The Great Grid Upgrade

Sea Link

Sea Link

Volume 9: Examination Submissions

Document 9.131: Applicant's Comments on Responses to Second Written Questions

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0. About this Document

0.1 Purpose of this Document

0.1.1 This document provides National Grid Electricity Transmission plc's (the Applicant's) comments on the responses submitted by Interested Parties (IPs) and Affected Persons (APs) to the **Examining Authority's Second Written Questions (ExQ2) [PD-021]**. These comments relate to responses submitted at Deadline 5.

0.1.2 The Applicant has reviewed the responses to questions directed to other parties (or jointly to other parties and the Applicant) and provides comments where it considers clarification, correction, or further context is necessary or helpful. The Applicant has not provided further comments on questions directed solely to the Applicant, as these are addressed in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**; however, responses have sometimes been provided where other Interested Parties (IPs) and Affected Persons (APs) responded to questions directed solely to the Applicant.

Project Overview

0.1.3 National Grid Electricity Transmission plc (hereafter referred to as 'the Applicant') has submitted an application for development consent for the Sea Link Project, which proposes to reinforce the electricity transmission network between Suffolk and Kent. The Project comprises the construction and operation of a new high-voltage electricity transmission connection, including underground cables, converter stations, grid supply point substations, and associated infrastructure. It also includes the removal of sections of existing infrastructure and various ancillary works.

0.1.4 A full description of the Project is provided in Chapter 4 of the Environmental Statement: **Project Description [REP1A-003]**.

Structure of the Document

0.1.5 This document is structured to align with the numbering used in the **Examining Authority's Second Written Questions (ExQ2) [PD-021]**. Chapters are numbered accordingly, beginning with '1'. Where appropriate, the Applicant has paraphrased or made minor stylistic or grammatical adjustments to the responses provided by other parties. These changes are not considered material; however, the Applicant directs readers to the original submissions for reference.

0.1.6 The following parties submitted responses to ExQ2:

- REP5-187 Dover District Council
- REP5-188 East Anglia Three Limited
- REP5-189 East Suffolk Council
- REP5-190 East Suffolk Water Management Board
- REP5-191 Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)

- REP5-192 Environment Agency
- REP5-193 Historic England
- REP5-194 Joint Nature Conservation Committee
- REP5-195 Kent County Council
- REP5-196 Kent Wildlife Trust
- REP5-197 London Gateway Port Limited
- REP5-199 Natural England
- REP5-200 Network Rail Infrastructure Limited
- REP5-201 Port of London Authority
- REP5-202 RiverOak Strategic Partners
- REP5-203 Royal Society for the Protection of Birds (RSPB)
- REP5-204 Suffolk County Council
- REP5-205 Suffolk Energy Action Solutions (SEAS)
- REP5-206 Suffolk Energy Action Solutions (SEAS)
- REP5-207 Thanet District Council
- REP5-209 The Maritime and Coastguard Agency
- REP5-210 William Notcutt Estates Limited
- REP5-211 Stuart Ian Robson
- REP5-212 Friston Parish Council and Substation Action Save East Suffolk (SASES)
- REP5-223 Struan Robertson

0.1.7 Where the Examining Authority directed questions to parties who did not respond, this is noted in the relevant sections of the document.

1. General and Cross-topic Questions (GEN)

1.1 General

Table 1.1 General

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2GEN1.	Applicant	**Need** At deadline 3 (DL3) [REP3-144], in issue specific hearing 2 (ISH2) [REP4-156] and summarised in [REP4-238] Suffolk Energy Action Solutions (SEAS) raised concerns in relation to need. SEAS state that there is no need for the proposed development and that any shortfall in capacity could be met through reinforcement of existing infrastructure. In ISH2 the ExA specifically asked the applicant to respond to SEAS [REP3-144] submission [EV6-011]. This has not been done. The ExA accepted a late DL4 submission from the applicant [REP4-236]. At paragraph 1.1.4 of this submission it states, "Some submissions are not responded to again in this document because it is the Applicant's view that all matters raised have been responded to previously, or that no further comments are necessary." The applicant is requested to provide appropriate responses to all submissions. Provide a response to the SEAS submissions detailed above, and any other submissions not already responded to. In the responses either provide a detailed answer or clearly sign post to where this answer can be found using examination library references/page or paragraph numbers.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk Energy Action Solutions (SEAS) On 6 March, SEAS sent a clarification note to the ExA and Sea Link regarding SEAS **[REP4-156]**, *How the Applicant's "need" case has fallen away, and why it matters in section 104/NPS terms*. This was intended to assist the Applicant in preparing its response to 2GEN1. As this note has not yet been published, it is reproduced here within 2GEN1 to keep the relevant material together and for ease of reference; *In light of ExQ2 question 2GEN1, we are writing to provide additional clarification relating to SEAS's Deadline 4 submission on "Need"* ***(REP4-156),*** *with the intention of further assisting the ExA's ongoing assessment and to inform the Applicant's Deadline 5 response.* *In Appendix A of* ***REP4-156****, we outline how more straightforward grid upgrade solutions, can fully resolve the N-1 "worst case fault" "need" scenarios in both Suffolk and Kent, for a fraction of the cost of Sea Link. Namely, by reconductoring the existing 55km overhead-line (OHL) Sizewell to Bramford double circuits - works that are required in any event on a lifecycle maintenance basis ahead of Sizewell C becoming fully operational - together with the provision of a new 29 km 400kv double-circuit OHL routed alongside the existing Canterbury North–Kemsley line.* *It is important to highlight that not only would these works entirely meet the "worst case fault" need, but that Sea Link itself would not do so. So these low-cost, low-environmental harm solutions offer something, in grid capacity terms, that Sea Link does not.*	The Applicant made a submission in relation to need in **Application Document 9.129 Applicant's Response to 2GEN1 and 2GEN2 in respect of Need [REP5-142]** but responds directly to the SEAS Deadline 5 submission here. The Applicant has also previously responded directly to SEAS relevant representations on need in **Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP2-014]** (section 2.10, table 2.49) and to SEAS written representations on need in **Application Document 9.79 Applicant's Comments on Written Representations [REP2-034]** (section 2.29, table 2.42). Furthermore, the Applicant provided a further written submission on need in response to ISH1 actions points in **Application Document 9.72.1 Applicant's Response to Issue Specific Hearing 1 (ISH1) Action Points [REP1-124]**. While each of the Applicant's submissions may focus and elaborate on different aspects of the needs case in response to the specific queries and challenges being addressed, the needs case set out throughout all of these documents is consistent, unaltering, and robust. For the reasons set out in **Application Document 9.129 Applicant's Response to 2GEN1 and 2GEN2 in respect of Need [REP5-142]**, the Proposed Project will reinforce the electricity transmission network by providing additional capacity that will help to accommodate new electricity generating connections, and will also ensure that the network is sufficiently resilient and capacious (per any performance standards set by Ofgem) to reliably supply present and anticipated future levels of demand. The Proposed Project therefore fulfils the Needs test for network reinforcements set out in Paragraph 3.3.78 of **NPS EN-1**.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			*We recognise that we may not have spelled this out clearly in our **REP4-156**, so we do so now.* *In particular, in Kent, the N-1 worst case fault scenario transfer deficit of about 6,516 MW across the SC2 boundary would be fully resolved by building a new 400kv double-circuit overhead-line (7,482 MW) alongside the existing double-circuit between Canterbury North and Kemsley, as proposed in Appendix A of **REP4-156** and in David Stevens' technical assessment detailed in **REP4-207**.* *However, in contrast, Sea Link would only offset that 6,516 MW N-1 worst case fault transfer deficit by 2,000 MW, leaving a substantial residual deficit of 4,516 MW.* *Sea Link cannot therefore be regarded as a reinforcement that resolves the identified transfer deficit across the SC2 boundary, which forms part of the network constraint relied upon to justify the Applicant's needs case.* *We trust that this submission will assist both the ExA and the Applicant in their ongoing assessment of the 'Need' case for Sea Link.*	As set out in **Application Document 9.129 Applicant's Response to 2GEN1 and 2GEN2 in respect of Need [REP5-142]** there is, as a matter of national policy, an *'urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives'* (Para 3.3.83 of **NPS EN-1**) and a '*critical national priority'* for the provision of nationally significant low carbon infrastructure (Para 3.3.62 **of NPS EN-1**). These policies apply directly to projects such as the Proposed Project (as confirmed in the Glossary to **NPS EN-1**). **Need Case** The suggestion made by SEAS that the need case for the Proposed Project *'has fallen away'* is incorrect. It is a fundamental mischaracterisation of the electricity transmission network to present the connection of Nautilus to the Isle of Grain as collapsing the need case for the Proposed Project. As set out in in Section 3 of the **Strategic Options Back Check Report [APP-320]** the Proposed Project will address the range of issues within the electricity transmission network. One of these issues is the Sizewell Generation Group, which is modelled to have a shortfall of 352MW capacity for this generation group. Contrary to the suggestion that this is a *'mere'* gap of 352MW, this shortfall in capacity is a significant issue in its own right, (for context, this would be enough to power around 100,00 homes), and is an issue that the Applicant must address to ensure it discharges it's duties in compliance with the conditions and obligations of the Applicant's Electricity Transmission Licence and the Electricity Act 1989. The Nautilus connection offer is addressed in detail in previous submissions by the Applicant in response to SEAS' concerns on this point, including **Application Document 9.34.1 Applicant's Detailed Responses to Relevant Representations identified by the ExA [REP2-014]** and **Application Document 9.79 Applicant's Comments on Written Representations [REP2-034].** Notwithstanding SEAS' focus being on the Sizewell Generation Group area, it is important to note that the need for the Proposed Project is driven by various issues occurring separately but simultaneously across the wider transmission network. This includes the need for additional transmission capability out of Kent, the need for additional transmission capability out of East Anglia more widely (not only the Sizewell Generation Group), and the need to deliver wider system benefits including to the Essex Generation

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				Group and capacity relief to the existing network around north Kent, the Thames Estuary, and London. **Five Estuaries and Rampion 2 DCO Applications.** The Proposed Project remains critical for the delivery of the Five Estuaries and Rampion 2 windfarms. The Rampion 2 windfarm will connect within SC2 boundary, and the Five Estuaries windfarm will connect between the EC5 and LE1 boundaries (and forms part of the Essex Generation Group). The Proposed Project is needed, in part, to reinforce these transmission network boundaries and the Essex Generation Group (as set out extensively and consistently throughout the Applicant's various submissions on this subject). It was never assumed that these projects would connect directly into the Proposed Project. This situation (both the Proposed Project needs case and the Five Estuaries and Rampion 2 connection locations) has not changed since the publication of the Clean Power 2030 Report. The Clean Power Report remains valid and attracts significant weight. The Applicant also notes that the most recent expression of Government policy, that is National Policy Statement EN-1 (designated by Parliament in January 2026), reiterates (at para 3.3.68) the need for a: '*substantial reinforcement in East Anglia to handle increased power flows from offshore wind generation (this may also require additional offshore connections coming to land in England*).' This version of NPS EN-1 was designated by Parliament in January 2026, well after the location of Nautilus, Five Estuaries and Rampion Extensions Connections were well known. **Alternate 'Solutions' Proposed by SEAS** The Proposed Project's need case is based upon and already accounts for the scheduled upgrading of both of the existing Sizewell to Bramford lines to the maximum 5000A IEC rating. There is a 352 MW deficit after these circuits have been uprated to maximum capacity. System enhancement solutions such as uprating existing circuits with higher capacity conductors, conductor monitoring, new conductor technologies or enhanced power flow control, are not practical on this line as, once the scheduled upgrade (which has already been accounted for in the need case) is completed, it will have already reached the limit to what a circuit can carry.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				For the avoidance of doubt, SEAS argument that reconductoring the Sizewell to Bramford circuits could solve this shortfall is flawed as this shortfall exists **after** the Sizewell to Bramford circuits have been upgraded to their maximum capacity, as scheduled to connect Sizewell C. For this reason, the suggestion presented in SEAS **[REP4-156]** that the need for the Proposed Project could be addressed by reconductoring the existing 55 km Sizewell to Bramford double circuits is incorrect. Turning then to Kent – notwithstanding the issues set out below with SEAS suggested alternative *'solution'*, a 29 km overhead line between Canterbury and Kemsley would be a substantial NSIP in its own right. It would have a far greater onshore presence than the Proposed Project, including a far greater stretch of Overhead lines. There is no assessment of the physical and environmental constraints that such a route would have to overcome, and no evidence submitted to support SEAS characterisation of this option as a: '*low-environmental harm solution'.* The representation from SEAS are flawed where they quote a (N-1) worst-case fault. For clarity, the National Electricity Transmission System Security and Quality of Supply Standard (NETS SQSS) refers to 'secured events' as set out **7.2 Strategic Options Back Check Report [APP-320] paragraph 3.2.8 page 25,** the worst-case secured events that must be considered is a double circuit fault on the transmission system (N-2). The worst-case fault or secured event for SC2 is a (N-2) double circuit fault between Canterbury and Kemsley as required by the NETS SQSS. The suggestion that a "7,428MW" overhead line could be built alongside already breaches the maximum 5000A IEC rating which limits double circuits to 6,930 MVA of capacity. It also does not address where the new generation in SC2 is connecting and when. Nor does it address the consequences of other electrical design implications that are not present with the HVDC solution of increased fault levels, and connectivity into substations without capacity for additional circuits. In any case, the alternate *'solutions'* proposed by SEAS would not address the range of issues identified in **APP-320,** including capacity out of the Sizewell Generation Group and capacity for boundaries EC5 and LE1. The Proposed Project does address these issues in addition to resolving the urgent and immediate SC2 near term needs.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				The Proposed Project resolves multiple issues across a wide geographical area with a single HVDC solution, the Proposed Project provides an efficient, coordinated and economical system of electricity transmission as required by section 9 of the Electricity Act 1989 Finally, the alternative 'solutions' presented by SEAS fail to meet the tests set out in **paragraph 4.3.23** of **NPS EN-1**: "*The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.*"
2GEN2.	All parties	**Need** The need for the project was explored at ISH1. Several parties have made submissions requesting that the topic of need be discussed again at a future ISH. The ExA reminds all parties that the examination is a predominately written process. Due to the highly technical nature of need as a topic and the necessity for considered responses to questions, the ExA's current view is that it will be most assisted by examining the evidence in writing. To date the ExA has received extensive evidence on the topic of need, both orally and in writing, and is carefully considering the cases of the parties. If any party has any new or additional evidence they believe is important and relevant to the examination of need, we ask that it is submitted for DL5 in order to allow a fair opportunity for all parties to comment on each other's submissions.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC does not have any new or additional evidence to submit.	The Applicant notes this response.
			Dover District Council The Council has no new or additional evidence relevant to the examination of need.	The Applicant notes this response.
			Suffolk County Council SCC has not challenged the need for the proposed interconnector between Kent and the East Suffolk coast. However, SCC is concerned with the use of the need case to justify the inadequacy or absence of necessary mitigation measures, particularly in terms of core working hours. The Applicant has not addressed SCC's concerns that the project time line has not been updated to reflect the fact that the DCO is unlikely to be made before the end of 2026 (whereas the Applicant has assumed a date of Q2/2026) and nor has the Applicant provided any calculations either to support its claimed additional costs of delay if the core working hours are restricted as suggested by SCC or to show what any such costs would be on a per capita basis (per consumer). These concerns were set out in SCC's submissions at ISH2 (and are reflected in its Post Hearing Submissions following ISH2 (section 16.1) in [REP4-150]) and have not been addressed.	The Applicant's view is that the proposed core working hours are reasonable and proportionate and are justified in their own right, even setting aside the *'urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives'* (Para 3.3.83 of **NPS EN-1).** The indicative timeline set out in the **Application Document 6.2.1.4 (B) Part 1 Introduction Chapter 4 Description of the Proposed Project [AS-018]** reflected a reasonable working assumption as it stood at the time that the Application was made. The fact that it has been overtaken by events does not undermine the *'urgent'* need set out above. As a transmission licence holder, the Applicant is required to develop and maintain an efficient, coordinated, and economic electricity transmission system. The Applicant would not make decisions based on an aggregated cost per consumer and there would be no purpose in the Applicant providing these calculations.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			East Suffolk Council ESC is conscious that a number of parties have already provided evidence and information regarding the Applicant's argument on need. ESC does not intend to repeat or simply duplicate information already before the ExA. It is noted that Suffolk Energy Action Solution (SEAS), amongst others, have drawn attention to the fact that the NESO Clean Power Report can no longer be relied upon by the Applicant. ESC aligns itself with the views of SEAS in this respect as provided by SEAS [REP2-111, REP2-112 and REP2-113]. Section 104(2)(a) of the Planning Act 2008 provides that – *"In deciding the application the Secretary of State must have regard to –* *(a) any national policy statement which has effect …"* Whilst ESC accepts that the fundamental rationale for the raft of NPSs published over the last 15 or so years has been to remove/prevent public debate about need of a given project per se from the NSIP examination process, the presumption as to need only arises if the relevant NPS "has effect". In light of the flaws that have been identified by SEAS in the Clean Power Report – which cannot be refuted by the Applicant – it is queried whether EN -1 actually does have "effect"? At the risk of dangerous over-summary, the case put by SEAS to the ExA is very simple and falls into three parts, namely: i) The Energy NPSs support the principle of projects that facilitate the generation and transmission of green energy. The problem faced by the Applicant – which it has been unable to answer satisfactorily – is that, in light of the defects identified in the NESO Clean Power Report on which the Applicant's need case is partially based, that need case must logically fall away; in that	SEAS is objectively wrong to state that there are 'flaws' and ESC is wrong to accept SEAS' own flawed analysis as accurate. The Proposed Project needs case is robust, as demonstrated throughout the substantial amount of detailed information submitted by the Applicant on this matter, most recently in **Application Document 9.129 Applicant's Response to 2GEN1 and 2GEN2 in respect of Need [REP5-142].** As set out in **Application Document 9.129 Applicant's Response to 2GEN1 and 2GEN2 in respect of Need [REP5-142]**, the Proposed Project is the subject to a Section 35 Direction from the Secretary of State confirming that it should be treated as development for which development consent is required under the Planning Act 2008. In these circumstances NPS EN-1, in conjunction with any relevant technology specific NPS, is *'the primary policy for Secretary of State when making a decision'*. The statement that '*EN-1 only "has effect" if there is a demonstrable need for a given project*' is not, and cannot be, correct. Paragraph 3.3.75 of NPS EN-1 actually sets out the national policy tests for assessing the need for projects to reinforce the electricity network such as the Proposed Project. It would also be incorrect to present the Clean Power Report as providing the sole or indeed main basis for the need for new national infrastructure that is set out in NPS EN-1 2024. As confirmed in the ExA's Rule 6 Letter **[PD-010]** it is the 2024 versions of National Policy Statements EN-1, EN-3 and EN-5 that apply for decision-making for the Proposed Project's application. The 2024 version of NPS EN-1 of course pre dates the NESO Clean Power Report, which means that the '*urgent need'* for significant amounts of large-scale energy infrastructure set out in NPS EN-1 2024, (including reinforcement and bootstrap projects that meet the criteria set out in paragraph 3.3.78 of NPS EN-1) pre dates and does not rely upon the Clean Power 2030 Report. As to East Suffolk Council's summary of SEAS case, the Applicant's view is that: i) The need for the Proposed Project is not based solely or indeed principally upon the Clean Power 2030 Report, and it is simply wrong to say that the Applicant's need case has fallen away;

