-case scenario.</p>
<p>In-combination noise effects with committed developments</p>	<p>In response to concerns regarding in-combination noise effects with other committed developments, the Applicant explained that the issue relates to the potential overlapping of noise sources. The Applicant confirmed that the noise influence of the converter station is relatively localised. The Applicant advised that, provided each project appropriately mitigates its own contribution and ensures that noise levels do not exceed the agreed thresholds at</p>

Item discussed	Summary of Oral Case
	sensitive receptors, including those agreed with Natural England, there would be no unacceptable in-combination noise effects resulting from the Proposed Development.
Example from Viking Link Converter Station	<p>In response to points raised regarding cumulative operational noise limits, the Applicant explained that the noise limit applied to the Viking Link project was a cumulative limit agreed with the local authority and took account of several other committed developments, including a converter station. That cumulative limit was set at 35 dB, noting that the distance to receptors in that case was greater than at Saxmundham.</p> <p>The Applicant confirmed that it is not able to commit to the same cumulative limit in this case, as it is not considered achievable nor required by national policy. The proposed 34 dB limit represents the lowest practicable level and operates as a policy backstop to ensure adverse effects are avoided. The Applicant explained that, in addition to this policy-based commitment, a further commitment has been agreed with local authorities to seek to achieve lower levels where reasonably practicable. The Applicant emphasised that this dual-track approach goes beyond what is required by policy, by securing both compliance with national policy and an additional commitment reflecting local authority aspirations.</p> <p>In responding to points raised by consultees, the Applicant confirmed that this approach is reflected in commitments NV07 and NB09, which require the detailed design to achieve noise levels as low as reasonably practicable. The Applicant explained that flexibility is required in the final design of the converter station and substation to accommodate non-acoustic constraints, but confirmed that the proposed commitments ensure policy requirements will be met in all circumstances. The Applicant advised that the operational noise assessment demonstrates that the relevant noise levels can be achieved through design, and that the commitments provide appropriate certainty while allowing necessary flexibility.</p>
Friston substation – background noise levels	<p>In response to questions regarding background noise levels, the Applicant confirmed that the baseline against which operational noise limits are set is derived from the SPR baseline survey data, as presented in the relevant appendix to the Environmental Statement. The Applicant confirmed that this dataset is intended to inform assessment of background conditions for the purposes of compliance with the proposed noise limits.</p> <p>The Applicant further clarified that the noise predictions are expressed on a free-field basis at the relevant receptor locations, rather than as façade measurements. This approach is consistent with the methodology applied within the noise assessment and the presentation of predicted operational noise levels.</p>
Importing the requirements of SPR consent onto the Sea Link project	<p>In response to questions regarding alignment with the operational noise limits set under the SPR consents, the Applicant explained that the SPR substation forms a separate consented project and that the National Grid substation at Friston is assessed as part of that scheme. The operational noise limits applied under the SPR consent were derived on a cumulative basis, taking account of all three substations within that application.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant explained that the approach suggested by the SCC cannot be applied as proposed, as doing so could result in cumulative noise levels that would exceed the limits secured under the SPR consent, which was not the intent of those controls. The Applicant confirmed that the operational noise limits proposed for Sea Link are set 10 dB below the SPR limits as a backstop, ensuring that, when considered cumulatively with the Friston substation, the combined noise environment would remain within the limits secured through the SPR process. This approach reflects the spirit and intent of the SPR noise controls.</p> <p>The Applicant advised that, if the SCC’s suggested model approach is not considered workable, an alternative would be to secure limits that are 10 dB below those stated in the SPR application, which would align mathematically with the approach requested by consultees. The Applicant confirmed that operational noise limits for Sea Link are secured through commitment NV12 within the Register of Environmental Actions and Commitments, and noted the Examining Authority’s view that securing a clear control on the face of the Order would be preferable.</p> <p>The Applicant clarified that while there is AIS equipment within the substation, this equipment is effectively silent and does not contribute materially to operational noise. The noise assessment is driven by transformer noise, which has already been assessed as part of the SPR operational noise discharge process. The Applicant confirmed that the requirements set out within the Register of Environmental Actions and Commitments are necessary and sufficient to secure compliance for the National Grid substation, while allowing appropriate design flexibility and ensuring cumulative noise remains within acceptable limits.</p> <p><b>Action Point 61: Check and confirm in writing whether discharge of backup generators within the SPR consents relates to the National Grid substation or the SPR substations. If the latter, provide an assessment of the implications for cumulative noise and air quality from generators.</b></p>
Low frequency noise	<p>In response to points raised regarding the use of dB(A) and dB(C) metrics, the Applicant explained that comparison between these measures can be used as a high-level screening tool where limited data is available, in order to infer whether low-frequency noise may be present. However, the Applicant confirmed that this approach is not relied upon in this case, as detailed information is available regarding the acoustic characteristics of transformers.</p> <p>The Applicant explained that reliance on dB(A) levels alone can be misleading where low-frequency components are present, as it provides no information on spectral content. While comparison with dB(C) can indicate the presence of low-frequency energy, this is only necessary where such characteristics are unknown. The Applicant confirmed that it has extensive operational experience of transformer noise, supported by a large portfolio of substations with receptors closer than those associated with Sea Link, and therefore fully understands the relevant acoustic profile.</p>

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**Item discussed****Summary of Oral Case**

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The Applicant confirmed that the assessment assumes a precautionary worst-case scenario. In practice, acoustic energy from transformers is distributed across higher frequencies, and mitigation measures perform more effectively at those frequencies. The Environmental Statement assumes a conservative enclosure performance of 20 dB attenuation at 100 Hz, which represents a worst-case assumption for standard National Grid enclosures. In reality, greater attenuation is expected at higher frequencies, meaning that the assessment stacks multiple worst-case assumptions.

The Applicant confirmed that this approach is consistent with standard National Grid methodology and that the mitigation proposed is specifically designed to address any low-frequency components. The Applicant further confirmed that the proposed 34 dB limit is a rating level, which inherently accounts for tonal characteristics where relevant. The Applicant agreed that clarification on how any tonal penalty would be derived, consistent with relevant standards, could be added to the wording, and confirmed that the wording proposed by consultees would be sufficient to address this point.

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# 11. Applicant's Summary of Case on Item 11.0: Air Quality

**Table 11.1 The Applicant's Summary of Oral Submissions on Item 11.0: Air Quality**

Item discussed	Summary of Oral Case
<b>11.1 Traffic emissions assessment</b>	
Junction modelling and traffic data used in the air quality assessment	<p>In response to questions regarding the revised traffic modelling and how it may affect the air quality assessment, the Applicant confirmed that the junction capacity modelling does not, and cannot, alter the emissions modelling. The Applicant explained that the additional junction modelling assesses operational performance only, focusing on queuing and delay at peak times and identifying whether junctions operate within capacity. It does not change overall daily traffic volumes.</p> <p>The Applicant confirmed that traffic data used for the air quality assessment is based on 24-hour Annual Average Daily Traffic flows and is derived from the transport modelling forecasts used elsewhere within the application. The Applicant advised that the traffic data informing the air quality modelling is contained within the submitted application documentation and confirmed that this point can be clarified further in writing.</p> <p>In response to concerns regarding potential traffic diversion through Saxmundham and associated air quality effects, the Applicant confirmed that the relevant representations have been noted and that this matter will be taken away for further consideration, with a written response to be provided.</p> <p><b>Action Point 62: Confirm how Annual Average Daily Traffic Data (AADT) presented in the cumulative vehicle emissions assessment relates to the peak traffic data presented in the transport assessment.</b></p> <p><b>Action Point 63: SCC [REP5-178] noted that the oCTMP [REP4-061] allows for diversion of light construction traffic through Saxmundham. Provide evidence to demonstrate that vehicle movements on the Saxmundham road links would be below the threshold for air quality assessment.</b></p> <p><b>Action Point 64: East Suffolk Council to confirm whether diversion of construction traffic through Saxmundham would have any implications for the impact assessment.</b></p>
Clarification of construction traffic	<p>The Applicant confirmed that all road links within the traffic and transport study area were screened and included within the detailed air quality assessment where relevant. The Applicant explained that no further traffic data was required for roads leading off those assessed links, as traffic flows on those routes were well below the IAQM and</p>

Item discussed	Summary of Oral Case
through Ramsgate Port	<p>EPUK screening criteria and therefore not expected to give rise to material air quality effects. It was confirmed that this point can be clarified further in writing.</p> <p><b>Action Point 65: Provide evidence that traffic levels are below the threshold whereby construction vehicle air quality assessment should have taken into account movements from Ramsgate Port and the A299 Royal Harbour Approach Tunnel.</b></p>
<p><b>11.2 Operation back-up generator assessment including, but not limited to, potential for eutrophication impacts and cumulative effects with SPR proposals</b></p>	
REAC Provision AQ11 within Kent Converter Station site	<p>The Applicant confirmed that it has now received confirmation from Natural England and Thanet District Council that they are content with REAC measure AQ11. The Applicant advised that confirmation had been provided this week, and that it related to the updated air quality assessment.</p>
Eutrophication impacts	<p>In response to questions regarding likely impacts and the need for mitigation, the Applicant confirmed that the relevant issues have been considered through the updated operational generator assessment. The Applicant explained that, having reviewed this assessment alongside effects on other ecological sites, no significant effects have been identified, including no significant risk of eutrophication.</p> <p>The Applicant clarified that Minster Marshes is not itself a designated ecological site but is a general geographic area. The Applicant explained that any consideration of effects in this area would relate to eutrophication of nearby nature reserves, which is driven primarily by nitrogen deposition in terrestrial habitats. The Applicant further clarified that for freshwater environments, such as the ditch network north and south of the River Stour, phosphorus is the primary growth limiting nutrient, rather than nitrogen. The Applicant confirmed that this nutrient pathway is not relevant to the air quality assessment as phosphorus does not come from atmosphere, and therefore no additional assessment or mitigation is required.</p> <p><b>Action Point 66: Explain the likely effect of oxides of nitrogen (NOx) emissions on ditches adjacent to the Kent converter and substation site and explain whether additional mitigation is required for nutrient loading or acidification effects on the local ditch network.</b></p>
Cumulative impacts of operational generator emissions on Grove Wood in Suffolk	<p>In response to questions regarding potential cumulative impacts of operational generator emissions on Grove Wood in Suffolk, the Applicant confirmed that no operational generators were included within the SPR DCO applications. Any generators associated with construction activities for the SPR sites are temporary and are expected to be removed prior to commencement of the Proposed Project. On this basis, the Applicant confirmed that there would be no cumulative operational generator emissions affecting Grove Wood.</p>

Item discussed	Summary of Oral Case
	<p><b>Action Point 67: Subject to confirmation of whether additional generators are present on the SPR sites, update the air quality technical note [REP5-136] with a cumulative assessment of operational generator emissions with the SPR proposals on Grove Wood.</b></p>
<p><b>11.3 Air quality mitigation measures including enforceability and water for dust suppression in Suffolk</b></p>	
Water suppression	<p>The Applicant confirmed that a hierarchy of mitigation measures has been applied to manage construction dust. This includes covering stockpiles, using onsite water for dust suppression where available, and supplementing this with water imported from offsite locations if required. The Applicant advised that discussions with suppliers to date indicate sufficient capacity to meet demand.</p> <p>The Applicant explained that a permanent mains water connection will be established a few months into construction. Prior to this, dust suppression will be managed through the use of water bowsers drawing from local supply points. The Applicant confirmed that detailed supply arrangements will be progressed by the main works contractor at the appropriate stage and noted that experience from other projects has demonstrated that temporary construction water supplies can be successfully secured.</p> <p>The Applicant further advised that, during ground investigation works, small quantities of water have already been sourced locally through engagement with landowners, demonstrating the availability of local supply where required. The Applicant confirmed that this matter will be taken forward with the project team and supply chain to provide further assurance, including engagement with local water suppliers regarding availability and lead in times.</p> <p><b>Action Point 68: Provide further detail regarding the supply of water for dust suppression (likely source and timing availability, notwithstanding SPR supply position). Address ESC concerns in response.</b></p>
Monitoring for Whitearch Residential Park and consideration of additional receptors related to the change request	<p>The Applicant confirmed that two additional air quality monitoring locations, Whitearch Residential Park and Shotts Meadow, have now been included.</p> <p>The Applicant advised that the additional receptors were considered in the ES addendum and that the change in traffic flows were below the IAQM and EPUK criteria, therefore detailed modelling was not undertaken. The Applicant advised that the construction dust mitigation measures already proposed represent the highest level of mitigation and no further dust assessment is considered necessary. However, in response to comments received, the Applicant confirmed that the two additional locations will be incorporated into the updated Air Quality Management Plan to be submitted at Deadline 6.</p> <p><b>Action Point 69: Confirm whether proposed monitoring in the outline Air Quality Management Plans (oAQMP) includes Whitearch residential park.</b></p>