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			ii) EN-1 only "has effect" if there is a demonstrable need for a given project, which in light of (i) above, is clearly not the case. iii) It follows that EN-1 upon which EN-3 and EN-5 rely, only "has effect" in terms of supporting the principle of facilitating the supply of green energy, the NPSs are not designed to and cannot support a fundamentally flawed case.	ii) NPS EN-1 is in fact the *'the primary policy for Secretary of State when making a decision'*. Far from only having effect '*if there is a demonstrable need for a given project'* NPS EN-1 actually provides the relevant policy tests (at Paragraph 3.3.75) for assessing the issue of need; iii) As set out above, the Applicant is clear that NPS EN-1, NPS EN-3 and NPS EN-5 all have effect for the purposes of making a decision on the Proposed Project's application. There is a strong, robust need case for the Proposed Project as set out by the Applicant throughout the DCO Application.
			Natural England Natural England has no comment to make on this topic.	The Applicant notes this response.
			Historic England Historic England has no further comment at this time.	The Applicant notes this response.
			Stuart Ian Robson I am responding to the ExA's 2Gen2 appeal to all parties for formal written submissions on open issues surrounding "Need" in its 25 February 2026 ExQ2 response "2Gen2" My concern on Need continues to be that my understanding is that by far the greatest amount of power generation on the East Suffolk coast will come from Sizewell B & C. The consented EA1N and EA2 Windfarms – and the unconsented proposed Lionlink interconnector from the Netherlands –would only add a contribution that is small relative to the combined output from these two huge nuclear plants when both are fully operational in the late 2030's or early 2040's. I was also advised in the applicant's pre application consultation meetings that one of NESO's concerns was for the Applicant to provide – through Sealink – for an alternative route to the existing overhead cables for East Suffolk power to be distributed across the Grid (dual routing) – a commendable objective. What I have never seen properly justified by the applicant or by NESO is given that dual routing objective then why not connect Sealink to the National Grid directly within the Sizewall site which of course fronts the North Sea only 3 miles north of the proposed cable landfall at Aldeburgh. Originally the applicant did seek to justify the decision to leave	The Proposed Project will indeed reinforce the network in a way that accommodates power from Sizewell B & C. The reinforcement does not need to connect directly into Sizewell in order to do this. This is because there are two parallel double circuits running out of Sizewell, meaning that even in a worst case fault scenario in this area (i.e. a double circuit fault on one of the Bramford to Sizewell circuits) there would still be a single double circuit in operation between Sizewell and Bramford substation, that would allow power to flow from Sizewell. This power can then be taken out of the region, as necessary subject to network conditions at the time, via the Proposed Project either directly or via Bramford substation (depending on which double circuit is experiencing the fault). In this way, the Proposed Project will indeed provide an alternative route to the existing overhead lines for power to flow out of (and indeed into) the East Anglia region. This is in accordance with the Proposed Project needs case in **Application Document 7.2 Strategi Options Back Check Report [APP-320]** and subsequent needs case submissions. Notwithstanding this, the possibility of locating the proposed converter station closer to Sizewell was robustly considered during the routing and siting design stages of the Proposed Project. This considered the fact that connecting nearer Sizewell would require the construction of a new substation, or a connection into either the existing Sizewell B substation which would be significantly constrained by technical and environmental factors, or the future Sizewell C substation which has spatial and technical constraints. It considered environmental factors influencing the suitability of this area for development, including its location within the Suffolk Coasts

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			the Sizewall power single routed (i.e. transmitted down just one set of overhead cables) from the Sizewall site to Friston on the basis that there was not enough space within the Sizewall site for the necessary transmission infrastructure (specifically the equipment required for the AC/DC conversion). This was always a weak argument and the way the Applicant stated it gave me no confidence at all that the Applicant had in anyway tested and pushed back on the original "no room" feedback from EDF (the Sizewall B & C site owner) and from the Sizewall A owners (if the latter were even asked?) But as I pointed out in my submission to the initial hearings last November, it was announced in June last year that an area the size of a football pitch had been cleared at Sizewall and freed up for future use following early removal of old – non-nuclear – turbine hall buildings at the former Sizewall A. See Regulator welcomes completion of 18-month project to demolish Sizewell A turbine hall | Office for Nuclear Regulation My concern on Need is that, now there is clearly space available within the Sizewall site for the required AC/DC conversion infrastructure, NESO and the Applicant's reasons for selecting Sealink's grid connection at Friston rather than at Sizewall seem to – at best - have been overtaken by events (or maybe they simply didn't pursue the landfall at Sizewall option properly in the first place?) . But given the ability by relocating the Suffolk landfall cable point slightly further north to provide full dual routing for all Sizewall generated power, why is this apparent opportunity to better meet at least one aspect of the identified "Need" objectives for Sealink not being pursued? To date the Applicant has not, to my knowledge, addressed this comment and I would respectively request the ExA to ensure that – at very least – they respond to it as without their response this aspect of the "Need" case will not have been properly considered.	and Heaths AONB (now National Landscape). It also considered the likely temporal overlap with the construction of the Sizewell C works, which could have programme implications for the delivery of this Project in line with the needs case. The routing and siting process is presented in more detail in **Application Document 8.1 Corridor Preliminary Routeing and Substation Siting Study (October 2022) [APP-368]** (the 'CPRSS') While the Sizewell A turbine hall site was not one of the converter station Option Areas considered in the CPRSS, the demolition of this building does not create sufficient space for this site to be considered for the converter station (which assumed a minimum site size of 6ha), and does not alter the conclusions of the routing and siting exercise.
2GEN3.	Natural England (NE)	**Kent landfall** Clarify your concerns about the applicant's screening out of Likely Significant Effects (LSE) pathways to European sites at the Kent landfall, as summarised in Ex1.4.5 of the HRA Report [REP4-057]. The pathways described are temporary physical disturbance, underwater sound impacts, permanent loss of	**Natural England** Please see our response to Q2MO5 and Q2PE4.	Noted. The Applicant responds to these points at 2MO5 and 2PE4, below.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		benthic habitat and species, and disturbance due to thermal emissions. Confirm which sites, qualifying features and LSE pathways are of concern, and what further detail you consider is needed to address your concerns (if these have not been dealt with by the applicant's responses in [REP4-241].		

1.2 Design, Parameters and other Details of the Proposed Development

Table 1.2 Design, parameters and other details of the Proposed Development

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
2GEN5.	Applicant	**Detailed design in the dDCO requirement 3** Provide comments on the relevant planning authorities' suggested wording provided at DL4, including any implications for the delivery of the proposed development.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Friston Parish Council and SASES **2GEN5&6** – FPC notes that these questions have been directed to National Grid and the local authorities, however the focus on the detail of Requirement 3 has meant that fundamental "design" requirements in the EA2 DCO have been overlooked namely, • the height of the substation; • the footprint of the substation; and • the need for it to be a GIS substation. No criticism of the local authorities it suggested but this oversight is a consequence of National Grid's wrongheaded approach to the drafting of the DCO with respect to the substations site. The design of the National Grid substation at the substations site at Friston has either been approved by East Suffolk Council under the discharge of requirements process for EA2, or is very close to approval, following an extensive design process in accordance with the EA2 DCO, including workshops with the local community which National Grid attended. That design should be the final design regardless of which DCO the National Grid substation is built under. Amendments have been made to paragraph 3 (Detailed Design) of Schedule 3 of the draft DCO submitted at Deadline 4 (REP 4–217 & 218) in an	The Applicant provided a detailed response to planning authorities suggested wording for Requirement 3 of the draft DCO in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135].** The Applicant's view is that it is highly likely that Friston Kiln Lane Substation will be constructed pursuant to Scottish Power Renewables' East Anglia 2 DCO. It is however important that the Applicant retain the backstop option of constructing the Friston Kiln Lane Substation to ensure that Sea Link is deliverable in all circumstances. The Applicant may wish to retain the option of adding roof mounted equipment, such as lightning rods, handrails and plant to the roof of Friston Kiln Lane Substation and would not propose to amend the wording of the draft DCO in this regard. Likewise the Applicant does not propose to amend the wording of the draft DCO to preclude any AIS equipment or to mirror the EA2 DCO on the footprint on the substation Paragraph 3(2)(b) is intended to deal with a scenario where the East Anglia TWO or East Anglia ONE North projects do not progress, and to ensure that the circumstances around this scenario are considered by the local authorities when discharging this requirement.

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			attempt to address this issue. However those amendments do not ensure that the detailed design approved under the EA2 DCO in respect of the National Grid substation are fully replicated under the draft Sealink DCO. Accordingly the amendments are defective in a number of respects relative to the design requirements for the National Grid substation in the EA2 DCO as follows. In the EA2 DCO the height of the GIS National Grid substation is not to exceed 16m above finished ground level - Paragraph 7(b) Part 3 of Schedule 1. However as previously submitted National Grid is now seeking to exclude from this height limit "*roof mounted equipment*" as set out in Clause 5 of the draft DCO. Further there is no definition of roof mounted equipment so it could be of any size. This exclusion should be deleted. The National Grid substation in the draft DCO is of GIS design, but there does not appear to be any reference to this type of design in the draft DCO. The height of 16m was only permitted in the EA2 DCO for a GIS substation based on the fact that it would have a much smaller footprint than an AIS substation (maximum height 6m) and therefore in theory less landscape impact notwithstanding its height. Accordingly requirements should be included in the draft DCO that: • the substation is to be of GIS design and therefore will not include any AIS equipment (this also goes to the noise issue with AIS equipment). Currently the description of Work No. 1B – new Substation at Grove Wood, Friston, Suffolk set out in Schedule 1 Part 1 does not reference GIS; • the footprint on the GIS substation is not to exceed 16,800 m² – as required in the EA2 DCO - see paragraph 15(b) of Part 3 of Schedule 1. Turning to the language of the amendments, they are not sufficient to guarantee that **all** the design requirements which have been approved by ESC are carried forward. Additional wording should be included at the end of paragraph 3 (2)(a) as follows, *"and generally in accordance with all conditions, requirements etc set out in such documents and the*	

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			EA2 DCO insofar as they relate to the Suffolk Substation" It is unclear why paragraph 3(2)(b) is necessary.	
2GEN6.	East Suffolk Council (ESC), Thanet District Council (TDC), Kent County Council (KCC), Suffolk County Council (SCC), Historic England	**Detailed design in the dDCO requirement 3** Provide comments on the applicant's wording in requirement 3 of the dDCO [REP4-217] and whether it would provide adequate controls over the design of above ground elements of the proposed development.	**Thanet District Council** TDC maintains that the wording proposed by the LPA set out in response to Issue Specific Hearing 2 (ISH2) action points [REP4-162] is sufficient and we would welcome the inclusion of operational lighting either within this requirement or a separate one. The concerns with the current wording are set out in the Principal Areas of Disagreement Summary Statement – Deadline 5 Update.	The Applicant has referred to the Thanet Principal Areas of Disagreement Summary Statement [**REP5-186**] (Thanet PADSS) to respond fully to these points. Under comments on requirement 3 TDC states that the project should accord with the design parameters, Site Location Plan, works plan and design principles rather than general accordance. Design parameters are firmly secured in Article 5 in the draft DCO and development must accord with these parameters. The Location Plan only shows the Order limits, there is no scope to amend the Order limits without formal change processes so the Applicant must develop with the Order limits shown in the Location Plan. The Works Plans are also firmly secured. Works that are consented as part of the DCO are only permitted within the lines and situations shown in the Works Plans as specified by Article 3(4). The Applicant has submitted an Outline Operational Lighting Management Plan at Deadline 6 and has added a clause to requirement 3 to require a final Operational Lighting Management Plan to be submitted and approved by the relevant planning authority prior to lighting being installed. The Applicant hopes this resolves concerns on lighting design. The Thanet PADSS also requested that aspects of development should be in accordance with Key Design Principles rather than 'in general accordance with'. As a compromise position the Applicant has amended wording to say 'substantially in accordance with' these principles. 'In accordance' with is considered too strong given the content of the principles and would allow flexibility for local planning authorities and the Applicant to work together towards the best outcome. The Applicant is pleased that Thanet welcome the addition of the Kent substation to requirement 3. The Applicant has also altered the wording of Requirement 3 such that it now provides for the relevant planning authorities to approve the design of Kent converter station and substation buildings without restricting this approval to certain elements of the design. The Applicant considers that significant concessions have been made to enable approval of designs but would continue to emphasise that many aspects of design have very limited flexibility, with most equipment outside buildings having no flexibility. Thanet mention, for example, approval of details of fencing. However, due to the nature of converter stations and substations that are part of the NETS, fencing is highly specified, with no flexibility in height and only two types of fencing permissible. The Applicant is nevertheless grateful to TDC for working positively to improve the requirements.

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			Suffolk County Council Please refer to the SCC response to 1GEN47 in Table A1 in its Comments on Submissions received by Deadline 3 [REP4-201]. SCC does not consider that the Applicants' wording in requirement 3 of the dDCO [REP4-217] would provide adequate controls over the design of above ground elements of the proposed development. SCC remains of the view that its proposed wording in response to Action Point 131 as submitted at Deadline 4 [REP4-150] is appropriate and meets the relevant tests for planning requirements. The proposed above ground structures result in significant adverse residual effects. Given the large degree of flexibility sought by the Applicant at consenting stage, SCC considers that a full approval process is required to provide the decision maker with greater confidence around the post-consent detailed design stage that best design will be sought. The approval process for each piece of permanent infrastructure referenced in the requirement should include, massing, shape/external design and appearance, materials, finishes, external lighting and detailed landscape proposals. By comparison, for the Fromus bridge and the converter station, only the '*external colour and surface finish*' requires approval which is severely deficient given the exclusion of various aspects of the infrastructure relevant to their design and the residual significant adverse effects. There is no coherent operational reason for restricting the discharging authority's design control to only these aspects of substantial built features which are being introduced into a rural setting with both landscape and heritage attributes and sensitivities. There is only one design principle (ID.3) referenced in 3(d) in relation to the Fromus bridge which was clearly not drafted specifically for the bridge as it mentions the design of roofing. Given the large degree of flexibility sought by the Applicant despite the significant permanent adverse effects of its proposed bridge, more certainty should be given over the processes and outcomes which will be sought through the design process. This could be achieved through dedicated design principles for the bridge, as envisaged within SCC's proposed wording for the requirement in [REP4-150]	The Applicant considers that significant compromises have been made for local planning authorities to approve aspects of design, particularly given that many aspects of development have no or limited flexibility in the scale, appearance, sequencing and layout. Whilst there are residual effects, these effects would not be removed or reduced by the relevant planning authority approvals for elements of the project where these is no flexibility to respond to inputs or change the 'design'. The Applicant does not consider that a large amount of flexibility is sought in the application. The limits of deviation for the substations and converter stations are actually very limited; providing very little movement within the site. The only area where greater limits of deviation have been incorporated was for Friston substation and that was only to ensure the application was aligned with the limits of deviation for the same substation in the EA1N and EA2 applications. Whilst the detailed design is not complete and final layouts and elevations cannot yet be provided, the final scale and nature of development at the substations and converter stations are likely to be very similar to those presented in the Design and Layout Plans [**APP-037**]; with changes driven by the final electrical design with limited flexibility available. SCC states that design requirements should include: massing, shape/external design and appearance, materials, finishes, external lighting and detailed landscape proposals. On massing and shape of the buildings, the height of the buildings will be entirely driven by the height of the equipment within them and the clearance required between the roof structure and the shape driven by the equipment sequencing and layout, again where there is generally very limited or no flexibility. The external appearance, finishes and colours were already subject to approvals under requirement 3. The detailed landscaping proposals would be submitted for approval as part of the Landscape and Ecological Management Plan under requirement 6 so are already for submission and approval by the relevant planning authority. Notwithstanding the above, the Applicant has agreed to amend Requirement 3 so that design of the buildings would be submitted and approved by the relevant planning authority and made this amendment to the draft DCO at Deadline 6. During discussions with the local planning authorities on this potential change, SCC suggested that the Applicant cross reference the Critical Design Principles as a way of emphasising that not all aspects of design are flexible. This suggestion has also been taken on board in the re-drafting of requirement 3 with thanks. The Applicant has also now added provisions to requirement 3 for details of operational lighting to be approved by the relevant planning authority. The Applicant has also amended requirement 3 so that the design of the Fromus bridge is to be submitted and approved by the

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			3(c) of the requirement references a technical statement which should also require approval to ensure that the details included regarding '… *demonstrating how … the Applicant has sought to reduce the scale of the bridge* …' are verified by the relevant authority. This would ensure there is accountability for the Applicant to seek to minimise residual effects. For the substation, SCC welcomes the principle of using the documents approved for Requirement 12 of the SPR consents as the relevant control of the substation on account of the extensive design processes used by SPR to inform the final design which the Applicant is unwilling to align with. However, it is deeply concerning that only 4 items from these documents form the controls in the Applicant's requirement. National Grid will be constructing the substation under the SPR consents and so there is no reason why this application cannot commit to constructing the substation in accordance with the documents approved under Requirement 12 of the SPR DCOs. Requirement 12 of EA2 has now been approved as application DC/25/4827/DRR1. This can now be explicitly referenced in the Applicant's requirement. To illustrate that NGET will be constructing the substation under that consent, the Onshore Substation Detailed Design Report approved under Requirement 12 states '*The National Grid infrastructure has been consented as part of both the EA ONE North and EA TWO DCOs but will be constructed by National Grid Electricity Transmission (NGET).*' the National Grid substation has gone through an extensive design process under the SPR consents.	relevant planning authority in line with SCC's request. The Applicant also agrees that the design principles have limited relevance to the bridge, and reference to ID.3 has now been removed from this requirement. The Applicant is therefore of the view that significant additional compromises have been made for the relevant planning authorities to approve aspects of the design since the meetings with SCC in March and April on this topic. However, as the Applicant has explained since prior to application submission, it would be completely unworkable to secure all documents submitted to discharge Requirement 12 on the EA2 DCO as part of the Sea Link DCO. See the Applicant's response to 3GEN29 in **Application Document 9.136 Applicant's responses to Third Written Questions** for further information.
			East Suffolk Council ESC provided its proposed wording for Requirement 3, prepared in collaboration with Suffolk County Council and Thanet District Council, in its response to ISH2 Action Point 131 [REP4-119]. ESC notes that the Applicant has made significant amendments to the wording of Requirement 3 following discussions at ISH2. ESC has reviewed the revised wording and has the following comments to make. <u>Saxmundham Converter Station design</u> Paragraph (1) of Requirement 3 deals with the approval of detailed design details for the Suffolk	The Applicant appreciates ESC's acknowledgement of the amendments made to requirement 3 to address comments from local planning authorities. Please see above for a response to individual design matters.

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			Converter Station, Kent Converter Station, and Kent Substation. ESC understands that it, as the discharging authority for Requirement 3 for the Suffolk Converter Station, would be afforded the ability to approve details of the external colour and surface finish of the Saxmundham Converter Station, but would be restricted only to confirming that the details of the layout, scale and operational lighting of the permanent buildings are in general accordance with the Key Design Principles. Whilst this is an improvement on the previous drafting of Requirement 3, providing ESC with additional control over the external colour and surface finish, ESC considers its control over the design of the Suffolk Converter Station remains unacceptably limited. Furthermore, Paragraph (1) of Requirement 3 appears to neglect to mention other aspects of external appearance beyond external colour and surface finish. For example, the Converter Station Design Principles in Section 3 of the Design Principles – Suffolk document [REP4-073] makes reference to a number of other design elements, including materials, the provision of aesthetic detailing, and the incorporation of on-site renewables into the converter station design. However, Paragraph (1) of Requirement 3 only requires the external colour, surface finish, layout, scale, and operational lighting to be in general accordance with the Key Design Principles, and so other equally importance design considerations are not captured. Friston Substation design Paragraph (2) of Requirement 3 deals with the approval of detailed design details for the Suffolk Substation (Friston). ESC considers that the list of design details in Paragraph (2)(a) which Work No. 1B must be constructed in accordance with is insufficient. The Applicant should be required to construct Work No. 1B in accordance with the documents approved through a discharge of Requirement 12 of Part 3 of Schedule 1 to the East Anglia TWO DCO (SI 2022/433) (or any updated details approved through the discharge of requirements that DCO). River Fromus Crossing design Paragraph (3) of Requirement 3 deals with the approval of detailed design details for the bridge over the River Fromus. ESC understands that it, as the discharging authority for Requirement 3 for the River Fromus Crossing, would be afforded the	

Reference	Question to:	Question	Response from Interested Party of Affected Person	Applicant's Comments
			ability to approve details of the external colour and surface finish of the bridge, but would be restricted only to confirming that the details of the layout and scale of the bridge meet the parameters in Paragraph (3)(b) of Requirement 3 (noting this appears to be mistakenly referred to as Paragraph (4)(b) in Paragraph (3)(a)). As noted above for Paragraph (1) in relation to the Suffolk Converter Station design, Paragraph (3) of Requirement 3 appears to neglect to mention other aspects of external appearance beyond external colour and surface finish, such as the design of the abutment walls and parapet railings. Paragraph (3)(c) requires a technical statement to be submitted to the relevant planning authority, but this is not to be approved, and its purpose is solely to demonstrate that the Applicant has sought to reduce the scale of the bridge; there is no scope for the relevant planning authority to control elements of the design of the bridge mentioned in Paragraph (3)(c) such as the design of the abutment walls and parapet railings. ESC therefore continues to request that the wording of Requirement 3 provides ESC with the ability to approve all aspects of the external appearance of the bridge. ESC also queries the reference to Design Principle ID.3 in Paragraph (3)(d), noting that this Design Principle is narrow in scope (dealing with materials, colours, and textures), and also refers to aspects of design that are clearly not relevant to the River Fromus Crossing, including 'roofing systems'. ESC considers that specific Design Principles for the River Fromus Crossing are needed, and these can then be referred to in Paragraph (3)(d) of Requirement 3.	
			Historic England Historic England have noted the changes, and confirm that we are content with the wording changes.	The Applicant notes this response.
			Friston Parish Council and SASES Please see response under question 2GEN5.	The Applicant has responded to this point, above.