# 12. Applicant's Summary of Case on Item 12.0: Ornithology

**Table 12.1 The Applicant's Summary of Oral Submissions on Item 12.0: Ornithology**

Item discussed	Summary of Oral Case
<b>12.1 Update on red-throated diver displacement assessment</b>	
Applicant update on Red-throated Diver displacement assessment	<p>The Applicant provided an update in relation to Red-throated Diver displacement assessment. The Applicant explained that, following a request from Natural England at Deadline 4 to undertake a quantitative displacement assessment based on a method set out in Reach et al. (2013), it sought clarification as the method was not publicly available. While Natural England advised that it could not share the method due to copyright and would instead provide a summary, the Applicant has since sourced the original paper directly from the authors.</p> <p>The Applicant confirmed that it will undertake the requested quantitative displacement assessment and include the results within an updated Marine Ornithology chapter and a revised Habitats Regulations Assessment to be submitted at Deadline 6.</p> <p>For clarity, the Applicant confirmed that the displacement assessment will apply only to activities not covered by the existing seasonal restriction commitments. In practice, this relates solely to the pre-lay grapnel run, which would take approximately seven days to complete within the relevant Special Protection Area, involving a single vessel moving at a speed of approximately 1 to 1.5 knots.</p> <p>The Applicant explained that any disturbance to Red-throated Diver would be temporary, occurring only as the vessel passes, and would be a one-off event, as no repeat passes are proposed. The Applicant advised that the assessment indicates a very small number of bird-days lost, of the order of 0.1%, which supports the Applicant's conclusion that there would be no adverse effect on integrity. Full details of the assessment and conclusions will be set out in the updated reports at Deadline 6.</p> <p><b>Action Point 70: Update marine ornithology chapter and habitats regulations assessment (HRA) with Red-Throated Diver (RTD) displacement assessment based on Reach et al (2013) method.</b></p>
<b>12.4 Potential derogation and compensation in respect of emergency repairs</b>	

Item discussed	Summary of Oral Case
Emergency repairs, HRA implications, and Red-throated Diver (RTD) sensitivity	<p>The Applicant provided further context regarding provisions secured following requests from Natural England, including the inclusion of routing and monitoring locations within the seasonal restrictions, while noting that precise locations cannot be defined at this stage given the uncertainty as to where any issues might arise.</p> <p>The Applicant explained that the potential need for emergency cable repairs within the Special Protection Area is fundamentally hypothetical. The Applicant confirmed that repairs may never be required and, even if they were, approximately half of the offshore cable route lies outside the SPA. The Applicant further explained that any damage would be most likely to occur within shipping channels, which are areas already subject to high levels of disturbance and are not typically used by Red-throated Diver.</p> <p>The Applicant advised that, even where a repair was required within the SPA, the site is only sensitive for Red-throated Diver during part of the year, between November and March, and not all activities within the SPA would result in significant disturbance. The Applicant explained that disturbance would only be considered significant where it is sustained or continuing, and that a short-duration repair with a limited spatial footprint could fall below this threshold.</p> <p>On this basis, the Applicant explained that there is a strong likelihood that any repair activity, if required, would either occur outside the SPA, outside the sensitive season, or would not give rise to significant disturbance. The Applicant confirmed that relevant case law supports the position that the Habitats Regulations Assessment must focus on realistically foreseeable effects rather than hypothetical scenarios.</p> <p>The Applicant also confirmed that, as a statutory undertaker, it would act as a competent authority under the Habitats Regulations in relation to future maintenance or repair of its assets. The Applicant explained that, where a repair activity had the potential to affect the SPA, it would be required to engage with Natural England and follow the appropriate regulatory process. The Applicant confirmed that measures requested by Natural England have already been incorporated into the application, and that further procedural detail can be provided in writing if required.</p> <p><b>Action Point 71: Confirm with Natural England whether effects identified as likely to give rise to Adverse Effects on Integrity (AEoI) can be ruled out before close of examination, or provide relevant information to inform a derogation case (for example, in respect of impacts on RTD due to emergency cable breaks/repairs) as required by NPS EN-1.</b></p>
North Falls in-combination assessment	<p>The Applicant confirmed that the North Falls project has been included within the cumulative assessment. The Applicant advised that it will engage directly with Natural England to clarify the specific concerns raised. The Applicant confirmed that the relevant calculations have been undertaken and that the results will be incorporated into the updated assessment, to be presented within the revised Environmental Statement chapter. The Applicant</p>

Item discussed	Summary of Oral Case
	further confirmed that a meeting with Natural England is being arranged to discuss the assessment outputs and to seek to resolve any remaining comments.
<b>12.2 Seasonal restriction for all activities including pre-lay grapnel run</b>	
Exclusion from winter restrictions	<p>The Applicant explained that installation activities are subject to seasonal restrictions which exclude the period from November to March, resulting in a constrained working window. The Applicant confirmed that the pre-lay grapnel run is an early activity in the offshore sequence and that the Applicant’s objective is to complete this activity within the April to October window.</p> <p>The Applicant explained that the pre-lay grapnel run is of short duration, but completing it within a single season is important in de-risking the programme and supporting the objective of completing works within one construction season where possible. The Applicant confirmed that the programme continues to be refined as development progresses and acknowledged that, if works were to extend over two seasons, the same principles and controls would continue to apply.</p>
<b>12.3 Application of a 2km buffer for vessel displacement</b>	
2km buffer	<p>The Applicant confirmed that it has considered the request from Natural England and is prepared to include a 2 km buffer around the Outer Thames Estuary Special Protection Area within the seasonal restriction. The Applicant advised that the Red-throated Diver Protocol, the Register of Environmental Actions and Commitments, and Schedule 16, Part 2, Requirement 11 of the draft Development Consent Order will be updated at Deadline 6 to reflect this. The Applicant confirmed that it considers this update to resolve the matter.</p>

# 13. Applicant's Summary of Case on Item 13.0: Ecology and biodiversity

**Table 13.1 The Applicant's Summary of Oral Submissions on Item 13.0: Ecology and biodiversity**

Item discussed	Summary of Oral Case
<b>13.1 Whether the potential disturbance effects of terrestrial unexploded ordnance have been sufficiently addressed in the applicant's ecological assessments</b>	
HDD and unexploded ordnance (UXO)	<p>The Applicant provided clarification in relation to horizontal directional drilling and unexploded ordnance. The Applicant explained that UXO risk assessments have identified some areas as having a moderate to high-risk classification, but that the detailed tables within the reports show no recorded ordnance at the specific HDD locations. By contrast, nearby projects experienced recorded ordnance within designated sites due to historic bombing activity, which is not the case here.</p> <p>The Applicant confirmed that a full UXO survey will be undertaken at the HDD launch pit later in the year. The Applicant explained that flexibility has been retained within the HDD launch area to allow the drill alignment to be adjusted if necessary, ensuring that the HDD passes beneath the expected maximum penetration depth at the boundary of the designated site. The Applicant confirmed that, if ordnance were to be identified, it would be removed where possible and that detonation is considered unlikely to be required.</p> <p>The Applicant further explained that marine UXO has been referenced within the Habitats Regulations Assessment but ultimately notes that precise prediction is not possible and sets out the regulatory controls that will apply if required. In relation to onshore and terrestrial environments, the Applicant explained that UXO matters are also addressed through the separate statutory assent process for designated sites and are therefore not assessed within the HRA. However, the Applicant confirmed that further explanation can be provided within the written submissions to clarify how HDD alignment changes and UXO risk management would interact with the designated site assent process, including engagement with the relevant statutory nature conservation body.</p> <p><b>Action Point 72: Update terrestrial elements of the ecology and biodiversity chapters and HRA to reference potential effects from unexploded ordnance (UXO) at trenchless crossing entry pits in Suffolk and Kent.</b></p>

Item discussed	Summary of Oral Case
UXO disposal	<p>The Applicant clarified that arrangements for unexploded ordnance are secured through a commitment within the Register of Environmental Actions and Commitments (commitment GG39), which provides for liaison with the relevant statutory consultees, including Natural England and the RSPB. The Applicant confirmed that survey work is currently progressing through the Site of Special Scientific Interest assent process and that this approach has been discussed with those consultees.</p> <p>The Applicant explained that the proposed survey methodology would be non-invasive, for example using drone-based techniques undertaken at an appropriate time of year in accordance with the assent. The Applicant confirmed that similar approaches have previously been approved and advised that this matter, including the agreed controls and methodology, can be referenced within the updated Habitats Regulations Assessment for D6.</p>
UXO disposal, impact on designated sites	<p>The Applicant explained that potential disturbance within designated sites will be addressed through the Site of Special Scientific Interest assent process. The Applicant confirmed that the timing of the proposed survey work has been agreed with Natural England, with surveys scheduled for the autumn period, which represents the time of year least likely to give rise to significant disturbance. The Applicant advised that this timing reflects the limited duration of drone operation and the need to minimise effects on sensitive features.</p>
Ecological assessments and surveys at Suffolk Converter Station site	<p>In response to questions regarding the need for a specific buffer around a tree near the proposed bridge, the Applicant explained that this constraint was one of the reasons for relocating the bridge from its original position, as explicitly set out within the ecological assessment. The Applicant confirmed that effects on barn owls have been considered, with mitigation secured through the provision of additional barn owl boxes and the application of appropriate timing restrictions.</p> <p>The Applicant clarified that proposed drone surveys relate to a different location within the scheme, at the RSPB reserve, and would not take place in the vicinity of the Fromus bridge.</p> <p>The Applicant further explained that, for ground investigation works, the appointed contractor has engaged its own ecologist to provide advice specific to those works. This advice relates to setbacks and temporary compounds associated with the ground investigations, which sit outside the scope of the wider Development Consent Order.</p> <p><b>Action Point 74: Confirm that an appropriate offset (for example 30m) has been applied to the proposed site access road over the River Fromus to avoid disturbance for barn owls.</b></p>

Item discussed	Summary of Oral Case
<b>13.2 Mitigation for riparian mammal activity</b>	
Mitigation proposed by Environment Agency	<p>The Applicant confirmed that it has agreed revised wording with the Environment Agency in relation to REAC commitment B71, addressing concerns regarding potential disturbance to otter during winter working after dark. The Applicant confirmed that this revised wording has been agreed in principle by the Environment Agency through written correspondence dated 19 March 2026 and will be incorporated into the Register of Environmental Actions and Commitments at Deadline 6.</p> <p>The updated wording for commitment B71 provides that, during meteorological winter, construction work within 10 metres of any main river or the Minster Stream is limited to daylight hours, defined as between one hour after sunrise and one hour before sunset, except in specified circumstances including the use of construction access routes that cross watercourses, trenchless construction beneath watercourses, and emergency works. The Applicant confirmed that this measure is intended to avoid disturbance to otter during periods of darkness.</p> <p><b>Action Point 75: Update the REAC to fully reflect the measures outlined in EA0001 [REP5-192], such as a minimum 10m offset to avoid impacts on nocturnal protected species, or provide justification as to why this is not appropriate.</b></p>
Kent Converter station site – 300m ditch and double hedge feature	<p>In response to points raised regarding a linear feature located within the converter station field, the Applicant explained that accommodating this feature would potentially require the site to be split into two separate areas. The Applicant advised that this has not been progressed on the basis that the converter station does not readily lend itself to being delivered across two distinct sites and that doing so would be likely to result in additional land take.</p> <p>The Applicant confirmed that this matter will be taken away for further consideration with the engineering team, with a written explanation to be provided setting out the practical implications and constraints. The Applicant acknowledged the strength of feeling regarding the feature and its perceived connectivity with the nearby designated site.</p> <p>The Applicant further noted that the proposals already include extensive woodland planting, which would maintain and enhance ecological connectivity, resulting in a net improvement in connectivity across the site as part of the overall scheme.</p> <p><b>Action Point 76: Provide an explanation as to why the proposed Minster converter station and sub-station site layout cannot retain the double hedge and ditch that connects the Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest to the wider ditch network.</b></p>