1.3 Draft Development Consent Order (DCO)

Table 1.3 Draft development consent order (DCO)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2GEN10.	Applicant	**Article 5** The Table of Parameters provides the height above existing ground level for the substation and converter station in Kent but elsewhere in the table it refers to height 'above finished ground level'. For improved precision: • Consider using 'existing ground level' for all heights in the table or include detail to clarify where 'finished ground level' is specified. • Ensure only the word "finished" or "finish" is used, and not both, throughout the dDCO. • Add any definitions in relation to above ("existing ground level", "finished/final ground level") as required to article 2 for the avoidance of doubt.	**Friston Parish Council and SASES** As mentioned in the response to questions 2GEN5&6 the exclusion of roof mounted equipment in respect of the height of the National Grid substation should be deleted.	The Applicant has responded to this point above, and for the reasons set out does not propose to change the proposed wording of **Application Document 3.1 (H) draft Development Consent Order [REP5-005]** in this regard.
2GEN13.	**Applicant** Local authorities	**Article 49 - Defence to proceedings in respect of statutory nuisance** **Applicant:** Article 49(1)(b) provides for a defence against statutory nuisance in operation and if "the defendant shows that the nuisance— (i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised project and that the nuisance is attributable to the use of the authorised project which is being used in accordance with the Construction Noise and Vibration Management Plan". As the outline Construction Noise and Vibration Management Plans [AS-131] and [AS-133] contain no operational noise controls, explain the purpose of this clause and whether additional operational noise controls should be referenced. **Local authorities:** To comment.	**Applicant** **Thanet District Council** TDC's Senior Environmental Health Officer considers that the required CNVMP which will have regard to the oCNVMP and a requirement to carry out a NMP once a contractor is selected must have Local Planning Authority agreement. This sets out measures to manage and control noise and vibration arising from construction activities. In that context, it is reasonable for compliance with such a document to form part of the demonstration that best practicable means have been employed and must be reviewed and agreed by the LA. Operational noise from the substation is a permanent feature of the development and may vary over time due to plant replacement, maintenance, degradation, or other operational changes. For this reason, it would not be appropriate for compliance with the operational noise impact assessment to be relied upon as a defence to statutory nuisance during the operational phase.	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]** The Applicant has considered the benefits of including operational noise limits in the DCOs to provide further reassurance to Interested Parties on this matter, and added controls into the **Application Document 9.84 (C) Register of Environmental Actions and Commitments [REP5-115]** that was submitted at Deadline 5 which require that operational noise levels shall not exceed 34 dB LAr,T at any noise sensitive receptor, when assessed at a position 1 metre from the façade of the receptor (free field equivalent). The Applicant considers that this additional measure addresses the point about operational noise. .

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Operational noise should remain subject to the standard statutory nuisance regime under the Environmental Protection Act 1990, which allows the Local Authority to assess circumstances at the time any alleged nuisance occurs. Accordingly, the authority considers that Article 49(1)(b) is most appropriately interpreted as relating to construction activities only, and that it should not be taken to imply that operational noise impacts assessed at the planning stage or compliance with the CNVMP would constitute a defence to statutory nuisance during operation.	
			Dover District Council This is a recognisable defence where proceedings are brought under Section 82(1) of the Environmental Protection Act 1990. The Council's Environmental Protection Officers have no outstanding issues to raise regarding noise concerns.	This response is noted.
			Suffolk County Council *Public Health* Public Health note that matters relating to statutory nuisance, noise and vibration assessment and the interpretation of operational noise control provisions fall within the professional remit of the District Councils Environmental Health Officers, who serve as the authority in respect of statutory nuisance. Accordingly, Public Health defer to Environmental Health colleagues on the technical interpretation of Article 49(1)(b), including the implications of the absence of operational noise controls within the outline Construction Noise and Vibration Management Plans [AS-131] and [AS-133], and whether additional operational noise control mechanisms should be secured within the Development Consent Order.	The Applicant notes this respond deferring to ESC and responds to ESC, below.
			East Suffolk Council ESC considers that Article 49(1)(b)(i) should not make reference to the Construction Noise and Vibration Management Plan because, as identified by the ExA, it contains no operational noise controls and so is not relevant to the use of the authorised project. Instead, ESC suggests that Article 49(1)(b)(i) should refer to an operational noise limit DCO Requirement, which ESC has been continually requesting that the Applicant proposes, as early as	As set out above, the Applicant has considered the benefits of including operational noise limits in the DCOs to provide further reassurance to Interested Parties on this matter, and has added controls into the **Application Document 9.84 (C) Register of Environmental Actions and Commitments [REP5-115]** that was submitted at Deadline 5 which require that operational noise levels shall not exceed 34 dB LAr,T at any noise sensitive receptor, when assessed at a position 1 metre from the façade of the receptor (free field equivalent).

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			Deadline 1 of the Examination (see Section 6.3.7 of ESC's LIR [REP1-128]). Despite the Applicant stating at Deadline 2 that it would provide a response to ESC's request at a later deadline ([REP2-027]), at the time of writing, ESC is still yet to receive any further information regarding the Applicant's position on this matter, nor has any indication been given that an operational noise DCO Requirement is forthcoming. At this stage in the Examination, this is simply not acceptable. East Anglia ONE North (EA1N) and East Anglia TWO (EA2) committed to 31 dBA and 32 dBA noise rating levels at the three Noise Sensitive Receptors closest to the Friston substation site (see Requirement 27 of the EA1N and EA2 DCOs). Accordingly, Article 7 (Defence to proceedings in respect of statutory nuisance) of the EA1N and EA2 DCOs refers to the operational noise controls in Requirement 27. ESC therefore suggests that the Sea Link Applicant adopts the same approach. The Applicant must propose an operational noise limit DCO Requirement, and then make reference to this in Article 49. ESC suggests the following wording for Article 49(1)(b), in line with the EA1N and EA2 DCOs: *'(b) the defendant shows that the nuisance—* *(i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised project and that the nuisance is attributable to the use of the authorised project which is being used in compliance with Requirement X (Control of noise during operational phase);* *or* *(ii) is a consequence of the use of the authorised project and that it cannot reasonably be avoided.'* The current drafting of Article 49 highlights the absence of suitable controls over operational noise currently proposed by the Applicant. This is a serious concern for ESC and must be addressed urgently. The Applicant must propose an operational noise limit DCO Requirement at the earliest opportunity to allow time for ESC to review and provide comment on its adequacy prior to the close of Examination. Once the wording of this	The Applicant considers that this adequately addresses this issue and that the REAC is an appropriate mechanism for securing this operational noise limit. The Applicant does not accept that an operational noise limit should be included as a requirement of the draft DCO.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Requirement has been agreed, Article 49 must be amended to make reference to it, in place of the reference to the Construction Noise and Vibration Management Plan. ESC has provided suggested wording for its suggested operational noise limit requirement in response to ExQ2 Question 2NV1. below.	
2GEN14.	Local authorities **Applicant**	**Article 51 - Arboricultural Method Statement (AMS)** **Local authorities:** The applicant's response to ISH2 AP18 [REP4-086] explains that there is no need to amend Article 51 of the dDCO in respect of ancient and veteran trees because any tree works would be detailed in the AMS secured by requirement 8 of the dDCO, which is subject to local authority approval. Requirement 8 does not make explicit reference to ancient and veteran trees. If requirement 8 is the correct mechanism to control effects, should it explicitly make reference to retention of ancient and veteran trees, for example linking to a specific dDCO schedule? **Applicant:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC does not have any comments to make.	The Applicant notes this comment.
			Dover District Council The Council has no comments on this matter.	The Applicant notes this comment.
			Suffolk County Council Detailing tree works does not afford protection for trees. Neither Article 51 nor Requirement 8, in their current wording, provide any reassurance that ancient or veteran trees will not be affected by the proposed works. SCC considers that the exclusion of works to ancient and veteran trees needs to be included both in Article 51 (for example as part (11)) and in Requirement 8, detailing that their provisions do not extent to ancient and veteran trees in general, and the identified ancient and veteran trees in particular, and that any works to such trees would require approval by the relevant local authority, under exceptional circumstances. SCC agrees that these trees should be listed in a schedule that is linked to Article 51 and Requirement 8.	The Applicant considers that ancient and veteran trees fall within the wider definition of 'trees' and are therefore already referred to within requirement 8. The Applicant remains of the view that the management plans give sufficient control over ancient and veteran trees. In addition, the Applicant has updated commitments A02 and A05 within **Application Document 9.84 Register of Environmental Commitments [REP5-115]** to provide further protection to veteran and ancient trees. These commitments require the Applicant to request approval from the relevant planning authority prior to undertaking tree safety works and are considered to offer appropriate protection to ancient and veteran trees.
			East Suffolk Council Article 51 covers essential required tree works regardless of status (Tree Preservation Order, ancient, veteran or otherwise). As in previous projects, universally applicable provision has been included. The separate requirement to submit an Arboricultural Method Statement for other planned tree works (Requirement 8) can readily cover veteran and ancient tree provisions as necessary. ESC considers these are two separate provisions	The Applicant notes ESC's position of being satisfied that Requirement 8 provides adequate controls with respect to ancient and veteran trees during the construction phase. The Applicant notes that commitment A05 of the **Application Document 9.84 (C) Register of Environmental Actions and Commitments [REP5-115]** that commits the Applicant *'to the retention of all veteran and ancient trees within or immediately*

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			which do not overlap. ESC is therefore satisfied that Requirement 8 provides adequate controls with respect to ancient and veteran trees during the construction phase. However, Requirement 8 only restricts the authorised development commencing. As 'site clearance' is included in the list of pre-commencement operations in Article 2, ESC is concerned that the powers in Article 51 could allow the Applicant to fell veteran or ancient trees during pre-commencement. ESC therefore continues to request amendments to Article 51 of the draft DCO to ensure that veteran and ancient trees are excluded from the provision.	*adjacent to the Order Limits except where works are required to meet commitment A02 related to dangerous trees'.* This would be an embedded measure and would prevent the felling of ancient and veteran trees during the pre-commencement stage of the Proposed Project. Requirement 5(2) is clear that pre-commencement operations must be carried out in accordance with the management plans, schemes and strategies in 5(2) which includes the Register of Environmental Actions and Commitments Section 1.
2GEN15.	Local Authorities and Environment Agency (EA)	**Article 53** Article 53(2)(b) allows for complete closure of the navigation on health and safety grounds only. 53(3) secures that this is kept to a minimum period. Should additional wording be included to specify what is a reasonable period or any seasonal constraints where closure may be inappropriate. If yes, please include suggested drafting.	**Thanet District Council** TDC notes the wording within Article 53(2)(b) and considers it necessary for the term 'a reasonable period' to be defined, if practicable. We would therefore welcome the Applicant's comments and possible examples of where this has happened in other Projects to inform appropriate wording.	Article 53(2)(b) is intended to deal with an unforeseen set of circumstances that may require the closure of the navigation on health and safety grounds. As this may encompass a range of unknown possible scenarios it is not possible to define what '*a reasonable period*' to resolve might be. The Applicant considers that the wording it has proposed int he latest version of the **Application Document 3.1 (H) draft Development Consent Order [REP5-005]** is an appropriate and proportionate response to this scenario.
			Dover District Council The Council has no comments on this.	The Applicant notes this comment.
			Suffolk County Council SCC has no comments on this question	The Applicant notes this comment.
			East Suffolk Council ESC would suggest that it may be appropriate to consult the Canal and Rivers Trust on this matter. ESC therefore has no further comment to make.	The Applicant notes this comment.
			Environment Agency We are not the navigation authority for the section of the River Stour in Anglia that this project covers. The EA is responsible from Brundon Mill in the Parish of Sudbury in the District of Babergh in the County of Suffolk to the Cattawade Barrage, partly in the Parish of Brantham in the same District and partly in the Parish of Lawford in the District of Tendring in the County of Essex.	The Applicant notes this comment.
2GEN16.	Sandwich Port and Haven	**Article 53** Confirm that SPHC is aware of article 53 of the dDCO [REP4-217] and provide any comments	**No response from Sandwich Port and Haven Commissioners (SPHC) to this question found in D5 submissions.**	The Applicant is not aware that SPHC has responded to this question but remains satisfied with the wording of Article 53 as

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
	Commissioners (SPHC)	it may wish to make on its implications for the area of the River Stour and Pegwell Bay for which it has responsibility. If SPHC considers that the wording needs to be amended, provide details of suggested changes.		proposed in the **Draft Development Consent Order submitted at Deadline 6**.
2GEN17.	Local authorities **Applicant**	**Schedule 3 – Requirements - trenchless landfall** **Local authorities:** In light of interested party (IP) concerns, the sensitivity of the receiving environment (including designated European sites) and notwithstanding the applicant's updated wording in the revised Register of Environmental Actions and Commitments (REAC) [REP4-235], provide draft wording to secure the use of a trenchless landfall technique as a dDCO requirement. The wording should provide for construction and operation/maintenance and may also provide for a minimum depth of burial to address concerns regarding coastal erosion. **Applicant:** To comment or provide its own form of wording.	**Applicant**	
			Thanet District Council We are working with The Environment Agency to establish wording for a Requirement relating to the minimum depth of burial to address concerns regarding coastal erosion. In terms of trenchless techniques, TDC considers that the wording in Schedule 1 which includes the nature of works approved should be changed to 'will include' rather than 'may include' for all references within the DCO to trenchless techniques.	The Applicant provided its own wording in response to this question at Deadline 5: *'Trenchless Landfall Techniques 16. —* *(1) In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore Transition Joint Bay and the exit pits.* *(2) No exit to trenchless landfall techniques must occur within 105m of saltmarsh habitat within Pegwell Bay* *(3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.'* The proposed wording includes a commitment to using trenchless landfall techniques between the onshore transition joint bay and the exit pits, which is considered adequate to address this point. The Applicant has been in extensive discussions with the Environment Agency to agree text on this requirement and others. The Applicant confirms that it has reviewed this text prior to Deadline 6 with regards to securing its commitments around the Coralline Crag (Aldeburgh landfall, Suffolk) in response to comments received. The Requirement has now been amended to read: 16—(1) *In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore transition joint bay and the exit pits.* *(2) No exit to trenchless landfall techniques must occur within 105m of saltmarsh habitat within Pegwell Bay.* *(3) The temporary working area will be located at a minimum distance of 50m from the edge of the saltmarsh habitat within Pegwell Bay.* *(4) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.* *(5) No exit to trenchless landfall techniques must occur within 45m east of the continual Coralline Crag outcrop in Suffolk.*
			Dover District Council The Council notes 1.-(1) of Schedule 3 Requirements (Article 3) sets out the definition of "authorised development" as described in Part 1 of	The Applicant's proposed wording, above, is considered to adequately and appropriately secure the use of a trenchless landfall technique.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			schedule 1; wording could be added in the description of works to specify the use of a trenchless landfall technique.	
			Suffolk County Council Trenchless cable installation techniques will be essential in both Suffolk and Kent, given the sensitive habitats present at the respective landfall sites. Vegetated shingle is present close to the Suffolk landfall site and this is both a Priority Habitat for Suffolk and the UK. SCC Ecology welcome the commitment to using trenchless techniques to install the cables at the landfall site in Suffolk. SCC understands that East Suffolk Council intends to submit requirement wording in response to this question and supports their proposal.	The Applicant notes this response and responds to the suggested wording of ESC below.
			East Suffolk Council (1) No part of Work No. 6 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body and, in respect of sub-paragraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation— (a) a landfall construction method statement for the construction of that part of Work No. 6 (which accords with the outline landfall construction method statement); and (b) a landfall monitoring plan (which accords with the outline landfall monitoring plan). (2) The landfall construction method statement and the landfall monitoring plan must be implemented as approved. (3) In the event that inspections carried out in accordance with the landfall monitoring plan indicate that, as a result of the rate and extent of landfall erosion, Work No. 6 could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial works or mitigation measures to protect Work No. 6 from coastal retreat, together with a timetable for their implementation, to the relevant planning authority for approval in consultation with the relevant statutory nature conservation body, and the remedial works or mitigation measures must be implemented as approved.	The Applicant confirms that an **Application Document 9.140 Outline In Principle Monitoring Plan**, will be submitted at Deadline 6. This document is secured under Condition 4 of the dML and covers activities up to Mean High Water Springs (MHWS). This document would require approval from the Marine Management Organisation (MMO) prior to construction activities. Furthermore, under Condition 4 of the DML, the **Offshore Construction Environmental Management Plan (CEMP)** [**REP5-066]** is also secured and would require approval from the MMO prior to construction and covers activities up to MHWS. Within the Offshore CEMP **[REP5-066]**, the applicant has committed to creating a HDD Landfall Method Statement at each landfall prior to construction. This is also secured within B59 of the REAC [REP5-115]. The Applicant will also include the above referenced HDD landfall method statement into Condition 4 of the DML in **Application Document 3.1 draft Development Consent Order**, submitted at Deadline 6. In addition, Requirement 16 and dML Condition 10 already secures this commitment. The Applicant therefore considers that the proposed Requirement securing landfall method statements and monitoring is a duplication of what is already secured in the dML. The Applicant acknowledges that the rate of and landward extent of the retreating coast is a significant concern. As set out in **Application Document 6.2.1.4 (D) Part 1 Introduction Chapter 4 Description of the Proposed Project (Clean) [REP1A-003]** the

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			ESC's preference would be for the Applicant to prepare an outline landfall construction method statement, and an outline landfall monitoring plan during this Examination, as was the case for EA1N and EA2. If the ExA does not consider this to be appropriate, Paragraph (1) of the requirement could be replaced with the following: (1) No part of Work No. 6 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body and, in respect of sub-paragraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation— (a) a landfall construction method statement for the construction of that part of Work No. 6. This must secure use of a trenchless landfall technique and include the final proposed profiles for the trenchless cable burial, demonstrating a minimum cable burial depth of 25m below the contemporary nearshore and foreshore level; and (b) a landfall monitoring plan which commits to coastal geomorphology impact assessments and comparison of collected data to baseline topographic surveys to ascertain whether any coastal change is taking place that could risk cable exposure if unmitigated. ESC has previously advised that a 25m coverage beneath the beach surface height, would *just* meet the lower end of ESC's desired depth (see Ref 2.01 of ESC's Deadline 3 Principal Areas of Disagreement Summary Statement (PADSS) [REP3-080]). ESC therefore requests that the Applicant adds a commitment in the REAC [REP4-235] to seek to achieve a greater cable burial depth, ideally 30m below the contemporary nearshore and foreshore level if possible. Evidence of meeting this commitment can be provided in the landfall construction method statement submitted for approval.	depth of the HDD conduits at the Suffolk landfall will be 17 m to 25 m. The SMP policy for Thorpeness Haven Beach is for 'Managed Realignment' from 2055 to 2105, prior to this it is for 'Hold the Line' from 2005 to 2055. For the cable to become exposed in the nearshore/foreshore area, it is estimated that the coastline would need to retreat over 250 m landward including downward erosion that would not occur in reality due to the presence of the resistant Coralline Crag formation. Current NCERM projections (2025) for an undefended coastline are for erosion of 118 m by 2105 for a location 1.7 km to north of landfall where the mechanism of erosion is quite different involving undercutting of soft cliff material. However, taking this as an indication of the maximum extent of the area at risk of coastal erosion under an extreme climate change scenario, this is significantly less than what would be required to expose cables at the HDD exit. Even allowing for uncertainty in future projections, the extent of erosion required to expose the conduits containing the cables is not therefore possible as a result of ongoing coastal processes at Aldeburgh. The Applicant has also provided a commitment in the REAC (MPE06) to undertake monitoring and analysis of intertidal and subtidal profiles on an annual basis. This will identify future coastal erosion rates which could be affected by a deterioration of the Coralline Crag (or other subtidal features) or climate change effects, in the event that these are more severe than predicted. This commitment is also detailed within **Application Document 9.140 Outline In Principle Monitoring Plan** submitted at Deadline 6 and secured within Condition 4 of the dML. With the above in mind, the Applicant considers the existing HDD design parameters at Suffolk (minimum 17m) is more than sufficient to reduce the likelihood of cable exposure. Notwithstanding this, the Applicant is considering whether a REAC commitment is appropriate. We will discuss the details of any drafting with ESC and resolve for Deadline 7.
2GEN18.	**Applicant** and East Suffolk Water	**Schedule 15 - Protective Provisions** Confirm if bespoke protective provisions will be included for East Suffolk Water	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
	Management Board	Management Board and if so, provide an update on progress in that respect including the likelihood that this will be resolved during the examination.	**East Suffolk Water Management Board** It is East Suffolk Water Management Board (the Board)'s understanding that the Applicant is **not** proposing to include bespoke protective provisions for the Board. The Board is satisfied with this position, since the Applicant is also not proposing to disapply sections of the Land Drainage Act 1991 that affect the Board's functions, within the Development Consent Order. Should the Applicant change its position, and propose to disapply the Land Drainage Act 1991, the Board would expect the DCO to include bespoke protective provisions for the Board, or protective provisions for drainage authorities (the Board and the Lead Local Flood Authority). In that case, the Board would wish to obtain its own legal advice on the protective provisions. Given the advanced stage of the examination, it is possible that the Board would not be in a position to finally agree the wording of protective provisions before the end of the examination. Notwithstanding the above, and further to the Board's Written Representation (REP1-149), the Board's feedback (8th December 2025) to the Applicant on the draft Statement of Common Ground (REP1-088), and the Board's feedback at deadline 2 (REP2-049), the Board has discussed concerns with the Applicant (on 17th February 2026) relating to the Suffolk Drainage Strategy and Article 20 of the DCO. The Board is currently (2nd March 2026) awaiting updates from the Applicant on these matters, which remain unresolved.	The Applicant welcomes these comments from the East Suffolk Water Management Board and has agreed this position with them on this issue which will be recorded in the next iteration of **9.52 Draft Statement of Common Ground East Suffolk Water Management Board** [**REP1-088**].
2GEN19.	**Applicant** and Harwich Haven Authority (HHA)	**Schedule 15 - Protective Provisions** Confirm if bespoke protective provisions will be included for HHA and if so, provide an update on progress in that respect.	**No response from Harwich Haven Authority (HHA) to this question found in D5 submissions.**	The Applicant is not aware that HHA Responded to this question. The Applicant provided its own response to this question in REP5-135, confirming that the Applicant is still working with HHA to establish if bespoke protective provisions are required and that to date all the measures and interests currently proposed by HHA are secured within **Application Document 9.12 (B) Outline Navigation and Installation Plan [REP4-075]** and secured within Condition 4 of the dML.
2GEN20.	**Applicant** and Network Rail Infrastructure Limited	**Schedule 15 - Protective Provisions** Provide an update on progress with respect to protective provisions for Network Rail Infrastructure Limited include the likelihood that this will be resolved during the examination.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Network Rail Infrastructure Limited We are still in discussions with the Applicant with regard to the inclusion of NR's standard protective	The Applicant notes this response and has provided its own suggested Protective Provisions in the latest version of **Application Document 3.1 (H) draft Development Consent Order** [**REP5-005**].

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			provisions in the draft Order and associated side agreement. Accordingly, we hope to be able to write to the Examining Authority soon (prior to the close of the examination) to confirm that the side agreement has been entered into and, following this, we will be in a position to write to the Examining Authority to confirm that NR's objection can be withdrawn. However, should it not be possible for NR and the Applicant to reach an agreement on all matters to its satisfaction, including the inclusion of the Protective Provisions as part of the Order (should the Inspectorate be minded to grant the same), NR must maintain its objection to the DCO. Further, for the reasons set out in NR's Written Representations dated 21 November 2025, NR's position remains that it requires its standard protective provisions, to be included in the draft Development Consent Order (Order). As currently drafted, the Draft Order (document reference number 3.1(F)) does not contain the form of protective provisions considered by NR to sufficiently protect its assets and to ensure the safe and efficient operation of the railway.	These have not yet been agreed by the NRIL and the Applicant expects a meeting will be needed to discuss the outstanding points. If agreement cannot be reached before the end of the Examination period, the Applicant will be required to make s127 and s138 submissions.
2GEN21.	**Applicant** and Riveoak Strategic Partners	**Schedule 15 - Protective Provisions** Confirm if bespoke protective provisions will be included for Riveroak Strategic Partners in relation to Manston Airport Development Consent Order 2022 and if so, provide an update on progress in that respect including the likelihood that this will be resolved during the examination.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			RiverOak Strategic Partners RiverOak met with the Applicant on 5 March 2026 to discuss the interface between the Applicant's project and RiverOak's Manston Airport project. Consequently, RiverOak envisages that it will enter into a separate side agreement with the Applicant in relation to the interface between the two projects and that protective provisions for RiverOak's benefit will not be needed in the DCO but would be acceptable if that was the Applicant's preference. The parties will be working towards the completion of an agreement and the likelihood of this being concluded before the end of examination is high. Should this change, RiverOak will update the Examining Authority accordingly.	The Applicant notes this response and will continue to liaise with RiverOak Strategic Partners with a view to reaching a formal agreement over the most appropriate mechanism for securing the protections required.
2GEN22.	**Applicant** and Sizewell C Ltd	**Schedule 15 - Protective Provisions** Confirm if bespoke protective provisions will be included for Sizewell C Ltd and if so, provide an update on progress in that respect.	**No response from Sizewell C Ltd to this question found in D5 submissions.**	The Applicant responded to this in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]** and will continue to seek an engagement with Sizewell C Ltd. to confirm whether protective provisions are the appropriate mechanism for securing their requirements.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2GEN23.	**Applicant** and East Anglia THREE Limited	**Schedule 15 - Protective Provisions** Confirm if bespoke protective provisions will be included for East Anglia THREE Limited and if so, provide an update on progress in that respect.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			East Anglia Three Limited EA3L confirms that bespoke protective provisions will be required in any development consent order granted for the Project, to ensure its interests are adequately protected. EA3L provided a draft suite of protective provisions to the Applicant on 23 February 2026, which would resolve its concerns in relation to the Project. EA3L is awaiting a substantive response from the Applicant and is optimistic that an agreed solution can be reached. EA3L understands the Applicant is planning to submit its preferred version of the protective provisions at examination deadline 5. That being the case, EA3L provides its preferred protective provisions at Appendix 2 of this submission, for the examining authority's consideration.	The Applicant responded to this in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]** confirming that bespoke Protective Provisions will be included for East Anglia Three. The Applicant is currently considering the draft protective provisions issued by East Anglia Three.
2GEN26.	All parties	**New requirements and conditions** Notwithstanding any questions below, highlight and provide specific wording for any commitments currently included in the REAC [REP4-235] that you believe should be secured as requirements or conditions on the face of the order.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council It is recognised that the applicant has removed the word 'construction' from Requirement 6 so it only refers to Management Plans to be Approved. Requirement 6 therefore includes some management plans related to construction activities only, some management plans which cover both construction and operation and some which cover operation only. Whilst this is welcomed, TDC would like to reiterate that construction and operational management and mitigation measures should be separated into separate plans for clarity, ease of control and to ensure accountability. TDC requests that an Operational Management Plan is secured through the DCO via Requirement 6 to capture the operational commitments and mitigation that are not secured elsewhere in management plans or requirements.	The Applicant recognises that there are a number of different ways in which Applicants can structure commitments and management plans, and that Thanet District Council would prefer a different structure. However, the Applicant does consider there are benefits to the approach taken given that some measures naturally span different phases of the project; for example the outline Landscape and Ecological Management Plan includes potential provisions for advanced planting during the construction period and the outline Public Rights of Way Management Plan provisions to manage temporary effects on Public Rights of Way and permanent diversions/ new permissive paths. There is a benefit to considering these things holistically rather than having separate plans for different periods of the project. The Applicant does not consider that there are any operational commitments and mitigation required that are not already secured and therefore does not consider there is a need for a separate Operational Environmental Management Plan.
			Dover District Council The Actions and Commitments listed in Section 1 of the REAC are to be secured by requirement 5 of the DCO. Several of the mitigation commitments in Section 2 of the REAC are only secured through the	It is correct that the REAC is used as a document to secure commitments as well as being a document that brings together commitments secured elsewhere. Where measures are 'embedded' it means that the design of the project in terms of site selection, the location of works within the site,

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			REAC as an application document, for example GG30 (Harm to human health from exposure to electric and magnetic fields, where the securing mechanism is guidance listed in EN-5) or H04 (seeking the sensitive routeing and siting of infrastructure and temporary works) 'does not require securing mechanism'. The majority of commitments listed in section 2 which do 'not require securing mechanism's relate to embedded measures including the sensitive routing and siting of infrastructure and works. The majority of other commitments are secured through requirements in the DCO which is considered appropriate.	the parameters or mitigation measures mean that the project complies with policy or an aim without a further securing mechanism. For example, in the case of GG30 and H04, compliance is secured by site selection and the location of infrastructure so is secured by the application as a whole, including documents such as the Works Plans. GG30 is therefore more accurately developed with reference to 'Guidance listed in EN-5', rather than secured by EN-5. This has been amended in the REAC for accuracy. This type of measure does not need to be explicitly secured.
			Port of London Authority The REAC [REP4-235] has been updated at deadline 4 so that it now contains at Section 1 (Chapter 2) the actions and commitments that the undertaker will comply with during the construction, operation or decommissioning of the Proposed Project (secured by Requirement 5 in the Development Consent Order). The Section 1 Shipping and Navigation Commitments start on page 14. The PLA does not consider that any of the commitments in REP4-235 meet the threshold to be a requirement or a condition on the face of the order. Specific comments on the commitments themselves are set out in the PLA's deadline 5 submission "Port of London Authority's Comments on Submissions Received at Deadline 4." Section 2 (Chapter 3) contains a full list of actions and commitments which are secured by other documents. GM05 is a general project commitment with the Applicant ensuring that "early and continued stakeholder consultations take place." Currently it is stated that the Outline Offshore Construction Environmental Management Plan secures this, but as set out in the PLA's deadline 5 submission "Port of London Authority's Comments on Submissions Received at Deadline 4" the section on external communication in the outline plan refers to notifications. Whilst consultation has been included in the draft protective provisions for the Port of London Authority, the PLA considers that a DML condition would also be appropriate to provide clarity and certainty on the consultation process.	Please see the Applicant's response to this in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]** in response to the PLA's deadline 5 submission "Port of London Authority's Comments on Submissions Received at Deadline 4." The Applicant confirms that a bespoke dML condition and depth protection Requirement have been included in **Application Document 3.1 (H) draft Development Consent Order [REP5-005]** which protects the Areas of Safeguarded Water Depth requested by the Port Authorities. The Applicant confirms that the PLA is listed in Condition 4 of the dML **[REP5-005]** as a consultee in addition to bespoke Protective Provisions.
			Suffolk County Council	*Arboriculture*

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			In general, SCC does not take issue with commitments lying within the REAC, rather than on the face of the Order. However, where these commitments are potentially contrary to provisions within the Order, these commitments should be included within the Order itself to avoid the potential for the provisions of the Order taking priority. There may also be potential for commitments in the REAC which should require approval to implement such as in relation to any removal of ancient/veteran trees. *Arboriculture* Mitigation commitment A05, Retention of veteran and ancient trees, should be included in the DCO (in Article 51 and/or Requirement 8). The wording should be explicit that no ancient or veteran trees can be removed without prior approval of the relevant planning authority. Whilst SCC recognises the need for the possibility of removing these trees on safety grounds, this should not be possible without prior approval which, as the DCO currently sits, could be avoided if done as a pre-commencement operation. The relevant identified trees should be included in a schedule of the DCO linked to the relevant article and requirement. This would avoid *Ecology and biodiversity* Commitment B39 regarding operational lighting at Saxmundham Converter Station should be included in the DCO in an amended Requirement 3, clarifying that a detailed lighting design scheme will need to be submitted to and approved by the relevant local authority.	The Applicant considers that ancient and veteran trees fall within the wider definition of 'trees' and are therefore already referred to within requirement 8. *Ecology and biodiversity* The submission of details on converter station operational lighting is included in Requirement 3, which affords the local planning authorities the power to confirm (or otherwise) that these are in general accordance with the Key Design Principles. An Operational Lighting Plan will also be included in an updated Requirement 6.
			East Suffolk Council ESC has requested: • an operational noise requirement (suggested wording for which is provided below in response to Question 2NV1); • a trenchless landfall requirement (suggested wording for which is provided below in response to Question 2GEN17); • controls over operational lighting, whether through a Lighting Management Plan or an operational lighting requirement (suggested wording for which is provided below in response to Question 2LVIA8); and • a fencing requirement (suggested wording for which is provided below in response to Question 2LVIA8).	The Applicant has updated the position at 2NV1, below. The Applicant has provided its own wording in response to this question at Deadline 5 in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**: *'Trenchless Landfall Techniques 16. —* *(1) In respect of installation of the landfall aspects of Work No.6, trenchless techniques shall be utilised between the onshore Transition Joint Bay and the exit pits.* *(2) No exit to trenchless landfall techniques must occur within 50m of saltmarsh habitat within Pegwell Bay* *(3) No exit to trenchless landfall techniques must occur within 50m of MLWS at Leiston to Aldeburgh SSSI.'*

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			ESC would also request that a requirement securing advanced planting is provided. ESC suggests that advanced mitigation planting is added to the list of pre-commencement operations in Article 2 of the draft DCO. A new Requirement should then be added to Schedule 3 to allow the relevant planning authority to approve details of advanced planting. ESC suggests the following wording: **Advanced planting** (1) No pre-commencement operations may commence until details of advanced planting have been submitted to and approved by the relevant planning authority, including a timetable for their implementation.	The proposed wording includes a commitment to using trenchless landfall techniques between the onshore transition joint bay and the exit pits, which is considered adequate to address this point. The Applicant confirms it is however reviewing this text prior to Deadline 6 with regards to securing its commitments around the Coralline Crag (Aldeburgh landfall, Suffolk), in response to comments received. The Applicant has also provided a commitment in the REAC (MPE06) to undertake monitoring and analysis of intertidal and subtidal profiles on an annual basis. This will identify future coastal erosion rates which could be affected by a deterioration of the Coralline Crag (or other subtidal features) or climate change effects, in the event that these are more severe than predicted. This commitment is also detailed within **Application Document 9.140 Outline In Principle Monitoring Plan** submitted at Deadline 6 and secured within Condition 4 of the dML The Applicant responds to the issue of operational lighting and fencing in its response at 2LVIA8, below. The Applicant has made a response to the issue of advanced planting in the **Applicant's Responses to Third Written Questions** submitted at Deadline 6.
			Natural England B59, B66 - B70 cover works and mitigations for the saltmarsh and intertidal works. However, we query if an intertidal works plan should be secured through condition in the Deemed Marine Licence (DML) as the final works plans may need further adjustment of mitigation based on the latest information on the site and the final work methodologies. We suggest addition to DML Part 2 Condition 4 (1) (a) an intertidal works methodology and mitigation plan. Natural England also highlights that the REAC doesn't recognise NE's regulatory role at the landfall locations and the statutory requirement for competent authorities to have regard to our advice when discharging conditions. Therefore, we have advised in several of our Deadline 5 Appendices the need to consult with NE prior to construction.	The Applicant confirms that Natural England are already listed as a Consultee in the DML under Condition 4 for all Outline Management Plans for the Proposed Project. *4.—(1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with Natural England, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas).* The Offshore CEMP **[REP5-066]** and REAC already commits to the development of a HDD Landfall Method Statement at each landfall prior to construction in consultation with Natural England in B59 of the REAC **[REP5-115].** The Applicant will also include the above referenced landfall method statement into Condition 4 of the DML in **Application Document 3.1 (l) draft Development Consent Orde**r, submitted at Deadline 6,

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				which will also secure the required consultation with Natural England.
			Historic England Historic England have no further comment at this time.	The Applicant notes this comment.
			Friston Parish Council and SASES National Grid needs to include in the draft DCO all the requirements in Part 3 of Schedule 1 of the EA2 DCO insofar as they relate to the National Grid substation and the substations site. These requirements were considered necessary by the EA2 Examining Authority given the environmental impacts at the substations site after a nine month examination period and form part of the DCO granted by the Secretary of State. FPC made a submission at Deadline 4 setting out in detail how defective the draft DCO is in addressing environmental impacts at Friston, given the failure to clearly replicate all the requirements in the EA2 DCO. The specific wording of those requirements is set out in Part 3 of Schedule 1. Some consequential amendments will be necessary but it is hoped this is not beyond the capabilities of National Grid. If this wording is not it adopted there is a serious risk that some environmental impacts at Friston will not be properly addressed in the draft DCO. For example whilst FPC has picked up the issues concerning height, footprint and GIS technology for the National Grid substation, there may be other less obvious defects in the draft DCO, which the local authorities and FPC have not identified. Fundamentally though it should not be for local authorities, FPC and the local community to have to undertake such a forensic exercise (and in the process waste significant time and cost) to identify where National Grid is seeking to resile from its existing obligations at the substations site.	The Applicant has previously provided a comparison between the requirements in the made DCOs for East Anglia One North (EA1N) and East Anglia Two (EA2); and the draft DCO for Sea Link at Friston substation as requested by the Examining Authority's written question 1GEN11 which is contained within Application Document 9.73.1 Applicant's Responses to First Written Questions – Appendices [REP3-070], which explains the differences between the DCOs.

1.4 Compulsory Acquisition (CA)

Table 1.4 Compulsory acquisition (CA)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2GEN29.	William Notcutt Estates Limited	**Suffolk plots 1/1 to 1/5 and 1/7 to 1/11** If you have an outstanding objection to the compulsory acquisition (CA) or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.	**William Notcutt Estates Limited** We have endeavoured to engage constructively with a team from Sea Link for just shy of 3-years. Over the course of the multiple meetings, in person and on-line, we have consistently offered the Sea Link project our support whilst attempting to ensure that our commercial requirements are reflected both in the notes, but more importantly in the Heads of Terms which may yet enable agreement to be reached so as to avoid a Compulsory Acquisition. The process however is frustrated by the lack of key information that has either not yet been prepared or not yet disclosed. From commencement we raised our concern viz 1. the uncommercial designation of land for environmental mitigation which leaves small parts of the field orphaned and separated from the rest of our retained land, and 2. The location of the construction compound and its impact on a high value diversification activity, and 3. the alignment of the access road which unnecessarily increases the footprint of the land take. Unfortunately, Sea Link do not display the same agility of mind or match the pragmatism with which we have approached the project and our concerns are consistently dismissed, disproportionately reducing the value of our retained land but more worryingly for the utility bill paying public, increasing the project cost to NG.	The applicant has continued to work with the landowner to reach an voluntary agreement, the applicants land agents are addressing the outstanding concerns in relation to voluntary agreement terms and had a further meeting on 30th March 2026 to address these. It's understood that within the voluntary agreement the landowner has outstanding concerns with the environmental mitigation management agreement, but other matters are related to commercial terms. The applicant has set out the below responses to the landowners points raised: 1. The designated land for environmental mitigation is proposed to remain in agricultural use and farmed as cropland, through the inclusion of skylark plots where other crops are proposed. The 'orphaned' area isn't orphaned because it can still be farmed as cropland, it will just need to either be planted with cereal crops that are suitable for skylark nesting (i.e. spring cereals) or, where the landowner intends to plant unsuitable crops, will need to include skylark plots. Skylark plots are small fallow patches in an otherwise arable field, and they are intended to be incorporated into conventional farm management. So, the use of this land for our mitigation shouldn't make the land unfarmable and it should be able to be integrated with farming the area of land to the south. 2. At the time of statutory consultation the landowner did not provide feedback in relation to the alternative use/diversification of the proposed compound area – it was proposed in a different location at this time. The planning application for the dog walking field in this location was submitted in December 2024 (after targeted consultation in August 2024). ESC provided feedback when the original location was submitted to say that the current location (overlapping with Sea link) was more appropriate, and they refused the originally submitted application in an alternative location. The Project has held multiple rounds of consultation throughout the process and has invited landowner feedback through this process and individual landowner meetings. Once the project has constructed the Bridge and the access road up to the main site at wood farm, the compound would be released back to the land owner to use the land for what they wish to do, we would then provide 4 weeks' notice if it was ever needed to reinstall the compound in the future

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				3. Access road design and alignment – the access road alignment has been developed on the following basis. A number of fixed points were identified through the access road design development: • The bellmouth location has been identified on the grounds of safety, the horizontal and vertical geometry of the B1121 Main Road past the site, limit the number of suitable locations where visibility can be obtained for the design speed of the road. • The bridge crossing location has been determined on environmental grounds enabling the structure to be built without impacting veteran and ancient trees, and keeping the bridge footprint outside the flood zone of the River Fromus, whilst maximising the distance from Grade II listed Hurts Hall. • The access point south of Wood Farm has been selected to limit the impact on existing vegetation that provides screening of the proposed converter site and angle views away from the proposed converter station. The alignment between these fixed points has been determined using vehicle tracking of the anticipated Abnormal Indivisible Load vehicle. Crossing points over the access track will be provided and can be agreed with the landowner.
2GEN31.	Edward Martin Spanton	**Kent plots 3/44, 3/45, 3/49 to 3/51, 3/53 to 3/57, 3/63, 3/77 to 3/80, 3/82, 3/83, 3/87, 4/7 and 4/8** [RR-1410] of Dyas Farms (1988) Ltd listed a Martin Spanton. Please confirm if Martin Spanton is Edward Martin Spanton as listed in the BoR [REP4-021] and, if you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.		The applicants confirms that Martin Spanton is Edwards Martin Spanton as listed within the Book of reference. **No response submitted by PIL.**
2GEN32.	John Robert Collins	**Kent plots 2/23, 2/24, 2/27-2/30, 2/32, 2/36, 2/39, 2/40 to 2/42, 2/88** If you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.		**No response submitted by PIL.**
2GEN33.	Kent Wildlife Trust (KWT)	**Kent plots 3/102, 3/104, 3/107, 3/109, 3/110, 5/1, 5/9, 5/10, 5/13, 5/18, 5/26 to 5/29, 5/34, 5/37, 5/38, 5/40 to 5/44** If you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.	**Kent Wildlife Trust (KWT)** Internal discussions regarding the potential compulsory acquisition (CA) and/or temporary possession (TP) of land are ongoing and, at the time of this response, the Trust has not concluded its consideration of the Applicant's proposals, including any draft Heads of Terms.	The applicant notes the response. With reference to the applicants submitted document **4.2.2 SoR Appendix B, Schedule of Negotiations with Land Interests.** The Applicant has made further attempts to engage directly with the landowner and their agent on 16th February 2026 but has received no response from either the landowner or the landowner's agent. At this point it is not envisaged that the landowner's agent will meaningfully engage sufficiently to