Item discussed	Summary of Oral Case
Beaver presence in Kent	<p>The Applicant explained that it is not reasonable or practicable to continually update surveys on a monthly basis, noting that species distribution, including water vole, beaver and otter, can change over time. The Applicant confirmed that survey evidence is provided based on a defined point in time, with updated surveys undertaken where appropriate, and that this approach will continue throughout the construction phase.</p> <p>The Applicant advised that where protected species are identified during construction, these will be addressed in accordance with relevant legislation and controls, including through the use of licencing and, where necessary, changes to construction methods. The Applicant confirmed that the information reviewed to date has been assessed carefully, including consideration of all available indicators of beaver presence, not limited solely to the presence of dams.</p> <p><b>Action Point 77: Save Minster Marshes to provide any evidence of beaver activity in the Minster stream area.</b></p>
<p><b>13.3 Bats including, but not limited to, update on Natural England licensing team barbastelle bat discussions, use of hedgerow gaps vs HDD (including evidence of programme constraints) and mitigation for Daubenton’s bats in Pegwell Bay</b></p>	
Update on barbastelle, engagement with Natural England licensing team	<p>The Applicant clarified its position in relation to licensing and engagement with Natural England. The Applicant explained that the Natural England licensing team is responsible for issuing mitigation licences where licensable activities are proposed. Where no licensable activities arise, engagement with the licensing team is not required. The Applicant confirmed that it has sought advice from the licensing team following comments raised during the examination and understands that general advice is not typically provided where no licence is required.</p> <p>The Applicant confirmed that a comprehensive package of measures addressing barbastelle bat and lighting impacts is secured through the Register of Environmental Actions and Commitments, together with detailed control of operational lighting under Requirement 3(b) of the draft Development Consent Order. In addition, extensive woodland planting is proposed, particularly to the west of the converter station, which would deliver a significant strengthening of barbastelle habitat and provide enhanced ecological connectivity. The Applicant advised that this position has been communicated previously to the licensing team.</p> <p>In the absence of any identified requirement for a licence, the Applicant explained that there is no need for a letter of no impediment. The Applicant confirmed that the relevant legal test is whether, if a licence were required, there would be a reasonable prospect of it being granted. As no licensable activity has been identified, that issue does not arise in this case.</p> <p>The Applicant also responded to points raised regarding the valuation of the bat assemblage. The Applicant confirmed that the established methodology has been applied within the Environmental Statement to assess assemblage importance. That methodology does not take account of the level of activity of individual species,</p>

Item discussed	Summary of Oral Case
	<p>and therefore the Applicant has also reported the regional value of the assemblage to provide full context. The Applicant confirmed that, even if the assemblage were classified as being of national importance rather than regional importance, this would not alter the assessment of effects, the conclusions reached, or the mitigation proposed. The significance of effects would remain unchanged.</p> <p><b>Action Point 78: East Suffolk Council to provide a list of hedgerows of particular concern for bats, where the council considers that use of horizontal directional drilling (HDD) might be justified.</b></p>
Suggestions for trapping and more extensive bat surveys	<p>The Applicant summarised its position in relation to bat trapping and radio-tracking surveys. The Applicant confirmed that extensive surveys have been undertaken across both Kent and Suffolk, including a combination of remote acoustic monitoring and walked transects, and that these surveys have been sufficient to characterise bat populations and activity within the relevant areas.</p> <p>The Applicant explained that bat trapping and radio-tracking are not routine survey methods and require separate licensing, with no certainty that such licences would be granted. The Applicant advised that repeated trapping is often considered unacceptable and that, in this case, there is no necessity for such surveys, notwithstanding that they may be of academic interest. The Applicant confirmed that the existing survey data, together with the mitigation strategy secured through the application, provides sufficient information to protect relevant bat species and associated features, with an assumption that all suitable habitat is treated as potentially used by bats.</p> <p>The Applicant further confirmed that the scope of surveys undertaken was informed by the EIA scoping process and that neither the local planning authorities nor Natural England have indicated that bat trapping or radio-tracking is required. On this basis, the Applicant concluded that further invasive survey work is not necessary to inform the assessment or the proposed mitigation.</p> <p>The Applicant emphasised that neither the local planning authorities, Natural England, nor any other statutory consultee has identified a requirement for such surveys. The Applicant clarified that bat trapping and radiotracking are not routine survey methods and that comparisons with SZC is not appropriate, noting that that scheme involves materially different circumstances, including construction works within designated sites and significant new permanent infrastructure such as road construction.</p>
Bat surveys at hoverport, Kent	<p><b>Action Point 79: Comment on ESC’s concerns [REP5-172] relating to article 27 and hedgerow gaps.</b></p> <p>The Applicant explained that the level of survey effort undertaken within the hoverport area reflects the very limited scale and nature of potential impacts at that location. The Applicant confirmed that survey coverage was also constrained by the absence of landowner access in parts of the hoverport.</p> <p>The Applicant clarified that the hoverport is proposed to be used solely as a transit route for vehicles moving from the road network onto the intertidal area. No vegetation clearance, engineering works, lighting installation or use</p>

Item discussed	Summary of Oral Case
	<p>of the hoverport as a construction compound is proposed. Vehicles would travel slowly along existing hardstanding, including firm tarmac through the initial section of the hoverport, where the main vegetation is located, before crossing an open, sparsely vegetated concrete apron to access the intertidal zone.</p> <p>The Applicant further clarified that bat activity within the hoverport will be concentrated around the vegetated areas, concentrated in the north-western part of the site, which is outside the areas proposed for vehicle movements. On this basis, the Applicant confirmed that the scope and extent of survey work undertaken is proportionate to the very limited and temporary nature of the proposed activity at the hoverport and the absence of habitat loss or disturbance in that location.</p>
HDD for hedgerows and gaps	<p>The Applicant clarified that the bat survey programme was never intended to provide survey coverage of every individual hedgerow, noting that this would be logistically impracticable, is not required to typify the assemblage of the Order Limits (the purpose of the survey for the ES) and is not standard practice for a large infrastructure project where the vast majority of habitat impacts are temporary. The Applicant explained that bat transect surveys must be undertaken at specific times during the night and are designed to characterise bat populations and activity across defined areas rather than to map every hedge line. The Applicant confirmed that it is common practice for some hedgerows not to be individually surveyed.</p> <p>The Applicant emphasised that, despite this, the assessment has adequately characterised the importance of the area for bats and has identified those locations where activity is most concentrated, informed by habitat characteristics and vegetation structure. The Applicant confirmed that, as a precautionary measure, all hedgerows are treated as potentially important for bats, regardless of whether they have been individually surveyed. The Applicant cautioned against over-interpretation of bat activity maps, which were not intended to indicate the relative importance of individual hedgerows.</p> <p>The Applicant also addressed the suggestion that horizontal directional drilling should be used in preference to open cut trenching at hedgerows. The Applicant explained that, when compared with open cut methods, HDD typically results in greater temporary land take due to the need for compounds, laydown areas, cabins and associated infrastructure, and would not necessarily reduce impacts overall. The Applicant highlighted that HDD would also sterilise larger areas of land and could conflict with landowner use, for example within managed areas such as the golf course's future reservoir.</p> <p>In addition, the Applicant explained that HDD generally takes longer to construct, typically two to three weeks compared to around one week for trenching through a hedgerow and would be more likely to require extended working hours, additional lighting and increased vehicle movements. The Applicant advised that HDD therefore has the potential to increase disturbance, including to bats, rather than reduce it.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant confirmed that its approach is to minimise hedgerow impacts by limiting works to a haul road and trench only, reducing the width of any gaps, and tailoring construction methods where hedgerows are of higher ecological importance. The Applicant noted that alternative approaches, such as a single lane haul road with passing points, have precedent and could be considered where appropriate. The Applicant confirmed that an Ecological Clerk of Works will be present to oversee works and ensure methods are adapted as necessary in discussion with regulators and through the Landscape and Ecological Management Plan.</p>
	<p>The Applicant responded to concerns raised by East Suffolk Council regarding hedgerow effects and bat mitigation, confirming that if mitigation measures were to fail at any hedgerow location, this would be readily identifiable through monitoring and oversight. The Applicant emphasised that a comprehensive package of mitigation measures is already secured, informed by Bat Conservation Trust guidance, and that works at any individual hedgerow would be of short duration, typically completed within days or, at most, a week.</p> <p>The Applicant confirmed that the specific measures within the Register of Environmental Actions and Commitments will be reviewed further in discussion with the engineering team to ensure they are both practical and effective.</p> <p>In relation to comparisons with other projects, including LionLink, the Applicant confirmed that the scope of surveys for this project was agreed at the outset with relevant consultees. The Applicant reiterated that bat radio tagging and tracking are not routine survey methods and are not considered necessary in this case. The Applicant confirmed that, to date, SEAS is the only party to suggest that such surveys are required, and that neither Natural England nor the local planning authorities have identified a need for them.</p> <p><b>Action Point 79: Comment on ESC’s concerns [REP5-172] relating to article 27 and hedgerow gaps.</b></p>
Hedgerow gap filling	<p>The Applicant explained that opportunities exist, as secured through the Register of Environmental Actions and Commitments and the Landscape and Ecological Management Plan, to retain hedgerow material and re-use it where hedgerows are temporarily affected, enabling the hedgerow to remain as a physical linear feature while new planting establishes. The Applicant confirmed that this approach would be used, where appropriate, to supplement habitat creation and strengthen hedgerow reinstatement.</p> <p>The Applicant advised that discussions with local authorities have already taken place regarding the proposed planting strategy, which would primarily comprise native species such as field maple and alder. Reinstatement would involve a combination of re-using removed material and new planting to ensure continuity of the hedgerow feature, with a view to re-establishing a continuous linear structure within a relatively short period, potentially within days.</p> <p>In locations where reinstatement relies more heavily on new planting, the Applicant confirmed that temporary fencing would be retained until the hedge has sufficiently matured, which is expected to take a number of years,</p>