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Notwithstanding this, KWT continues to object to the proposed Sea Link project and therefore also maintains an objection at this stage to the CA and/or TP of land or rights in its ownership or management that are sought to facilitate the proposed project. This objection applies to those Kent plots within the Order Limits where KWT holds an ownership or management interest and where powers of CA or TP are proposed by the Applicant. KWT's position is without prejudice to its ongoing internal discussion and to any future engagement with the Applicant. Should the Development Consent Order (DCO) be granted, KWT would then be willing to engage further with the Applicant to discuss the implications for its land and to consider appropriate arrangements, including measures to avoid, minimise and mitigate impacts on the habitats and conservation interests managed by the Trust.	agree the Heads of Terms by the end of Examination but, as has been demonstrated to date, the Applicant's Agent will continue to attempt to progress matters to reach a voluntary agreement with this landowner. The applicant is trying to work with KWT to move these negotiations and matters forward once communications have been returned.
2GEN34.	Pippa Southorn	**Kent plots 2/56, 2/65 to 2/67, 2/69, 2/70 to 2/76, 2/78, 2/79, 2/84, 2/107 to 2/109, 2/111 to 2/113 and 2/187** If you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.		**No response submitted by PIL.**
2GEN35.	Richborough Estates Ltd	**Kent plots 2/125 and 2/126** If you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection.		**No response submitted by PIL.**
2GEN36.	Struan Robertson	**Kent plots 2/118 to 2/124, 2/127 to 2/130, 2/133, 2/134, 2/137 to 2/143, 2/146, 2/151, 2/155 to 2/184, 2/186, 3/1 to 3/3, 3/6 to 3/11, 3/17, 3/20 to 3/26, 3/29, 3/35, 3/98, 3/98a, 4/1, 4/4 and 4/29** If you have an outstanding objection to the CA or TP of land or rights, please provide detail of the reasons for the objection including which plots the objection relates to.	**Struan Robertson** I am writing to bring to your attention several concerns regarding the impact of the SeaLink project on our farmland. We anticipate the loss of more than 100 acres of productive farmland as a result of this project, which represents a significant setback for our business. Even during the preparatory investigation phase, we have already experienced considerable damage. The loss of crops, compromised field structure, and equipment damage due to inadequate reinstatement work have all adversely affected our operations. Looking ahead, we are particularly concerned about the plans for future reinstatement of farmland and the creation of temporary drainage ponds in arable fields. These measures will render the affected areas unfarmable for at least five to ten years, posing substantial challenges to the sustainability of	The Applicant acknowledges and notes the points raised. The Applicant confirms that 84 acres are proposed to be acquired outright, the remainder is temporary use for access and drainage rights. We are working with the landowner and their agent to understand the impacts of the acquisition of land and rights will have on their holding and to mitigate the impacts where possible. There is a specific commitment, W31, within **the Register of Environmental Actions and Commitments**, that secures the removal of the drainage ponds serving temporary works and the subsequent re-instatement of the land. The temporary drainage ponds would typically be in situ for only a period of approximately 2 years. With regard to land reinstatement –the Applicant is committed to working with the landowner to ensure that these impacts are appropriately mitigated where reasonably practicable and that any losses incurred are fully and fairly compensated in accordance with the statutory Compensation Code and National

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			our business. I trust these points illustrate the urgency and scale of the issues we are facing. We would appreciate your attention to these matters and look forward to discussing potential solutions to mitigate the impact. Thank you for your understanding.	Grids Land Rights Strategy and Payment Schedule. The project recognises the potential impact construction activities involving the stripping and stockpiling of soil resources could have, and this is covered by the assessment presented **Part 3 Kent Chapter 6 Agriculture and Soils** which assesses the effects on soil function as significant. The key mitigation lies within **Outline Soil Management Plan – Kent**. This sets out the framework for how good practice measures will be employed through soil stripping, stockpiling and reinstatement to enable land to be returned to its pre-construction condition. The applicant also has committed to pre and post record of conditions to be conducted during the construction phase.

2. Landscape and Visual

Table 2.1 Landscape and visual

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2LVIA1.	NE	**Suffolk & Essex Coast and Heaths Area of Outstanding Natural Beauty (AONB)** Provide updated comments in response to the applicant's additional information received at DL4, including the. Applicant's responses to ISH2 Action Points [REP4-087], The Planning Statement Addendum [REP4-092] and applicant's comments on responses to ExQ1 [REP4-083]	**Natural England** Natural England notes the additional information highlighted by the ExA. We advise that the information does not alter our advice regarding outstanding issues with respect to Landscape and Visual Impacts which we have highlighted Rep4-194 Appendix H. We note and welcome that the ExA has included a number of questions which relate to Natural England's outstanding issues within ExQ2.	The Applicant's position in response to Natural England is set out within **Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 [REP5-132]**.
2LVIA5.	**Applicant** NE	**Acid grassland on land west of Leiston Road** **Applicant:** Clarify the areas of existing acid grassland that would be affected by the proposed development and reinstated. Provide further assessment of the complexity of the habitats that would be affected, including the risks of reinstatement and the time taken to reach functionality. Include in this clarification whether works that have already been carried out to the golf course within the order limits have affected its quality as acid grassland and its reinstatement potential. For example, it is stated that the land has been affected by the golf course extension which has resulted in disturbance and reprofiling. Provide further detail, including a plan, as to the extent to which land within the order limits has been directly affected by the golf course extension. Clarify whether the 4.05ha of land within the extended golf course will be able to be reinstated as acid grassland if it is to be used as a golf course. Clarify how the land within	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		the extended golf club will be restored to a higher quality than its current position. As the area of temporarily affected acid grassland is estimated by the applicant to be 7.06ha in [REP1-120], explain why only 6ha is provided as mitigation/ compensation/ enhancement. **NE:** Paragraph 5.3.1 of the Suffolk outline Landscape and Ecological Management Plan (oLEMP) [REP4-065] suggests that good quality acid grassland is a priority habitat under the Natural Environment and Rural Communities (NERC) Act 2006. Clarify whether the quality of acid grassland affects whether it should be considered a UK Biodiversity Action Plan Priority Habitat, as suggested by the applicant.	**Natural England** Natural England advises that if the habitat is under managed or inappropriately managed this will affect the quality of Priority habitats, but they remain priority habitats.	The Applicant believes this may be a misunderstanding between the ExA and Natural England. There appears to be a conflation between terminology in the question and the response. The Applicant considers that the question from the ExA was asking is if there are botanical criteria that separate priority habitat acid grassland from other types, which is stated within **Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk [REP4-065]** and the Applicant considers to be correct. For example, the UKHab survey manual explicitly separates the priority habitat acid grassland, which it classifies as 'g1a lowland dry acid grassland' from other acid grassland, which it classifies as 'g1d other lowland acid grassland'. This is reflected in Natural England's previous questions to the Applicant. For example, Natural England had previously stated to the Applicant that, '*It is unclear what the quality of individual parcels are and whether they are semi-improved acid grassland or priority habitat.'* The Applicant submitted information to clarify that only 0.3 ha meets the botanical criteria for Priority Habitat. The Applicant considers that the Natural England response to 2LVIA5 is about a separate issue, namely that if the habitat is Priority Habitat, but the condition is poor (due for example to under grazing) then it is still Priority Habitat. The Applicant agrees that this is true but considers it does not actually answer the ExA question.
2LVIA8.	ESC, TDC, KCC, SCC	**Lighting and fencing** Further to your responses to ISH2 Action Point 131, explain whether you consider that relevant planning authorities require control over details of lighting and fencing. If so, provide suggested wording. If not, explain why you consider that there would be adequate existing controls.	**Thanet District Council** TDC requests control over details of lighting and fencing. This could be achieved by ensuring the lighting and fencing details are secured in an existing management plan such as the Outline Landscape and Ecological Management Plan - Kent [REP4-067]. Alternatively fencing (means of enclosure) could be included within the detailed design matters of Requirement 3. The other option would be to secure the provision of an operational lighting management plan within Requirement 6 and to provide a separate Requirement for fencing. Suggested additional wording for Requirement 6: (s) Lighting Management Plan (Kent) Suggested wording for fencing Requirement: Fencing and other means of enclosure **(1) No phase of the authorised development may commence until written details of all proposed permanent and temporary fences, walls or other means of enclosure of the connection works for that phase have been submitted to and approved by the local planning authority as part of the detailed design approval required by requirement 5(1).	Regarding the provision of an outline lighting management plan, the response to 3LVIA2 within **Application Document 9.136 Applicant's Response to Third Written Questions** submitted at Deadline 6 should be referred to. The Applicant is required under its Electricity Licence obligations to consult with DESNEZ on the level of security (including fencing) for the site, this restricts the types of fencing that the Applicant is permitted to use. The Applicant is only permitted to use weldmesh or palisade fencing, therefore 3rd parties cannot approve the fencing requirement for a scheme. The Applicant would however be allowed to provide for some discussion on the colour of the fencing within the overall design of the external appearance of the site. The updated oLEMP submitted at Deadline 6 (**Application Document 7.5.7.2 (D) Outline Landscape and Ecological Management Plan – Kent**) contains information pertaining to protective fencing for plant stock including deer and rabbit fencing.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			(2) For the purposes of requirement **(1), "commence" includes any site preparation works. (3) Any construction site must remain securely fenced in accordance with the approved details at all times during construction of the authorised development. (4) Any temporary fencing must be removed on completion of the phase of construction of the authorised development for which it was used. (5) Any approved permanent fencing must be completed before completion of the authorised development. (6) No site preparation works are to be commenced until written details of all proposed temporary fences, walls or other means of enclosure for the site preparation works have been submitted to and approved by the local planning authority. (7) Any proposed permanent or temporary fences, walls or other means of enclosure must be carried out in accordance with the approved details.	
			Suffolk County Council Fencing: can result in significant additional adverse visual effects, which are not considered in assessments, therefore it is important that boundary treatments are controlled through approval by RPA.	Regarding the provision of an outline lighting management plan, the response to 3LVIA2 within **Application Document 9.136 Applicant's Response to Third Written Questions** submitted at Deadline 6 should be referred to.
			Lighting: External lighting schemes as well as the hours during which different levels of lighting will be operated can have significant effects on neighbouring visual receptors and wildlife. Light spill, light intrusion, and sky glow all need to be minimised. SCC considers that this minimisation needs to be secured through approval of lighting schemes by the relevant local authority, in addition to the agreed design principles and commitments in the REAC.	The Applicant is required under its Electricity Licence obligations to consult with DESNEZ on the level of security (including fencing) for the site, this restricts the types of fencing that the Applicant is permitted to use. The Applicant is only permitted to use weldmesh or palisade fencing, therefore it is not practical for 3rd parties to approve the fencing requirement for the Proposed Project. The Applicant would however be allowed to provide for some discussion on the colour of the fencing within the overall design of the external appearance of the site. A nighttime assessment is provided within **Application Document 9.124 Landscape and Visual Nighttime Assessment [REP5-137]**.
			East Suffolk Council ESC considers that relevant planning authorities do require control over details of lighting and fencing. Suggested wording has been provided in response to ExQ2 Question 2GEN26. above.	Regarding the provision of an outline lighting management plan, the response to 3LVIA2 within **Application Document 9.136 Applicant's Response to Third Written Questions** submitted at Deadline 6 should be referred to.
			ESC has previously requested that an outline lighting management plan be prepared, with a more detailed Lighting Management Plan submitted to the relevant planning authority for approval through a discharge of Requirement 6 of the draft DCO. Whilst ESC acknowledges that operational lighting details	The Applicant is required under its Electricity Licence obligations to consult with DESNEZ on the level of security (including fencing) for the site, this restricts the types of fencing that the Applicant is permitted to use. The Applicant is only permitted to use weldmesh or palisade fencing, therefore 3rd parties cannot approve the fencing requirement for a scheme. The Applicant would however be allowed

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			for the converter stations are now to be submitted to the relevant planning authority for the discharge of Requirement 3, the relevant planning authority is only to confirm that the submitted details are in general accordance with the Key Design Principles. ESC is concerned that the suggestion of producing a technical statement as a 'potential associated activity' for Design Principle N.4 [REP4-073] is not a strong enough control, particularly given that the wording of Requirement 3 of the dDCO [REP4-217] as currently drafted only requires the submitted details to be in general accordance with the Key Design Principles. Furthermore, these changes to Requirement 3 do not provide the relevant planning authority with any control over the operational lighting of the Friston Substation, nor are any measures included in the REAC. ESC therefore continues to request that the Applicant prepares an outline lighting management plan covering the operational lighting for both the converter station and substation sites, with a more detailed Lighting Management Plan submitted to the relevant planning authority for approval through a discharge of Requirement 6 of the draft DCO. With regards to specific wording, ESC suggests that Paragraph (1) of Requirement 6 is amended as follows: *(1)* *…* *(q) Flood Management Plan (FMP); ~~and~~* *(r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice)~~.~~;* *(s) Lighting Management Plan – Suffolk (which must be substantially in accordance with the Outline Lighting Management Plan – Suffolk); and* *(t) Lighting Management Plan – Kent (which must be substantially in accordance with the Outline Lighting Management Plan – Kent).* *…* Alternatively, if the ExA does not consider it appropriate for outline lighting management plans to be submitted at this stage of the Examination, the following wording could be included as an additional DCO Requirement, which ESC has prepared based	to provide some discussion on the colour of the fencing within the overall design of the external appearance of the site. The Suffolk oLEMP (**Application Document 7.5.7.1 (D) Outline Landscape and Ecological Management Plan – Suffolk**) has been updated for Deadline 6 to allow for detailed plans of all areas where deer fencing is proposed to protect the establishing plant stock to be submitted for approval in the detailed LEMP.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments

on the wording of Requirement 25 in the EA1N and EA2 DCOs:

> **Control of artificial light emissions during operational phase**
>
> (3) Work Nos. 1B, 3B, 9B and 11 must not begin operation until an operational artificial light emissions management plan for that Work providing details of artificial light emissions during the operation of that Work, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.
>
> (4) The approved operational artificial light emissions management plans for Work Nos. 1B, 3B, 9B and 11 must be implemented upon, and maintained during, the operation of the relevant Works.

Whilst ESC has not previously sought a specific requirement in relation to fencing, ESC has raised concerns regarding the potential for fencing to direct deer towards hazards or trap them within confined areas (see paragraph 7.2.3 of ESC's LIR [REP1-128]). In addition to ensuring that fencing provides adequate protection for ecological receptors, ESC also requires controls over fencing for other reasons, including ensuring the safety of Public Rights of Way users and the protection of trees and hedgerows, where required. ESC would therefore welcome details of fencing being secured through a DCO Requirement. ESC suggests the following wording, which is based on the wording of Requirement 17 of the EA1N and EA2 DCOs:

> **Fencing and other means of enclosure**
>
> (1) No stage of the onshore works may commence until for that stage written details of all proposed permanent and temporary fences, walls or other means of enclosure of the onshore works have been submitted to and approved by the relevant planning authority.
>
> (2) All fencing and other means of enclosure of the onshore works must be in accordance with the approved details.
>
> (3) Any temporary fencing must be removed on completion of the relevant
>
> stage of the onshore works unless otherwise approved by the relevant planning authority.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			(4) Any approved permanent fencing in relation to Work Nos. 1B, 3B, 9B and 11 must be completed before that Work is brought into use and must be maintained for the operational lifetime of the Work to which it relates.	
			Friston Parish Council and SASES ESC already have controls at the substations site in respect of lighting as set out in Requirements 22, construction lighting, and 25, operational lighting, (work number 41 is the National Grid substation) as set out in Part 3 Schedule 1 of the EA2 DCO and reproduced below. *Code of construction practice* ***22.**—(1) No stage of the onshore works may commence until for that stage a code of construction practice (which must accord with the outline code of construction practice) has been submitted to and approved by the relevant discharging authority.* *(2) The code of construction practice must include—* *(a)a surface water and drainage management plan;* *(b)a flood management plan;* *(c)a construction phase noise and vibration management plan;* *(d)a site waste management plan;* *(e)a soil management plan including method statements for soil handling;* *(f)an air quality management plan;* *(g)a materials management plan;* *(h)a pollution prevention and response plan including a groundwater protection method statement and construction method statements for the protection of onshore water;* *(i)a stakeholder communications plan;* *(j)an artificial light emissions management plan;* *(6) In approving the code of construction practice the relevant discharging authority must consult with the relevant statutory nature conservation body in relation to the watercourse crossing method statement and in relation to the following plans to the extent that they relate to the Works Nos. specified—*	Regarding the provision of an outline lighting management plan, the response to 3LVIA2 within **Application Document 9.136 Applicant's Response to Third Written Questions** submitted at Deadline 6 should be referred to.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments

(a)the surface water and drainage management plan in respect of Work Nos. 7 to 14 and Work No. 19;

(b)the construction phase noise and vibration management plan in respect of Work Nos. 7 to 14;

(c)the soil management plan in respect of Work No. 12 and Work No. 12A;

(d)the pollution prevention and response plan in respect of Work Nos. 7 to 14 and Work No. 19; and

(e)the artificial light emissions management plan in respect of Work Nos. 7 to 14.

Works numbers 7 to 14 include construction compounds and cable route construction.

Control of artificial light emissions during operational phase

***25.**—(1) Work No. 30 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 30, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.*

(2) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 30.

(3) Work No. 41 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 41, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.

(4) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 41.