Item discussed	Summary of Oral Case
	<p>or alternatively that more mature planting could be introduced where necessary. The Applicant explained that decisions on the most appropriate approach would be informed by the Ecological Clerk of Works, working closely with contractors and in consultation with the relevant local authority.</p> <p>The Applicant confirmed that longer-term management and retention of hedgerows will be secured through the Landscape and Ecological Management Plan. The Applicant acknowledged that, while a relevant commitment exists, it does not currently specify duration and confirmed that the LEMP will be reviewed for D6 to clarify the length of retention and long-term arrangements.</p> <p><b>Action Point 80: Update the REAC [REP5-115] and outline Landscape and Ecological Management Plans (oLEMP) [REP4-065] [REP4-067] to address the mechanism for mitigation of hedgerow gaps post-construction. This should cover the period until mitigation becomes sufficiently established.</b></p>
<p>Concerns relating to gaps being left unclosed and therefore unmitigated</p>	<p>The Applicant clarified that, aside from the haul road, all hedgerow gaps along the route would be reinstated in the planting season following completion of works. The Applicant confirmed that the only remaining gap would be a limited section associated with the haul road, which has been agreed with ESC a gap of up to 10 metres. This will also ultimately be reinstated.</p> <p>The Applicant explained that the cable installation programme is anticipated to take approximately 18 months and that there will be periods along the route where the haul road is not in use. During such periods, hedgerow gaps would be reinstated, rather than left open for the full duration of the programme. The Applicant emphasised that there would not be prolonged or continuous gaps in hedgerows over multiple years and that reinstatement would occur on a staged basis. The Applicant confirmed that priority would be given to ecological considerations and public use in managing reinstatement timing.</p> <p><b>Action Point 81: East Suffolk Council and Suffolk County Council to respond to the applicant's comments regarding hedgerow gaps.</b></p>
<p>Daubenton's bats in Pegwell Bay</p>	<p>The Applicant explained why no additional mitigation is required in relation to lighting impacts on birds and bats. In response to examination question 2ECOL27, the Applicant confirmed that lighting associated with the cofferdam in Pegwell Bay will be directed inwards towards the immediate working area, with no requirement to light the wider working area. As a result, even allowing for limited light spill, the area affected by lighting would be less than 0.5% of Pegwell Bay, which covers approximately 615 hectares.</p> <p>The Applicant further explained that, in relation to bats, Daubenton's bats have extensive foraging ranges and typically forage over freshwater features such as rivers, canals and lakes. Intertidal mudflat is not identified in the literature as a key foraging habitat for this species. Even on a worst-case basis, the very small proportion of potential foraging area affected by cofferdam lighting would not be significant. On this basis, the Applicant does</p>

Item discussed	Summary of Oral Case
	<p>not consider that specific additional mitigation for bats is required beyond the lighting design measures already proposed.</p> <p>The Applicant confirmed that there will be no lighting at the hoverport and no vegetation clearance in that location. The hoverport will be used solely for slow moving vehicle transit, and Daubenton’s bats primarily forage over water, further reducing the potential for impact.</p> <p>In relation to the converter station site and associated ditch network, the Applicant confirmed that lighting impacts have been considered through control of operational lighting levels and siting, ensuring lighting is well separated from sensitive ecological features. The measures secured apply to all bat species. The Applicant reiterated that bat surveys provide a robust sample rather than exhaustive coverage, and that the mitigation and controls proposed are designed to address potential effects on bats on a precautionary basis.</p>
<h3>13.4 Pegwell Bay and former hoverport access and disturbance</h3>	
<p>Update on discussions with National Trust</p>	<p>The Applicant confirmed that a meeting had been scheduled with the National Trust but was subsequently cancelled with regards to any further technical discussion following receipt of the latest Statement of Common Ground. The Applicant explained that the Statement of Common Ground is currently under review and that early indications are that the National Trust is content, subject to a small number of minor matters which may require further discussion. The Applicant confirmed that it is awaiting confirmation from the National Trust as to whether these matters can be addressed through email correspondence or whether a further meeting is required.</p>
	<p><b>Action Points 82: Provide an update on any agreements with National Trust regarding works in Pegwell Bay.</b></p>
<p>Minimum 50m offset on cofferdam and exit pit location</p>	<p>The Applicant clarified the relationship between the horizontal directional drilling exit point and the cofferdam in relation to the adjacent saltmarsh. The Applicant explained that the cofferdam will be approximately 30 metres in length, with the HDD exit point located at its centre, such that the western edge of the cofferdam would be approximately 15 metres closer to the saltmarsh than the exit point itself. The Applicant noted that distances vary due to the saltmarsh running at an angle to the coastline.</p> <p>The Applicant explained that the 50 metre distance referenced represents the agreed buffer from the saltmarsh edge for temporary activities, and confirmed that construction of the cofferdam, including installation of sheet piles and associated plant, would remain well beyond this buffer. The Applicant advised that the cofferdam location is driven by construction requirements and the need to accommodate the necessary equipment safely.</p> <p>In response to questions regarding flexibility to increase the offset beyond 50 metres, the Applicant explained that this approach is addressed through commitments within the Register of Environmental Actions and Commitments, which distinguish between temporary construction works and the permanent installed asset. The</p>

Item discussed	Summary of Oral Case
	<p>Applicant confirmed that a 50 metre buffer for temporary works is considered sufficient to mitigate effects on the saltmarsh, and that the design seeks to maximise separation distances where practicable. The Applicant confirmed that this matter will be taken away for further cross disciplinary consideration and clarification, with an updated position to be provided at Deadline 6.</p> <p><b>Action Point 83: Explain whether there can be any greater separation between the proposed works and the saltmarsh. Include consideration as to whether more disturbing works activities could be restricted in areas close to the saltmarsh.</b></p>
<p>Restriction or reduction in activities between cofferdam and west side of works</p>	<p>The Applicant clarified that the reference to likely significant effects relates to the Environmental Impact Assessment rather than the Habitats Regulations Assessment. The Applicant explained that, for the terrestrial scheme, works transition into the marine or offshore scheme at the point of the HDD drive pit and the hoverport, which together form a linear route moving into the intertidal zone. The Applicant confirmed that works within the intertidal environment are assessed as part of the marine scheme and are therefore covered within the Marine Ornithology and Marine Benthic Ecology chapters of the Environmental Statement.</p>
<p>Outline monitoring plan</p>	<p>The Applicant confirmed that, in relation to the Offshore Scheme, it is developing an outline In Principle Monitoring Plan in response to comments raised at Issue Specific Hearing 2 and by Natural England. The Applicant advised that this monitoring plan will include Pegwell Bay and will be submitted at Deadline 6.</p>
<p>Wheel wash at hoverport</p>	<p>The Applicant clarified that the purpose of any wheel washing would be to prevent the spread of invasive non-native species onto the highway network. The Applicant explained that, if task lighting were required in association with wheel washing, this would be highly localised and focused on the specific activity area, rather than involving any broader lighting of the hoverport.</p> <p>The Applicant explained that, if wheel washing were required for vehicles transitioning from the hoverport apron to the intertidal area, this would take place on a large area of existing concrete hardstanding. The Applicant advised that any associated lighting would be minimal, targeted and temporary.</p> <p>The Applicant confirmed that the precise location of wheel washing and any associated task lighting will be reviewed further, and that potential contamination issues at the hoverport, including the presence of breaks in the concrete surface leading into the intertidal area, will be considered as part of that review.</p> <p>The Applicant clarified that any wheel washing would be undertaken to prevent the spread of invasive nonnative species and that the associated lighting would be limited, task-specific and highly localised. The Applicant confirmed that moth activity is primarily concentrated in the northern area of the hoverport, prior to the concrete apron, and that any lighting, if required, would be designed sensitively to minimise ecological effects.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant confirmed that trackway will be installed across the hoverport and that a condition survey will be undertaken, with any damage repaired following construction. The Applicant explained that vehicles would not be expected to pick up contaminants from the concrete surface.</p> <p>The Applicant advised that any wheel washing activity would be very short-term and undertaken during the summer period. The need for lighting would be dependent on tidal conditions and timing of movements on and off the site, and lighting would not necessarily be required during daylight hours.</p> <p><b>Action Point 85: Confirm any lighting requirements at the hoverport, for example for wheel washing.</b></p>
Reptile surveys at hoverport	<p>In response to questions regarding reptile distribution surveys, the Applicant explained that no additional reptile surveys, including distribution surveys, have been undertaken in March or April. The Applicant confirmed that further survey work is not considered necessary. The assessment assumes the presence of reptile species within suitable vegetated habitats, which is consistent with standard practice and was discussed previously at Issue Specific Hearing 2.</p> <p>The Applicant explained that reptiles are closely associated with vegetated areas providing cover and are not generally found on hardstanding surfaces, although individuals may occasionally bask on such surfaces and move away when disturbed. The Applicant confirmed that the Proposed Development is designed to avoid works within vegetated areas wherever possible, with activities largely confined to existing hardstanding. On this basis, the Applicant confirmed that distribution surveys are not required, as reptile presence is already appropriately understood and addressed through the precautionary approach adopted in the assessment.</p>
Vegetation clearance at hoverport	<p>The Applicant confirmed that discussions have taken place with the engineering and survey teams and that no vegetation clearance is anticipated at the hoverport. The Applicant explained that the area comprises open ground, with reptiles associated with the surrounding vegetated areas rather than the hardstanding itself. The Applicant confirmed that works would be undertaken on existing hardstanding where possible and that, if necessary, smaller vehicles would be used to further minimise any potential effects. The Applicant reiterated that there are no proposals for vegetation clearance at the hoverport.</p>
<p><b>13.5 Control of activities under requirements 5 and 6, including consideration of whether the outline landscape and ecological management plan should contain more specific survey methodologies (or provision to secure this detail)</b></p>	
Pre-commencement surveys for bats, dormice, reptiles	<p>The Applicant clarified that Requirement 6 lists the Landscape and Ecological Management Plans. The Applicant explained that the intention of the drafting is that all pre-commencement surveys are to be carried out in accordance with the approved plans, with outline schemes then secured through Requirement 6(1). The Applicant acknowledged the question raised regarding whether corresponding detail is contained within the</p>