(5) Work No. 38 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 38, including measures to minimise lighting pollution and the hours of

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			lighting, has been submitted to and approved by the relevant planning authority. *(6) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 38.*	
2LVIA9.	**Applicant**, TDC	**Stour Marshes landscape character area (LCA) E1** Environmental Statement (ES) Appendix 3.1B [APP-144] identifies the key characteristics of LCA E1 as including long uninterrupted views across the marshes to the coast. ES Appendix 3.1C [APP-143] identifies that the partial loss of openness and the change to the aesthetic and perceptual aspects of the landscape would be lessened by the context of existing infrastructure. Provide clarification as to whether the Weatherlees Hill wastewater treatment plant is an existing detracting feature in LCA E1 that indicates that the effect on landscape character would be lessened. The assessment in [APP-143] considers that at year 15 the mature planting around the converter station and substation would reduce the effect from moderate adverse (significant) to minor adverse (not significant). Provide a detailed explanation of how the presence of mature planting would reduce the significance of effects on a landscape characterised by long uninterrupted views.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC does not consider that the presence of the Weatherlees Hill Wastewater Treatment Plant means that the impact on the landscape would be lessened. As already highlighted, TDC are concerned with the views from the north to the south. The wastewater treatment plant has been a feature within the landscape for a considerable number of years and the proposed development would intrude directly on the environment surrounding existing features within the landscape. Having regard to the scale of the Project it is not considered that the existing infrastructure would provide context for the proposed development. TDC confirmed that the impact would be major (significant) adverse for the full duration of the project given the location, the scale and the characteristics of the landscape as it stands. As such the impact is considered to be a major adverse effect for the whole operational period that would be significant (TDC written rep post ISH2 [REP4-160]). TDC maintains that mature planting will not reduce the significance of the effect and will remain major adverse at year 15 as set out in REP4-160 and the Principal Areas of Disagreement Summary Statement – Deadline 5 Update.	The Applicant's position remains unchanged from their response to 2LVIA9 which is contained in **Application Document 9.123 Applicant's Responses to Second Written Question [REP5-135]**.
2LVIA10.	**Applicant** ESC, SCC, SEAS and other relevant stakeholders	**Cumulative effects on the AONB** **Applicant:** The updated assessment of effects on the sub-factors of the special qualities and natural beauty indicators set out in the Planning Statement Addendum [REP4-092] is welcomed. The cumulative assessment	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		provided in table 4.1 of the National Landscape Section 85 Duty Technical Note [REP1-120] is only in relation to the indicators rather than the sub-factors. Provide a more detailed cumulative assessment in relation to the sub-factors for the natural beauty indicators and special qualities indicators with a greater level of detail as to the factors that have led to the conclusions for each indicator and the magnitude of the effect. Where a temporary significant adverse effect is identified, specify the likely duration of the temporary effect and whether any avoidance, mitigation or compensation measures could be identified that would reduce the magnitude of the effects. **ESC, SCC, SEAS and other relevant stakeholders:** Suggest potential mitigation or compensation measures for the likely significant cumulative effects on the special qualities and natural beauty of the AONB, as identified in table 4.1 of [REP1-120].	**Suffolk County Council** Within the AONB, the likely significant cumulative effects on the natural beauty and special qualities of the AONB, as identified in table 4.1 of [REP1-120], focus on the construction phase, and the time it will take to restore the landscape to its pre-construction baseline. In terms of potential mitigation measures, SCC considers there may be limited scope to reduce adverse effects on the natural beauty indicators assess to incur significant cumulative effects through embedded mitigation due to the nature of the works. The area within the order limits is also quite limited to facilitate meaningful offsetting measures. If the Applicant is unable to mitigate/offset these effects within the order limits, there is potential for offsite commitments to be made to enhance the affected natural beauty indicators according to the objectives of the National Landscape Partnership's Management Plan. This could be achieved by some commitment to seek to explore projects to enhance natural beauty outside of the order limits. Such projects are regularly undertaken through grants awarded through the National Landscape Partnership's Sustainable Development Fund. This would have to be done outside of the DCO itself on account of the need to gain the relevant permissions from landowners etc. but a commitment to finalise the details post-consent could be secured in the DCO. Alternatively, the Applicant could instead commit to entering into a legal agreement to contribute to an appropriate scheme which funds projects which enhance the natural beauty of the National Landscape, such as the Sustainable Development Fund hosted by the Partnership. SCC provides the following comments on the natural beauty indicators assessed to experience significant cumulative effects. *Landscape Quality* The National Landscape Section 85 Duty Technical Note [REP1-120] suggests that the additional loss of acid grassland of 7.61ha would be mitigated by the temporary enhancement of 6ha acid grassland for 10 years. The size for an enhancement area of 6 ha is based on the professional judgement and reasoning, that is sufficient to enhance an area approximately half the size of the area that would be disturbed. It is	The Applicant has provided a further response to ExQ3 3LVIA5 in **Application Document 9.136 Applicant's Response to Third Written Questions** submitted at Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			unclear how this professional judgement was reached and whether stakeholders and consultees agreed that this would be sufficient. However, it is welcome that the 6 ha were retained for enhancement, when the Applicant was able to reduce the affected area from the original 12ha to 7.61ha. There are several concerns with regards to the Applicant's approach. Firstly, from Plate 3.2 -Preferred area of acid grassland enhancement [REP1-120], the preferred area appears to be only to a small extent land in arable land, and to mostly consist of scrubland, which in itself has an ecological value. SCC considers it must be assessed whether this can be considered degraded acid grassland, as per the technical criteria in Paragraph 3.2.1 and what habitats will be lost in order to provide acid grassland enhancement. Secondly, it will need to be assessed and monitored whether the enhanced acid grassland Area (6ha) will be established enough to be a suitable replacement/ mitigation for the affected grassland areas during construction. There might be a period of time, when the statutory duty is not met. Thirdly, the acid grassland area directly impacted by the development, once it has regenerated will only return the habitat baseline to what it was pre-development. This only meets the conserve part of the S85 duty. It is the acid grassland enhancement area which would meet the enhancement part of the S85 duty, giving reason to retain the enhanced acid grassland over a longer timescale to the 10-year period being proposed. SCC considers that a period of 30 years, akin to that for BNG provisions, would be a more realistic timeframe to achieve meaningful mitigation for, and enhancement of the natural beauty and special qualities of the AONB, satisfying the strengthened duty under Section 85 of CRoW Act 2000. *Scenic Quality* It is expected that there would be significant residual cumulative effects on the Scenic Quality within the AONB during construction [REP1-120], resulting from the construction of the landfall and HVDC cable corridor and associated traffic movement. SCC considers that the residual significant adverse cumulative effects are not able to be mitigated, and	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			that therefore compensation measures should be considered. *Relative wildness* It is expected that there would be significant residual cumulative effects on the relative wildness within the AONB during construction [REP1-120]. SCC considers that the residual significant adverse cumulative effects are not able to be mitigated, and that therefore compensation measures should be considered. *Relative tranquillity* It is expected that there would be significant residual cumulative effects on the relative tranquillity within the AONB during construction [REP1-120]. SCC therefore considers that the Applicant should be more specific in the REAC [REP2-235], with regards to appropriate mitigation measures that will be implemented to minimise any potential nuisance (see GG10), where it is not possible or practicable to avoid proximity of sensitive receptors. Such mitigation could include stricter limits to construction working hours, and additional measures to minimise adverse effects. *Natural heritage features* The Technical note considers that, overall, the residual adverse effects would not be significant. While SCC considers that effects that occur in a part of the AONB, need to be considered as affecting the entirety of the AONB, SCC acknowledges that the significant adverse effects on acid grassland and its supporting species are considered by the Applicant in relation to Landscape Quality.	
			East Suffolk Council ESC is satisfied that effects on Landscape Quality are addressed by the provision of acid grassland enhancement, together with full and complete landscape restoration post-construction as detailed in the LEMP. ESC considers that impacts on Scenic Quality would be temporary, lasting only for the duration of the construction phase and a short time post-construction. Such impacts would be resolved following approved landscape restoration. ESC considers that impacts on Relative Wildness and Relative Tranquillity, whilst significant during construction, will be resolved once the construction phase is complete. ESC has no requests for additional mitigation or compensation, but	The Applicant acknowledges this comment.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			recognises concerns raised by other stakeholders, including SCC and the Suffolk Coast and Heaths National Landscape Partnership, and so defers detailed consideration of these matters to those parties.	
			Natural England It is not clear where compensation for significant cumulative impacts has been addressed. The National Landscape Section 85 Duty Technical Note [REP1-120] relates to compensation for acid grassland loss during construction and is limited to 10 years. We continue to raise concerns regarding the lack of clarity on the multifunctional use of this area of land. Natural England continues to advise that given the nature and location of the project within a National Landscape, it is not clear how alternatives to open trenching methods through the receiving landscape have been fully considered in line with the mitigation hierarchy. And where impacts can't be avoided every effort should be made to reduced impacts as much as possible. The mitigation hierarchy is considered at all stages of the Levelling-up and Regeneration Act 2023 duty in order to first avoid impacts to Protected Landscapes.	The Applicant submitted a detailed inter-project cumulative assessment on the sub-factors of the Natural Beauty and Special Quality Indicators at Deadline 5 which is contained within Appendix A in **Application Document 9.123.1 Applicant's Responses to Second Written Questions – Appendices [REP5-136]**. Notwithstanding the Applicant's position regarding the s85 duty as set out in **REP1-120**, the Applicant has drafted a s106 Unilateral Undertaking which outlines the Furthering The Purposes Compensation Fund which the Applicant has agreed to provide for the purpose of funding and delivering projects within the National Landscape.
			SEAS SEAS wishes to state clearly at the outset that it remains opposed to the Sea Link project and would not normally engage in detailed commentary on mitigation measures for a scheme it considers should not proceed. In SEAS's view, a convincing and robust needs case for the project has not been demonstrated. Furthermore, SEAS notes that an alternative solution has been identified which is estimated to cost approximately £250 million, significantly less than the proposed development. Notwithstanding this fundamental objection, SEAS recognises that the Examining Authority must consider the application as submitted. In the event that development consent is granted contrary to the concerns expressed by SEAS and the wider local community, it is essential that the draft Development Consent Order (DCO) and associated control documents secure the strongest practicable mitigation and enforceable protections. This is necessary to minimise harm to local communities,	The Applicant's response with respect to the needs case is set out in **Application Document 9.129 Applicant's Response to ExQ2 2GEN1 and 2GEN2 in respect of Need [REP5-142**]. The Applicant submitted a detailed inter-project cumulative assessment on the sub-factors of the Natural Beauty and Special Quality Indicators at Deadline 5 which is contained within Appendix A in **Application Document 9.123.1 Applicant's Responses to Second Written Questions – Appendices [REP5-136]**. Notwithstanding the Applicant's position regarding the s85 duty as set out in **REP1-120**, the Applicant has drafted a s106 Unilateral Undertaking which outlines the Furthering The Purposes Compensation Fund which the Applicant has agreed to provide for the purpose of funding and delivering projects within the National Landscape. With respect to SEAS suggestion that stronger mitigation and coordination measures should be in place to reduce cumulative landscape effects and in particular regrading design and lighting controls, the Applicant refers to Requirement 3 of the dDCO and the Applicant's response to 2GEN5 (**Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]).** Lighting control measures are set out in **Application**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			the environment, and other affected receptors. We therefore make the following comments: SEAS welcomes the additional assessment presented in the Planning Statement Addendum [**REP4-092**] and the National Landscape Section 85 Duty Technical Note [**REP1-120**]. However, the cumulative assessment in Table 4.1 remains expressed primarily at the level of indicators rather than the underlying sub-factors that contribute to the special qualities and natural beauty of the National Landscape. SEAS agrees that clarification of the **duration and mitigation of temporary significant adverse effects** is appropriate. Based on the construction programmes described in the Environmental Statement and in the context of overlapping NSIPs affecting the Suffolk coast, temporary cumulative landscape effects associated with compounds, cable corridors, haul routes, construction lighting and abnormal load deliveries are likely to persist for **approximately 3–5 years**, particularly where construction phases coincide. However, SEAS emphasises that mitigation must be considered within the wider strategic context discussed throughout the Examination. Evidence presented during the Examination indicates that **alternative strategic solutions and locations exist that could substantially reduce the identified landscape harm**. In particular, a coordinated **offshore grid or offshore mesh solution connecting to appropriate brownfield or existing industrial locations** would avoid concentrating large-scale energy infrastructure within the sensitive landscape setting of the Suffolk & Essex Coast & Heaths National Landscape. SEAS therefore maintains that the current siting of the proposal is fundamentally flawed, and that mitigation measures cannot compensate for strategic siting decisions. The Examination has also heard substantial evidence indicating that the need case for the project remains to be clearly demonstrated. Should the project nevertheless proceed, SEAS considers that the magnitude and duration of cumulative landscape effects could be reduced through stronger mitigation and coordination measures, including:	**Document 9.124 Landscape and Visual Nighttime Assessment [REP5-137]** and are tightly controlled to protect dark-skies. With respect to the suggestion by SEAS that mitigation should prioritise avoidance through better strategic siting and infrastructure coordination, the Applicant refers to the Design Development Report (**Application Document 7.3 Design Development Report [APP-321**] and **Application Documents 8.1-8.3 [APP-368, APP-369 and APP-390]** which collectively set out the extensive siting and routeing studies that have been undertaken for the Project. Opportunities for coordination with other major infrastructure projects in the area have been sought as set out in **Application Document 7.10 Coordination Document [APP-363]**.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			• stronger design controls within the DCO governing maximum building heights, materials, colours and ancillary structures • robust lighting controls to protect dark skies, including shielded fittings and restrictions on unnecessary night-time lighting • construction management measures to minimise overlap of visually intrusive phases and ensure progressive restoration of temporary working areas • reinforcement of existing woodland belts, hedgerows and landscape structure where local screening is achievable. SEAS also considers there are **clear opportunities for greater coordination with other major infrastructure projects in the area** that could reduce cumulative impacts, including: • coordination with **Sizewell C infrastructure**, including potential use of the consented **Sizewell C Link Road** currently under construction for construction access and abnormal load movements • coordination with **East Anglia One North** and **East Anglia Two** cable trench routes and corridors where feasible • use of **existing infrastructure corridors** and previously disturbed land to minimise new landscape disruption. Where significant residual cumulative effects remain, SEAS considers that compensation measures could include: • strategic landscape enhancement projects aligned with National Landscape management objectives • contributions to programmes that reduce the visual impact of existing electricity transmission infrastructure within the wider landscape • improvements to public rights of way and recreational routes affected by construction activity • long-term landscape stewardship funding for woodland, hedgerow and habitat management. Given the importance of the National Landscape to the **tourism economy of coastal Suffolk**, SEAS also considers **that financial compensation mechanisms should be explored to support**	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			tourism-dependent communities and businesses affected by the loss of landscape quality, tranquillity and visitor experience. The ability of residents and visitors to enjoy the landscape is a fundamental component of its special qualities and economic value. SEAS therefore considers that mitigation should prioritise **avoidance through better strategic siting and infrastructure coordination**, followed by strong design controls, construction management and lighting mitigation. Where residual cumulative harm to the special qualities of the National Landscape remains, compensation should include **strategic landscape enhancement, reduction of existing infrastructure impacts, and appropriate economic support for communities whose tourism livelihoods depend on the enjoyment of this landscape.**	
2LVIA11.	Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Include contingency measures for acid grassland in case reinstatement plans fail or are not achievable within the timeframes stated. This should be reflected in the REAC [REP4-235].	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			SEAS *This question is not addressed to SEAS, but in light of previously submitted relevant evidence, SEAS offers brief comments to assist the ExA.* SEAS welcome the request by the ExA to the Applicant to include contingency measures within the **oLEMP**, should the acid grassland creation fail. However, we also believe the Applicant should be providing more detail at this stage on the suitability of the proposed location and its soils for such creation, to ensure it is an appropriate location. To further aid the ExA in their question on Acid Grassland, SEAS has some observations regarding the updated **Environment Statement** - **REP4-025** - 6.2.2.2 (D) Environmental Statement Part 2 Suffolk Chapter 2 Ecology and Biodiversity. Para 2.9.32 - We would appreciate if this same question (2LVIA11) could be asked in relation to para 2.9.32 of the ES. Para 2.9.50 of the ES states only 0.3ha of the aid grassland meets the Priority Habitat criteria. Has the supporting data for this been presented elsewhere? If so, it would be useful if this were cross-referenced. If not, then it needs to be. Para 2.9.50 of the ES describes the presence of bands of semi-improved neutral grassland. This habitat type does not exist in the UKHab habitat	The Applicant's response to 2LVIA11 is set out within **Application Document 9.123 Applicant's Responses to Second Written Question [REP5-135]**. In this document the Applicant confirms that the measures necessary for the successful acid grassland reinstatement are set out under Sections 4.2, 6.7 and 7.2 of the oELMP (**Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan – Suffolk [REP4-065**]). The Applicant confirms that the 'acid grassland reinstatement' and 'acid grassland enhancement' works are separate, however both have measures to secure successful establishment within **REP4-065**. The Applicant's responses to the ecological based comments are contained within **Application Document 9.134 Applicant's Comments on Other Submissions Received at Deadline 4 and Deadline 5** submitted at Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			descriptions, which now forms the standard guidelines. We request that this habitat be described using the latter. Par 2.9.63 of the ES states that the acid grassland creation location has suitably sandy soils and is close to other areas of acid grassland. However, there is no consideration of the recent land use of this location, and how that might have altered the chemical and physical composition of the soil such that it may not now be suitable for acid grassland reversion, particularly over the short-term interim period required to off-site the temporary loss of the existing acid grassland. Again, we believe the Applicant should be providing more detailed evidence that the location is suitable for such habitat creation. NB: We have also included the above in SEAS D5 submission 'Outstanding Issues on Ecology', so the applicant may respond.	