Item discussed	Summary of Oral Case
	<p>Register of Environmental Actions and Commitments and confirmed that this point will be taken away for further consideration and clarification.</p> <p><b>Action Point 86: Draft DCO Requirement 5(3) [REP5-005] secures mitigation in respect of pre-commencement operations. The primary control is the REAC [REP5-115], however triggers in the REAC such as GG02 relate to construction rather than pre-commencement activities and the REAC does not appear to be separately inclusive of all of the ecological survey requirements in the oLEMPs [REP4-065] [REP4-067]. Explain how requirement 5 secures that relevant ecological surveys for species such as bats, dormice and reptiles would be carried out in advance of construction activities like vegetation clearance or update the REAC with a specific pre- commencement provision that secures ecological surveys.</b></p> <p><b>Action Point 87: Provide additional detail on the scope and methodology of proposed pre-commencement surveys in the oLEMP [REP4-065] [REP4-067] or make provision for agreement of scope and methodology with the relevant planning authorities (for example for bats, reptiles and dormice).</b></p>
<p>Drafting amendments to Requirements 5 and 6. Operation of the authorised development, definition of all works</p>	<p>The Applicant advised that a drafting adjustment is required to Requirements 5(1) and 6(2) of the draft Development Consent Order to reflect a more conventional formulation. The Applicant explained that the proposed change would involve deleting the words “<i>all works forming part of</i>” in both provisions and replacing this with reference to “<i>the authorised development</i>”. This amendment would ensure that the requirements clearly apply to all elements of the authorised development, rather than being interpreted as limited to construction works only. The Applicant confirmed that this drafting change will be brought forward at Deadline 6.</p> <p><b>Action Point 88: ESC [REP5-172] reference A1.21 suggests that operation of the authorised development does not fall under the definition of all works forming part of the authorised development in requirements 5 and 6, this is because the definition of authorised development relates to works rather than operation. Suggest alternative wording to ensure that control plans apply to operational activities.</b></p>
<p><b>13.6 Biodiversity net gain including, but not limited to, an applicant update on progress with legal agreements and details of proposals</b></p>	<p>Progress on signing of legal agreement</p> <p>The Applicant confirmed that heads of terms have been shared with the relevant local planning authority and that feedback has been received. The Applicant advised that it is considering the suggestions made by the local planning authorities and intends to respond with revised wording by the end of March, with the final position to be submitted at Deadline 6.</p> <p>In response to a question from the Examining Authority regarding any outstanding matters, including monitoring reports, the Applicant confirmed that the obligation would be secured through a unilateral undertaking. The</p>

Item discussed	Summary of Oral Case
	<p>Applicant clarified that the monitoring relates to Biodiversity Net Gain provision, which is voluntary, and that monitoring commitments have been agreed by the Applicant on that basis.</p>
<p>Achieving net gain on or close to the site, selected location of BNG proposals and scope</p>	<p>The Applicant confirmed that landscaping provision to the south of the converter station will be delivered as part of the onsite works. This includes terrestrial habitat creation and a small section of enhancement associated with the River Fromus. The Applicant clarified that water quality matters and Water Framework Directive considerations relate to the technical condition of the watercourse and are not proposed to be delivered as part of Biodiversity Net Gain.</p> <p>The Applicant confirmed that offsite Biodiversity Net Gain delivery has been a commitment from an early stage for both Kent and Suffolk, with two biodiversity metrics provided alongside the Biodiversity Net Gain report to demonstrate meaningful environmental gain. The Applicant explained that the focus remains on achieving Biodiversity Net Gain within the local area where possible, and that discussions are ongoing with stakeholders in both counties, subject to confidentiality agreements.</p> <p>The Applicant advised that, while it remains committed to achieving at least a 10% Biodiversity Net Gain, it is not currently in a position to identify specific offsite schemes, given the scale of the unit requirement and the need to avoid premature commitments ahead of the close of the Examination.</p>
<p>To what extent will the net gains respond to the impacts arising from Sea Link</p>	<p>The Applicant clarified that there is no statutory requirement for Biodiversity Net Gain to be delivered for the Proposed Development, as the approach to BNG is being taken on a voluntary basis. The Applicant explained that the Biodiversity Net Gain metrics are therefore being used as a tool to identify the number and type of biodiversity units required, rather than as a fixed delivery prescription.</p> <p>The Applicant confirmed that it remains open to pursuing better opportunities for delivery where they arise, including through alignment with local nature recovery strategies. In relation to acid grassland, the Applicant explained that, while there is an identified unit loss within the metric, the actual loss of habitat on the ground is negligible, reflecting temporal factors within the assessment methodology. The Applicant confirmed that this matter will be considered further as part of the tender and procurement process for Biodiversity Net Gain delivery.</p>
<p>Procurement agreements for BNG</p>	<p>In response to questions from the Examining Authority regarding reporting and delivery, the Applicant explained that it is proposing to establish a structured procurement process to support delivery of a portfolio of Biodiversity Net Gain projects. This process would be compliant with the Procurement Act 2023 and would involve a pre-vetted pool of suppliers capable of delivering schemes that contribute to wider environmental and societal benefits. Opportunities are expected to be made available through an open procurement process, including advertising through Government tender platforms.</p>

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**Item discussed****Summary of Oral Case**

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The Applicant confirmed that it will provide a further response to points raised by East Suffolk Council regarding the proposed procurement framework for Biodiversity Net Gain delivery. The Applicant advised that off-site Biodiversity Net Gain delivery in East Suffolk is a key focus and confirmed that this is where opportunities are being actively explored.

The Applicant explained that the proposed procurement approach will include clear preferences regarding the location of Biodiversity Net Gain projects. In particular, schemes located within East Suffolk will be given weighting within the procurement process. Where suitable opportunities are not available within East Suffolk, the Applicant confirmed that priority would then be given to schemes located as close as possible to the site.

The Applicant further explained that the procurement framework will operate across the wider National Grid geography, but that geographic weighting rules will be applied in specific cases, including East Suffolk. These rules, including preferences for early delivery of Biodiversity Net Gain, will be clearly set out when the tender is launched through the formal procurement process.

**Action Point 89: Provide further detail about the procurement procedure relating to biodiversity net gain (BNG) and how it would secure local net gain commitments. Also provide information on any local net gain proposals, where possible.**

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# 14. Applicant's Summary of Case on Item 14.0: Any other business

**Table 14.1 The Applicant's Summary of Oral Submissions on Item 14.0: Any other business**

Item discussed	Summary of Oral Case
<b>Any other business</b>	
Clarification of proposals for hoverport in Kent	<p>The Applicant clarified matters that came up in the OFH3 in relation to the hoverport in Kent. The Applicant explained that compulsory acquisition of the hoverport is required solely to secure permanent access across the mudflats and does not equate to possession or acquisition of the hoverport as an asset. The Applicant confirmed that there is a misconception that the hoverport is being acquired outright, which is not the case.</p> <p>The Applicant also confirmed that there are no proposals to bring aggregate onto the hoverport. The Applicant advised that these clarifications will be set out in writing.</p>

National Grid plc  
National Grid House,  
Warwick Technology Park,  
Gallows Hill, Warwick.  
CV34 6DA United Kingdom

Registered in England and Wales  
No. 4031152  
[nationalgrid.com](http://nationalgrid.com)