3. Ecology and Biodiversity

Table 3.1 Ecology and biodiversity

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2ECOL5.	NE RSPB Local authorities	**Unexploded Ordnance (UXO)** Explain whether the proposed approach to UXO outlined in the applicant's response to ISH2 AP16 [REP4-086] is sufficient to ensure that potential effects on the designated sites could be appropriately mitigated.	**Thanet District Council** TDC makes no comment.	The Applicant notes this comment.
			Dover District Council In terms of UXO in relation to Suffolk, it would appear that reports have been submitted and the potential for UXO to have an impact on development have been addressed and Statutory bodies will be approached should UXOs be identified during surveys before starting work. If the same approach will apply to works in the Dover area, DDC's Environmental Protection Officers are happy with this approach.	The Applicant notes this comment and confirms that the same approach will be taken within Dover District Council.
			Suffolk County Council SCC has no objection with the approach to UXO from the applicant, as outlined in document (REP4-086)	The Applicant notes this comment.
			East Suffolk Council ESC notes the Applicant's response to ISH2 AP16 [REP4-086], including that the HDD depth will always be below bomb penetration depth when within the Sandlings SPA or Leiston-Aldeburgh SSSI. The UXO report provided within [REP3-070] identifies an approximate bomb penetration depth of 10-12m (paragraph 8.5.5). Although the exact location of the HDD launch sites within the compound is not known, the edge of the compound is approximately 15m from the edge of the Leiston-Aldeburgh SSSI. It therefore appears that it is unlikely that the drill will reach a depth below 10-12m before it enters the SSSI, and therefore there is a risk that it could encounter UXO if any are present in this area. Unless it can be demonstrated that the drill will reach a depth of greater than 10-12m before it enters the SSSI, ESC maintain its position, as set out in Section 3.2 of its Issue Specific Hearing 2 Post-Hearing Submission [REP4-117], that additional mitigation measures to protect designated nature conservation sites from UXO works should be included in the REAC and Outline Code of Construction Practice.	The conceptual HDD design provided in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note [APP-321] show the HDD entry locations at approximately 88m west of the Leiston-Aldeburgh SSSI. While the depth of the HDD at the western boundary of the Leiston-Aldeburgh SSSI is not shown on the drawing in APP-321, the depth is 12.7m and therefore below maximum UXO depth. Note that the 8.05m depth shown is the depth beneath buried services and is not the depth below surface at the SSSI boundary. Beneath the RSPB reserve the trenchless crossing quickly increases to be approximately 16-18 m below the RSPB reserve, so it is considered very unlikely that a UXO will be encountered by the drill. Consequently, the risk of encountering a UXO in the RSPB reserve may be considered reduced to As Low as Reasonably Practicable (ALARP), and therefore no excavations within the RSPB reserve/SSSI would be required. The drill would be too deep to undertake any excavation within the RSPB reserve. Rather, if surveys later in 2026 identify any potential UXO at a depth of potential conflict (which is unlikely) either the alignment or depth of the drill would be changed within the Order Limits. The latter could be done by moving the drill start further away from the SSSI boundary within the compound area. Text on this matter has been added into **Application Document 6.2.2.2 (D) Environmental**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				Statement Part 2 Suffolk Chapter 2 Ecology and Biodiversity, submitted at Deadline 6.
			Natural England Natural England welcomes the Applicant's commitment to avoid UXO by choosing a drill depth which avoids interacting with any UXO. However, we are aware that where UXO are found in the terrestrial environment that as a matter of public safety the MOD's policy is to detonate in situ. Therefore, should this be the case we welcome any opportunities where this can be avoided and/or the effects minimised. Where this is not possible then we would welcome commitments by the Applicant to include Natural England in the real time discussions to reduce impacts and make good and enhance the habitats going forwards.	The Applicant has subsequently updated REAC commitment GG39 as follows: *"The Applicant will implement the mitigation measures in accordance with the recommendations set out within the detailed terrestrial UXO risk assessment reports appended to the Onshore oCEMP. Where the Applicant has influence over the controlled explosion, they will inform Natural England and RSPB in advance and take measures to protect Sites of Special Scientific Interest where practicable."* In practice, it is likely that if any disposal in situ were required (and it is not the only solution available), this would require SSSI Assent which would involve discussions with Natural England. Text on this matter has been added into **Application Document 6.2.2.2 (D) Environmental Statement Part 2 Suffolk Chapter 2 Ecology and Biodiversity**, submitted at Deadline 6.
			RSPB We do not agree that this answer is sufficient at this stage, however, we have recently been in constructive discussions with the Applicant around the potential mitigation needed to minimise impacts on designated sites and the potential for a related commitment in the REAC. We will update our position via our SoCG once further information has been provided, but note that we consider that this should include commitments that surveys within the Leiston-Aldeburgh SSSI should be non-intrusive, the avoidance of excavation within the SSSI and to consult RSPB and NE with regard potential locations for any ex situ detonations in the vicinity of the SSSI or Sandlings SPA.	The Applicant has committed to undertaking Non-Intrusive Magnetometer Surveys for magnetically 'clean' land. As set out above the updated REAC includes commitment GG39 which states that: "The Applicant will implement the mitigation measures in accordance with the recommendations set out within the detailed terrestrial UXO risk assessment reports appended to the Onshore oCEMP. Where the Applicant has influence over the controlled explosion they will inform Natural England and RSPB in advance and take measures to practicable.' Text on this matter has been added into **Application Document 6.2.2.2 (D) Environmental Statement Part 2 Suffolk Chapter 2 Ecology and Biodiversity**, submitted at Deadline 6.
2ECOL6.	**Applicant** NE	**Ground investigations** **Applicant:** NE appendix J4 [REP4-195] notes that ground investigation works can have	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		significant impacts or adverse effect on integrity (AEoI) and suggests that works would be subject to separate permissions. As the dDCO [REP4-217] schedule 1, part 1, section 2 includes reference to surveys, confirm whether a separate permission would still be required from NE? **NE:** The ExA notes your advice that ground investigations can result in AEoI [REP4-195] but that the applicant confirmed any further ground investigation at Kent landfall would be subject to a separate marine licence from the Marine Management Organisation (MMO), on which NE would be consulted. Are you satisfied that this activity would fall outside of the DCO and therefore that there would be no AEoI of the Sandwich Bay Special Area of Conservation (SAC) from this pathway? The ExA is also unclear as to NE's outstanding concerns about drilling activity for the SAC, as [REP3A-028] does not appear to include advice on this matter. Please clarify NE's outstanding concerns.	**Natural England** Based on the information included within the application, Natural England is unable to advise on the scale and significance of potential ground investigations. However, Natural England is satisfied that the ground investigation works would be subject to separate licensing which, where required, would include a Habitats Regulations Assessment (HRA) and/or Marine Conservation Zone (MCZ) assessment. These assessments would consider impacts both in their own right and in combination with this plan or project, and Natural England would be consulted by the competent authority as part of that process. However, Natural England continues to highlight that if the ground investigations indicate that modifications to installation techniques are required, and adverse effects on integrity (AEoI) and/or significant impacts cannot be ruled out at that stage, then a material change to the Development Consent Order (DCO) may be required.	The Applicant notes this response and shares the view that the works described in Question 2ECOL6 would require a separate SSSI Assent. The Applicant does not foresee any realistic circumstances in which ground investigations indicate that a modification to installation techniques is required but agrees that these hypothetical circumstances would be subject to a separate consent process that would allow for a full assessment of the impacts.
2ECOL7.	Applicant	**Hedge gap closures** Provide evidence to demonstrate that it is feasible to close hedge gaps between the proposed Friston Kiln Lane substation and the Saxmundham Converter Station site in light of the proposed 39m working width in this location and if gap closure is not possible, confirm whether this would affect the assessment of significance.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Friston Parish Council and SASES Hedge gap closures – the cumulative impact with Lionlink needs to be considered here. The National Grid Lionlink project is considering what it calls a northern cable route to connect the Lionlink converter station the National Grid substation as shown in the images at Appendix 1. This route would appear to involve another 39 metre hedge gap substantially degrading the landscape mitigation to the north of Friston. This clearly demonstrates why a requirement equivalent to Requirement 42 Part 3 Schedule 1 of the EA2 DCO needs to be included to mitigate this cumulative impact. This requirement is reproduced below. FPC has previously made submissions on this point in its post-ISH2 submissions REP4-148 at paragraphs 23 and 24. *Installation of cable ducts* ***42.**—(1) In the event that the cables comprised within the East Anglia ONE North cable works are*	The Applicant notes that this question relates to the feasibility of methods to close hedge gaps, and reiterates the answer given in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**: that the method proposed by the Applicant has been successfully used elsewhere. The Applicant does not see this as supporting the inclusion of a requirement in the draft Development Consent Order equivalent to Requirement 42 of the EA2 DCO.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			installed prior to the cables comprised within the East Anglia TWO cable works, the East Anglia TWO cable works may not subsequently be installed unless the cable ducts forming part of the East Anglia TWO cable works have been installed concurrently with the installation of the cables comprised within the East Anglia ONE North cable works. *(2) For the purposes of this requirement—* *(a)"the East Anglia ONE North cable works" mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of the East Anglia ONE North Order; and* *(b)"the East Anglia TWO cable works" mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of this Order.*	
2ECOL8.	**Applicant** Local authorities	**Benhall bridge works** **Applicant:** Explain what the potential is for the rail corridor at Benhall Bridge to act as a bat commuting corridor and dormouse habitat and whether this would require additional survey and/or mitigation measures? Where relevant provide a commitment in the REAC [REP4-235] or Suffolk oLEMP [REP4-065]. **Local authorities:** It is noted that the extent of pre-construction surveys has been restricted in the revised oLEMP as follows "These surveys will include surveys of breeding and non-breeding birds (particularly nesting Schedule 1 species), bat activity (focussed on locations where failures of automated bat detectors occurred during baseline surveys resulting in fewer than the standard 5 nights of activity being recorded in those locations), riparian mammals, dormice (specifically regarding Area D where an ambiguous record exists from the original survey) and badgers." Comment on whether the extent of surveys should be increased.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council SCC Ecology are broadly happy with the range of surveys proposed for this location. SCC defers to East Suffolk Council on other matters relating to these surveys. SCC is keen to see the survey reports as soon as they are made available. The presence or otherwise of bats or dormice in the vicinity is a factor that must be considered in any temporary or permanent work to Benhall Bridge and an pre-commencement survey is recommended noting that similar issues on the A12 at Marlesford delayed delivery of SZC mitigation work.	The Applicant notes this response and highlights that reference to pre-construction surveys of Benhall Bridge for bats and dormice if Option 2 were to be taken forward will be included in Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan - Suffolk [REP4-065] and in the Application Document 9.84 (B) Register of Environmental Commitments (REAC) [REP4-234]. These survey results would be shared with SCC.
			East Suffolk Council ESC considers that the OLEMP needs to better define the extent and scope of the pre-commencement surveys which are to be undertaken. This should include the methodologies that are going to be used for each survey, including highlighting where there are any proposals to deviate from published best practice guidance for a particular species. Inclusion of this information is important so that it is clearly understood what survey methods are to be utilised, when and where, particularly in relation to species for which updated best practice survey guidelines have been published since the survey work which informs the EIA was undertaken (such as dormouse).	As set out above, reference to pre-construction surveys of Benhall Bridge for bats and dormice if Option 2 were to be taken forward will be included in Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan - Suffolk [REP4-065] and in the Application Document 9.84 (B) Register of Environmental Commitments (REAC) [REP4-234]. A schedule of surveys has been included in the Suffolk oLEMP for Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			With regard to the pre-construction surveys listed in the current version of the OLEMP [REP4-065], ESC agrees with the inclusion of breeding and non-breeding birds, riparian mammals, dormice and badgers. In relation to dormice, the proposal to restrict the pre-commencement survey to Area D (where the potential dormouse nest was recorded) is considered to be acceptable, subject to the precommencement surveys also including the use of footprint tunnels (alongside nest tubes) in accordance with the current best practice survey guidance. ESC considers that the OLEMP should be updated to commit to this. With regard to bats, it is unclear whether the OLEMP is stating that precommencement surveys will cover all locations where there were fewer than five nights recording in any one survey month or whether it means that precommencement surveys will only be undertaken at locations that on average didn't achieve 5 nights per month across the whole survey season. Given ESC's ongoing concerns about the bat activity survey effort to date (as set out in Paragraphs 7.2.5.3 to 7.2.5.6 of its Local Impact Report [REP1-128]) and the Applicant's ability to completely implement the proposed mitigation measures (as set out in Section 3.4 of its Issue Specific Hearing 2 Post-Hearing Submission [REP4-117]), it is ESC's opinion that it should be the former. Based on Table 1.4 of the Suffolk Nighttime Bat Walkover and Static Detector Survey Report [APP-107], all nine static bat detector survey locations failed to achieve at least five nights of recording in at least one month of the survey season (out of eight possible months), with four locations failing to achieve at least 5 nights of recording in at least two months, two locations failing in at least four months and one location failing in five months. This included significant failures in the late summer/early autumn period (August/September 2024) which is a key time for foraging bats post the maternity season and as they prepare for mating and hibernation. In these two months, of the 18 possible survey periods (nine in August and nine in September) 12 failed to achieve a minimum of 5 nights of recording per month. It is therefore essential that the pre-commencement bat activity surveys provide complete coverage of the locations used for the surveys which informed the EIA, and ESC considers that the OLEMP should be updated to commit to this.	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			In addition, surveys for bat roosts in trees must also form part of the suite of precommencement surveys in order to inform the specific mitigation measures required for each tree with bat roost potential that is to be removed, as well as the need for any Natural England protected species mitigation licences.	
2ECOL10.	RSPB **Applicant**	**Works affecting North Warren** Provide an update on the discussions regarding access, grazing and vegetation management proposals at North Warren. Also comment on the known distribution of water voles at North Warren in areas of wet grassland and whether any preconstruction survey is necessary in respect of this species close to the HDD compound.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			RSPB We are currently in discussion with the applicant around the use of access routes on site, particularly to clarify that no vehicular access would be required for monitoring during the drilling process, except in the event of frac-out, in which case agreed access points and vehicles would be used. We have also discussed the need for early consultation should any temporary and limited scale restrictions on grazing be required during drilling, to allow us to liaise with graziers. With regard vegetation management, we are discussing tree group 82S and clarifying that any management required to maintain the access route here would not lead to loss of habitat. Again, we will update on the progress of these discussions via updates to our SoCG with the applicant. Water vole presence has been recorded at various locations across the ditch network within the wetland areas of RSPB North Warren. As such, they are likely to be present within the HDD swathe and could be affected by incidents such as frac-out. However, given that the HDD compound is located on dry habitat outside the reserve and that the closest habitat within the reserve to the compound is also dry, we do not consider that there is a need for surveys around the HDD compound itself.	The Applicant notes this response and has nothing to add to the answer to this Question in REP5-135. The Applicant is continuing to liaise with the RSPB over works affecting North Warren. A REAC measure has been included at D6 to confirm that '*Within the North Warren RSPB Reserve vegetation will only be managed when required to re-establish path widths to no more than 1m (the statutory minimum for a footpath) and will only be managed using hand tools unless otherwise agreed with RSPB.'*
2ECOL11.	NE	**Sandlings SPA – acid grassland** The applicant responded to NE's concerns regarding Sandlings SPA in ([REP2-034], table 2.8]). It updated the HRA Report to clarify the impacts to acid grassland within Sandlings SPA and to adjacent functionally linked land. It also confirmed that the acid grassland enhancement was not being proposed as mitigation for loss of functionally linked land for Sandlings SPA and that the assessment did not rely on its provision to conclude no AEoI. NE's Risk and Issues log ([REP4-197], point	**Natural England** Natural England recognises that the Applicant is not relying on acid grassland enhancement for loss of functionally linked land. However, acid grassland enhancement is used in the report as justification for the conclusion of no AEoI. We advise that the need for clearer information regarding the indirect impacts of noise and lighting on the FLL and clear audit trail of the temporary nature of the impact in order to substantiate conclusions, and that impacts to nightjar are more clearly incorporated. Please see	As identified by the ExA in this question the acid grassland enhancement is not relied upon in the report as a justification for the conclusion of no AEOI from loss of functionally-linked land for Sandlings SPA, and the Applicant has confirmed this in response to 2ECOL11. Natural England does recognise this in their D5 tracker (point 17 on Tab A). Nonetheless, to avoid confusion reference to the acid grassland enhancement area has been deleted from the HRA as requested by the ExA. The updates to the HRA also include further analysis and clarity regarding loss of functionally-linked land (as per Natural England's point 14 Tab A in their D5 tracker regarding paragraphs 7.2.4 to 7.2.9 of the HRA, and point A5.7 in Appendix A5 of their D5

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		20, tab A) shows this matter to still be outstanding. Does NE consider there to be an AEoI to the Sandlings SPA as a result of impacts on acid grassland. If so, provide reasoning.	Appendix H3 to our Deadline 3 submission [REP3-120]	submission) including discussion of impacts on nightjar. The Applicant has also added further discussion of lighting impacts on the SPA as requested in Natural England's deadline 5 response (point A5.2 in Appendix A5 and in point 17 Tab A in their D5 tracker). This has been included in the HRA at Deadline 6.
2ECOL12.	RSPB Local authorities NE	**Updated wintering bird survey** Comment on the applicant's statement in [REP4-241] that "since the North Warren RSPB Reserve is being treated as a sensitive receptor, the Applicant does not consider that updated information regarding the number and distribution of wintering birds within the Reserve is required, particularly since RSPB have good data for their Reserve."	**Thanet District Council** The North Warren RSPB Reserve is located in Suffolk and as such TDC has no comment to make.	The Applicant notes this response.
			Suffolk County Council SCC Ecology agree with the applicant regarding using the RSPB data to update the winter bird surveys. As they own the North Warren site, the RSPB will be able to provide a full and accurate picture of the overwintering bird species that use this particular reserve.	The Applicant notes this response and is engaging with the RSPB over North Warren.
			East Suffolk Council ESC defers to Natural England and the RSPB for confirmation on this point; however, ESC acknowledges the importance that the Applicant has assigned to this sensitive receptor and the measures that are proposed to avoid or mitigate impacts on the site. Given the measures proposed, ESC accepts that further wintering bird surveys are unlikely to result in any additional measures being incorporated.	The Applicant notes this response.
			Natural England Natural England agrees with the statement made by the Applicant.	The Applicant notes this response.
			RSPB We raised concerns in our Written Representations that only one full season of wintering bird surveys was carried out for this project (in 2023/24), with no surveys in 2022/23 and only part of the season covered in 2021/22. We would normally expect to see two full seasons of data collection to support an application of this nature. The RSPB carry out monthly Wetland Bird Surveys (WeBS) during winter and these data would be available to the applicant to supplement their own data and can be obtained via a formal data request to us. However, it is important to note that whilst these surveys give a robust and standardised count of birds present at the site, the surveys were not designed to gather the fine level of distributional data that are may be required to inform development proposals. For WeBS, the wetland areas of North Warren	This is noted. As discussed in previous responses, the boundary of the RSPB Reserve has been treated as a sensitive receptor and therefore the precise number or distribution of birds within the reserve is not fundamentally important to the assessment. An acceptable noise disturbance threshold has been agreed with Natural England, there is a prohibition on noisy works during the breeding season close to the SSSI, and the assessment undertaken identifies that only a small part of the SSSI would be subject to elevated noise levels during compound set up and demobilisation.

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			(including reedbed and waterbodies as well as wet grassland) are reported as one recording unit, and therefore additional surveys by the applicant may be required to inform assessment of impacts where knowledge of bird presence at particular locations within the site is needed.	
2ECOL13.	NE RSPB Local authorities	**Suffolk Wintering Bird Survey Report** Provide any further comments on the assessment of effects on wintering birds, based on the updated Suffolk Wintering Bird Survey Report appendix 2.2.b [REP4-037].	**Suffolk County Council** SCC are broadly content with the assessment of the effects on overwintering birds stated in this report. However, SCC defers to the expertise of NE and RSPB SCC Ecology would like to see updated survey for both overwintering and breeding birds as the last surveys were carried out in 2024 (2 years ago).	The Applicant notes this response.
			East Suffolk Council ESC defers detailed comment on this matter to Natural England and the RSPB. However, ESC understands that the update to the Suffolk Wintering Bird Survey report [REP4-037] was to correct errors in the data in Table A.2 in Annex 2.B.2, but this does not change the conclusion of the assessment.	The Applicant notes this response.
			Natural England Natural England does not have any further comments or concerns based on the updated Suffolk Wintering Bird Survey Report appendix 2.2.b [REP4-037].	The Applicant notes this response.
			RSPB We welcome the update to Annex 2.B.2 of the Suffolk Wintering Bird Survey Report to provide WeBS data for key Suffolk sites rather than Kent, although these data appear different to the WeBS data reported in Table 1.8 for key species. There are also some confusing references to WeBS data within the report – Table 1.8 reports 8 pairs of Bittern from the 5 year mean peak count for the Minsmere-Walberswick SPA and states this figure includes North Warren (although North Warren also features in another column): it seems likely therefore that this may be breeding data rather than WeBS count data. Paragraph 1.5.19 also notes that the WeBS data includes heathland and woodland birds – this is unlikely as WeBS is a wetland survey. Again, we query whether general reserve data (including breeding birds) has been referred to in some cases instead of winter WeBS data. We also raised a number of queries around the reporting of the bird surveys and data in the Suffolk Wintering	Noted. The Applicant notes RSPB's comment that this matter does not affect the conclusions of the impact assessment.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Bird Report in sections 2.1.5 and 2.1.6 of our Written Representations. Whilst these issues may not make a significant difference to the overall conclusions of this report, noting that key sites have been ascribed appropriate levels of importance, we consider it important that care is taken to ensure the accuracy of data used and to use appropriate data (including obtaining additional data if required) to inform assessment of specific impacts and requirements for mitigation.	
2ECOL14.	**Applicant** Local authorities RSPB	**Seasonal restrictions - Suffolk** **Applicant:** Section 6.7 of the Suffolk oLEMP [REP4-065] explains that topping/flailing works would be restricted during the bird ground-nesting season (i.e. avoiding March to August). In light of previous amendments relating to the bird breeding season, should this read February to August? **Other parties:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council If the bird breeding bird nesting season is widely considered to be 1st March to 31st August and this should be adhered to when undertaking flailing/topping works in areas of suitable habitat for ground nesting species such as Skylark.	The Applicant reiterates the answer given to this question in REP5-135 and has updated this to February to August in the version of Application Document 7.5.7.1 (C) Outline Landscape and Ecological Management Plan - Suffolk [REP4-065] that is submitted at Deadline 6. This would cover the eventuality of woodlarks nesting in reinstated acid grassland.
			East Suffolk Council ESC agrees that, given that Section 6.7 of the OLEMP relates to management of the acid grassland compensation area which could be used by breeding woodlark, the reference to timings for topping/falling works in the OLEMP should be amended to commit to avoiding February to August to reflect similar provisions elsewhere in the OLEMP.	
			RSPB Due to the possibility of Woodlark presence (and their early breeding period), we agree that topping/flailing should avoid February to August.	
2ECOL15.	SCC **Applicant**	**Seasonal restrictions - Suffolk** SCC [REP4-150] suggests that compound works in Suffolk should not be undertaken in the winter months. Explain whether the applicant's proposed 1 January to 31 March restriction on works as set out in provision O03 of the REAC [REP4-235] satisfies this requirement. The applicant may wish to comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council The dates for over winter should be listed as 1st December to 31st March. These dates cover the months when overwintering bird species are most likely to be found on the RSPB North Warren reserve and will be most susceptible to disturbance. Cold weather warnings should also be adhered to in this period which are defined as three consecutive days of freezing temperatures. However, SCC defers to ESC regarding what range of dates is most appropriate.	For the reasons set out in REP5-135, the Applicant considers that the proposed 1 January to 31 March restriction on works is the correct approach.

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2ECOL18.	**Applicant** Local authorities	**Deer management** Provide an update on discussions regarding deer management with EDF as referenced in section 6.4 of the Suffolk oLEMP [REP4-065]. The local authorities may wish to comment on the proposed approach.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council SCC Ecology are happy with the proposed approach to deer management from the applicant (detailed in the oLEMP). SCC would add the proposed badger gates in the fencing around the planting should be weighted sufficiently to allow badger movement but prevent access to the planting for rabbits.	The Applicant notes these responses and will select badger gates that are suitable to serve their requirements which will involve considering weight when models of badger gate are being considered for installation. For the most part, badger gates will not be required within fencing around planting since these are only required where there is a risk that badger territories will be disrupted or access to setts prevented.
			East Suffolk Council ESC understands this to be a matter raised by SCC, and ESC therefore defers to them.	
2ECOL19.	**Applicant** EA Local authorities	**Potential ecological opportunities** **Applicant:** Paragraph 1.35 of the 2ECOL25 Aquatic Ecology Survey Report [APP-104] suggests that the River Fromus has poor ecological status due to diffuse and point source pollution and barriers, issues which would be disproportionately expensive to fund. Blue Spaces – Saxmundham [RR-0589] also suggests measures to improve the River Fromus. Does the applicant consider that there is any potential to address some of the identified constraints as part of the applicant's proposed biodiversity net gain (BNG) measures? **EA and local authorities:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council SCC Ecology are keen to hear from the applicant on how they propose to address this matter	Poor Ecological Status and the Reasons for Not Achieving Good (RNAG) status refer to the Water Framework Directive (WFD) status of the water body. The RNAG quoted by the Environment Agency include the factors listed - diffuse and point source pollution and barriers to fish passage, which the EA identify as 'disproportionately expensive.' The BNG assessment is independent of the WFD assessment, and has a different methodology based on River Condition Assessment criteria, which focuses on physical river characteristics and does not consider factors such as water quality. While enhancement measures proposed in the BNG assessment would aim to improve the physical river condition (as defined through Modular River Physical (MoRPh) surveys), these would be unlikely to have benefits for wider catchment issues (such as those listed above) that are limiting WFD status of the water body as a whole. Through the BNG assessment, enhancement measures would be sought to enhance the physical condition of the River Fromus locally.
			Environment Agency We are nearly satisfied that the Applicant is adequately mitigating for any potential runoff from the River Fromus Bridge crossing. EA41 is still unresolved due to concerns the disposal of contaminated construction and concreting water, as-well as rainfall runoffs from the batching plant area, may introduce contaminants into the receiving water environment. However, within the Biodiversity Net Gain measures, the Applicant includes proposals to	To address the unresolved matters relating to EA41 the Applicant has updated GG17 and GG15 in the REAC at Deadline 5 [**REP-115**]. The Kent Drainage Strategy was updated at deadline 5 [**REP5-085**] at paragraph 8.1.15 to address the difference in wording between it and the Suffolk Drainage Strategy, with both now aligning to state 'Provision of a suitable vehicle wash area on hardstanding which drains to foul or shall be suitably treated on site.' Commitment W32 was also updated in the REAC at Deadline 5 [**REP-115**] to include specific measures for concrete pours and dealing with concrete washout.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			create two attenuation ponds either side of the River Fromus Bridge which will be primarily for drainage but will be designed to improve biodiversity and habitat for riparian mammals. They will also be undertaking riparian enhancements along the River Fromus across a 500m stretch including wetland mix planting (particularly around the bridge) and reprofiling of the banks. This will likely lead to improvements in diffuse pollution issues. We agree that it would be disproportionately expensive to address any point source pollution issues. We look forward to the applicant addressing our comments on issue EA41.	
			East Suffolk Council In principle, ESC would support the implementation of measures to enhance the ecological status of the River Fromus being delivered as a part of this project. However, if these were to be delivered as part of the project's BNG requirement it must be ensured that they are adequately secured, managed and monitored so that there is sufficient certainty that they are delivering a true net gain for biodiversity in the long term.	The Applicant notes this response, any significant enhancements included within the BNG assessment will be secured by a suitable legal agreement as discussed in other responses and at ISH2 and ISH3.
2ECOL21.	**Applicant** Local authorities NE	**Impact of pylon base installation** Table 9.23 of Kent chapter 9 noise and vibration [AS-111] identifies use of pad foundations for pylon construction as an example means of achieving 10 to 20dB reduction in noise levels. Should this measure be secured to reduce noise and vibration effects on bird species in Kent?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC defer to Natural England and KCC Ecology on this matter.	The Applicant notes this response.
			Dover District Council There is no identified requirement for this in respect to the SPA/Ramsar (as per the HRA) although the Council notes there will be wintering birds and breeding birds present at different times of the year that could be impacted by noise and vibration so securing this measure in Kent would help to mitigate impacts.	See the Applicant's response to this question submitted as part of 9.123 the Applicant's Response to Second Written Questions [REP5-135].
			Kent County Council Yes	The Applicant's view is that the issue here is the noise level necessary to protect the SSSI that needs to be secured, rather than the precise measures that will be used to meet that level. The noise level is confirmed by measure B23 in Application Document 9.84 Register of Environmental Commitments (REAC) [REP5-115]
			Suffolk County Council	The Applicant notes this response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			SCC Ecology has no comments to make on this matter as this question refers to the section of the cabling in Kent.	
			East Suffolk Council ESC notes that this question is related to the Kent Onshore Scheme. ESC therefore defers to Natural England and the Kent local authorities.	The Applicant notes this response.
			Natural England Table 9.24 of Application Document AS-111 provides 'Examples of Construction Noise Mitigation Measures' but does not detail how the 'likely attenuation' levels will be achieved. Whilst Natural England welcomes the possible noise attenuation that can be achieved with mitigation measures, we would recommend that greater clarity and certainty is provided on what level of noise attenuation will be achieved and the measures that will be secured to deliver these.	The Applicant's view is that the issue here is the noise level necessary to protect the SSSI that needs to be secured, rather than the precise measures that will be used to meet that level. The noise level is confirmed by measure B23 in Application Document 9.84 Register of Environmental Commitments (REAC) [REP5-115], and addresses the point raised by Natural England.
2ECOL22.	Sandwich Bay Bird Observatory Trust	**Data sets** Sandwich Bay Bird Observatory Trust's WR [REP1-242] suggests that it offered detailed tidal bird survey records to Sea Link's ecological team but was not contacted. The applicant's comments on WR [REP2-034] explained that it drew on the public record for these datasets. Confirm whether the Trust still considers that it holds data that the applicant should have taken into account in its assessment?	**No response found in D5 submissions**	The Applicant is not aware that this information was provided but reiterates its position that the public record for these data sets is a perfectly adequate source and provides sufficient information on which to make an assessment.
2ECOL26.	**Applicant** NE	**Effects on European sites from release of contaminants and debris** **Applicant:** Respond to NE's concerns about release of contaminants and debris arising from use of the hoverport for access to the intertidal area, including the potential to affect designated sites and their qualifying features. In doing so, present analysis of publicly available evidence from Vattenfall and Thanet Extension projects. Confirm how you propose to mitigate any risks identified from this	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		pathway and update assessment work (ES and HRA) as relevant. **NE:** Regarding the new issue [REP4-191] of release of contaminants and debris arising from use of the hoverport to access the intertidal area, confirm which European sites and qualifying features you consider could be subject to likely significant effects. Advise on any potential mitigation the applicant could implement to address this matter, and whether you consider it is possible to avoid an AEoI of the European sites.	**Natural England** Natural England advises it is for the Applicant to assess the level of risk. However, even with 'protective matting and/or structure' to contain debris and avoid cracking the concrete, it is not clear how the structural integrity of the hover pad will be affected by intensive vehicular traffic. Coal-contamination is known to increase water acidity and levels. There is also a risk of releasing toxic heavy metal i.e., arsenic, mercury, and lead into groundwater and fluvial systems. Which could, depending on the concentrations, significantly affect ecosystems and features of the Sandwich Bay to Hacklinge Marshes SSSI, Thanet Coast SSSI, Sandwich Bay SAC, and Thanet Coast and Sandwich Bay SPA and Ramsar. But until further information is provided by the Applicant, we are unable to advise further.	The measures that the Applicant proposes to take to prevent any interactions with potential contamination through avoiding ground disturbance and conserving the existing overlying hardstanding barrier are set out in its response to this question in REP5-135. The Applicant has added a new commitment W37 to the Outline Onshore Construction Environmental Management Plan that was submitted at Deadline 5 [REP5-068] as follows: *'The Applicant will prepare a hoverport condition monitoring plan post consent to monitor the condition of the hoverport during construction. This will include measures for identifying and managing any potential contamination risk and will be prepared in consultation with the EA, NE, KWT and TDC'*
2ECOL27.	NE	**Lighting of cofferdams** **NE:** Does NE agree with the applicant's response table 3.1 [REP4-241] that lighting of the cofferdam in the intertidal area would not result in AEoI, as it would be focused only on the intertidal area. If not, explain what further assessment NE considers is necessary to assess such disturbance effects as suggested in appendix J3a [REP3A-028].	**Natural England** Natural England advises that bats forage in the intertidal areas off Kent. Species include the Daubenton's bat, which hunts for insects over water, and the Nathusius' pipistrelle, which migrates through the area. These and other bat species frequently inhabit coastal wetlands, marshes, and areas with available, sheltered water for foraging. Therefore, Natural England advises that mitigation measures to reduce light disturbance within the intertidal are required between April and October.	Text on has been added to **Application Document 6.2.3.2 Environmental Statement Part 3 Kent Chapter 2 Ecology and Biodiversity** for Deadline 6.
2ECOL29.	KWT Local authorities NE	**Hoverport access – reptiles** In light of the acknowledged presence of reptiles within the hoverport, should two stage clearance of any vegetation, or other measure, be secured as a REAC or oLEMP provision and if not, why not?	**KWT** It is considered that, in principle, a REAC would be the most appropriate mechanism to secure the two-stage clearance of vegetation at the Hoverport. However, securing this approach to vegetation clearance does not address the impacts that would likely be caused from providing access across the site. In the first instance the Hoverport is known to support an array of nationally scarce plant species alongside the larval foodplants for endangered, protected and priority invertebrate species. At this stage there is a lack of survey data and so it is not known what species would be impacted by site clearance and what mitigation or compensation measures should be taken to address that impact. It is therefore our view that a full botanical baseline survey, along with reptile surveys, should be undertaken at an appropriate time of year, as well	It is very likely that reptiles are present at the former hoverport. They will be found in vegetated areas where they have sufficient cover. While reptiles will bask in open areas on hardstanding and may seek temporary refuge in crevices in hardstanding if these exist, they will generally avoid crossing large unvegetated areas due to the increased risk of predation, preferring to remain near cover. This is relevant because no vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport. A small number of vehicles (low dozens even at peak times) will traverse the hoverport for short periods in the year. An unvegetated sufficiently wide route through the hoverport has been identified to avoid vegetation removal, other than possible cutting back of lateral seasonal growth of bushes. For the first stretch this will be via the intact tarmac roads, after which low ground pressure vehicles will be used to traverse the open concrete of the former hoverport itself. Therefore, any risk of killing and injury of reptiles on the hoverport is considered negligible.

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			as targeted invertebrate surveys for protected and Priority Species. Any vegetation clearance to provide an access route must avoid, rather than simply minimise, impacts on these receptors. At this stage it has not been demonstrated that there is suitable habitat adjoining the area to be cleared to act as a receptor site for reptiles. In the absence of appropriate surveys, it is also unclear whether any intended receptor site already supports reptiles and, if so, whether it can increase its carrying capacity to accommodate species pushed out from the cleared areas. No details have been provided on the proposed enhancement measures that would be undertaken, alongside the provision of artificial refuges, to attract reptiles to the new area. If site clearance is to take place it is our view that an adapted two stage clearance would need to be undertaken due to the ecological importance of the site. Vegetation should be reduced gradually through phased and directional cutting over a longer period to encourage reptiles to move to an appropriate receptor site. The clearance process would need to be supervised by an experienced Ecological Clerk of Works (ECoW) and should take place during the active season for reptiles, however would also need to take into consideration seasonal restrictions for protected invertebrates such as Firey Clearwing Moth which is known to breed onsite. Hand operated machines should be used with any removal of habitat features done by hand under supervision of the ECoW. It is understood that vegetation clearance is needed so that an access route can be provided across the Hoverport. As stated in previous representations, an access route should not be agreed without consultation with, and approval by, relevant statutory and non-statutory bodies, including Natural England, KWT, Butterfly Conservation and Thanet District Council. Once the baseline ecological surveys (botanical, invertebrate and reptile surveys) have been undertaken, an annotated aerial photograph and/or annotated plan showing a genuinely vegetation-free route would be required, together with confirmation of whether any reinforcement, surfacing or ground preparation would be needed, as such works would significantly increase ecological impacts. In addition, where invasive non-native species are present, their management should be addressed as part of the proposals, but only where this can be delivered	The former hoverport is also known to support populations of fiery clearwing moth and Sussex emerald moth, both of which are legally protected from killing and injury, or from disturbance while using their places of shelter or protection, under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). In the case of these two species of insect their places of shelter or protection are their foodplants where their eggs and larvae can be found. The foodplant for the fiery clearwing is the dock, while that for the Sussex emerald is the wild carrot, although they will also feed on ragwort. No vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport and a REAC commitment exists (B66) to ensure that a route through the hoverport is marked out and (B70) shared with key stakeholders, which avoids tracking over vegetation and particularly the foodplants of the two Schedule 5 species. A small number of vehicles (low dozens even at peak times) will traverse the hoverport for short periods in the year. An unvegetated sufficiently wide route through the hoverport has been identified to avoid vegetation removal, other than possible cutting back of lateral seasonal growth of bushes. For the first stretch this will be via the intact tarmac roads, after which low ground pressure vehicles will be used to traverse the open concrete of the former hoverport itself.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			without harm to protected species and subject to appropriate ecological oversight.	
			Thanet District Council TDC considers a two stage clearance of any vegetation on the hoverport to be a sensible approach which should be secured either as a REAC or oLEMP provision. We would defer to Natural England and KCC Ecology for expert advice.	See above response. No vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport.
			Dover District Council Provision for vegetation clearance for reptile mitigation is set out in the oLEMP (paragraph 3.3.5) and prefaced with "all habitats suitable for common reptiles…" so should apply to the hoverport. At ISH2, the issue that cracks in the hardstanding provide hibernation opportunities was raised which is not clearly dealt with in the oLEMP, however the Council would defer to Thanet District Council on this point given the location of the hoverport.	See above response. No vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport.
			Kent County Council Yes – the exact detail should be agreed in the REAC and informed (where necessary) by updated reptile surveys.	See above response. No vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport.
			Natural England Natural England would direct the Examining Authority to our Protected Species Standing Advice in relation to the mitigation required. Where mitigation measures are needed, these should be secured through the appropriate control documents. We also refer the Applicant to the KWT response [REP3-092] regarding reptiles for 1ECOL6	See above response. No vegetation removal (i.e. height reduction including clearance to ground level) is proposed at the former hoverport.
2ECOL30.	**Applicant** RSPB	**RSPB further management measures** **Applicant:** At DL3, the applicant stated in its response to first written questions (1ECOL47, [REP3-069]) that it would consider further management measures suggested by the RSPB for the 10ha arable mitigation land for golden plover associated with Thanet Coast & Sandwich Bay SPA. No updates have been made to the oLEMP (section 5.4 [REP4-067]). Does the applicant intend to make such updates? **RSPB:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			RSPB Further reassurance as to how this location would function appropriately and consistently as mitigation for Golden Plover is required, given concerns around how this land will be managed that could undermine the effectiveness of this site to act as appropriate mitigation. This is especially the case given wider constraints from industry including solar farms in the surrounding landscape. There needs to be greater clarity around what qualifies as success, and no AEoI for the qualifying features of the	The Applicant can confirm that amendments in response to RSPB's comments were made to the Kent oLEMP submitted at Deadline 4 (Application Document 7.5.7.2 (C) Outline Landscape and Ecological Management Plan – Kent [REP4-067]). Several amendments have been made to the bullet points following paragraph 6.10.1 which are in response to recommendations from RSPB: Reference has been added to 'organic matter (e.g. manure) will also be added to enrich the soil for invertebrates'

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Thanet Coast and Sandwich Bay SPA/Ramsar due to loss of associated functionally linked land for Golden Plover, and details of what the contingency plan would be should these criteria not be met by the mitigation site. The RSPB would be open to discussing bespoke management.	- Reference has been added to topping, whereas previously 'no topping' was stated: 'Topping of crops will be considered but must be balanced with a need to produce viable crops. Topping will only be used when set-aside cover crops are planted'. The Applicant considers that these management measures are sufficient to address this issue,
2ECOL33.	**Applicant** Dover District Council	**Outline Landscape and Environmental Management Plan (Kent)** Paragraph 5.3.3 of the Kent oLEMP [REP4-067] states "We could therefore add this species to the list for which localised control is proposed for Ash Level" The ExA considers that this is not sufficiently definitive. Agree finalised wording with Dover District Council, or explain why it is not necessary.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Dover District Council The Council would suggest the species is added to the list for which localised control is proposed and will provide further comment as necessary after reviewing the applicant's response to this question.	The Applicant can confirm that this was a copy and paste error from discussions with Dover District Council. The Application Document 7.5.7.2 (C) Outline Landscape and Ecological Management Plan – Kent [REP4-067] should have confirmed this species and has been added to the update submitted at Deadline 6.
2ECOL43.	Local authorities	**REAC provision B14** The REAC [REP4-235] explains that a precautionary method would be followed "when undertaking vegetation clearance potentially suitable for dormice". Comment on whether this provision should specify particular locations or the process for establishing 'potentially suitable' vegetation.	**Thanet District Council** TDC defer to KCC Ecology on this matter.	The Applicant notes this response.
			Dover District Council DDC notes there is further detail on this included in the oLEMP (paragraph 3.5.6), although there is no provision for dormouse habitat clearance in 9.83 outline code of construction practice.	As noted by Dover District Council details regarding a precautionary method of working have been provided in the Outline Landscape and Ecological Management Plan – Kent [REP4-067]. Potentially suitable habitat for dormouse is essentially all woody vegetation and is set out in survey methodologies, so it does not need adding to either the oLEMP or the oCoCP.
			Kent County Council The finalised mitigation strategy must be finalised on at least an updated preliminary ecological appraisal. Therefore the REAC should not be specific with plans as the habitat suitable for dormouse may increase prior to works commencing.	Noted. The Applicant agrees that the commitment should not specify particular locations, since the suitable methods and locations will change as the development proceeds and over time.
			Suffolk County Council This precautionary approach regarding impacts of vegetation clearance regarding dormice is welcome. Areas of habitat suitable for dormice should have been identified during the Phase 1 Habitat surveys of the order limits. Locations of note in the Suffolk onshore scheme are in and around Benhall Bridge, where there are two ambiguous (and historic) records of dormouse nests in the vegetation along the railway embankments in this location. Any vegetation clearance works required in the vicinity of Benhall Bridge should be subject to an assessment of the suitability of the habitat for dormice.	Noted. The commitment should not specify particular locations, since the suitable methods and locations will change as the development proceeds and over time. A schedule of surveys is being included in the Suffolk oLEMP for D6 as requested by the ExA and this will include Benhall Bridge.
			East Suffolk Council	Noted

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			ESC understands that REAC action B14 links to Section 3.4 (Protected Species Licences) of the OLEMP [REP4-065] which provides additional detail on the potential deployment of this vegetation clearance methodology. This includes that the methodology will only be used where an ambiguous record remains following completion of the pre-commencement surveys. Therefore, at most this technique will only be utilised in Area D of the dormouse survey areas as this is the area where the potential dormouse nest was previously located and which will be targeted for pre-commencement surveys (as set out in Section 7.1 of the OLEMP [REP4-065]).	
2ECOL44.	Local authorities EA	**REAC provision B18** Confirm whether provision B18 of the REAC [REP4-235] provides sufficient detail to provide certainty regarding eel mitigation measures. Is any additional construction mitigation for eel required during eel migration periods in addition to the measures identified in the REAC for Minster Marshes and if not, why not?	**Environment Agency** We are happy with the wording of B18 but would expect to see detailed designs in relation to this, irrelevant of watercourse type, prior to any works taking place. In addition, any pumps used to pump surface waters during any relevant works should be fitted with 2mm mesh screens.	Noted. Detailed designs would be available at detailed design stage and the REAC will be amended to include reference to this. The commitment wording is currently in the Applicants approvals process and will be updated for deadline 7.
			Thanet District Council TDC defers to Natural England and KCC Ecology on this matter.	The Applicant notes this response.
			Dover District Council DDC does not consider this provides sufficient certainty; there could also be a need for provision for eel (and other species) mitigation / rescue measures during dewatering of ditches for culvert installation, although this may be covered by Environment Agency/Internal Drainage Board consent/licences.	The provision for eel during dewatering has been considered and extra requirements have been specified by the EA. The applicant is considering where best to add these commitments and will add these in for deadline 7.
			Kent County Council KCC did not comment on EELS so will defer to the relevant consultee on this	The Applicant notes this response.
			Suffolk County Council This question refers to the Minster Marshes site in Kent, therefore SCC Ecology have no comments to make.	The Applicant notes this response.
			East Suffolk Council ESC notes that REAC provision B18 is related to the Kent scheme. ESC therefore defers to the Environment Agency and Kent local authorities.	The Applicant notes this response.
2ECOL48.	Local authorities	**REAC provision B55**	**Thanet District Council**	The REAC has been amended to make reference to 'night'

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
	NE	Are the local authorities and NE satisfied with the commitment in REAC [REP4-235] provision B55 to "making the lines visible in adverse weather or low light conditions" or should specific reference be made to night time? The ExA has considered the applicant's response to ISH2 AP24 [REP4-086] but considers that based on plain English, 'low light' may not be inclusive of the night period.	TDC agrees with the concern raised by the ExA in relation to the term 'low light' and defer to Natural England and KCC Ecology for more detailed consideration of the wording within the REAC Provision B55.	
			Dover District Council DDC considers reference should be made to night time, given the wording of the REAC does not specifically include this.	See above
			Kent County Council KCC would defer to NE on this matter and agree with their approach. I'm not sure how lines would be made visible in the dark without creating an additional issue due to increase in lighting.	See above
			Suffolk County Council No overhead lines will be constructed as part of the onshore scheme in Suffolk – no comments.	Noted
			East Suffolk Council ESC notes that REAC provision B55 is relevant to the Kent Onshore Scheme. ESC therefore defers to Natural England and the Kent local authorities.	Noted
			Natural England Natural England notes and supports the ExA's consideration of the wording of the REAC, that provision B55 should explicitly state that the bird diverters will be effective at night- time and low lighting conditions. In addition, Natural England would be supportive of further consideration being made to install bird diverters to existing overhead cables to reduce the risk of collision	See above
2ECOL50.	NE	**Bird diverters** Appendix K4 [REP4-196] states that NE does not consider there to be any need for additional diverters to be fitted to other lines in the area. Can NE expand on its reasoning for this?	**Natural England** Natural England's previous advice was based upon the Habitats Regulations Assessment and not impacts to wider bird species, including the breeding birds associated with the Sandwich Bay to Hacklinge Marshes SSSI. Natural England would be supportive of further consideration being made to install bird diverters to existing overhead cables to reduce the risk of collision. We apologise for any confusion that our previous advice may have caused.	To avoid confusion, the Applicant believes that Natural England does not require the Applicant to erect diverters on the existing overhead line network to mitigate for an otherwise significant effect that would be generated by the Proposed Project. Rather, the intention of this statement was that Natural England are supportive in general of National Grid installing bird diverters to the existing overhead cables, to minimise any existing risk of collision from the existing overhead line network.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2ECOL51.	**Applicant** NE, KWT, RSPB	**REAC provision B59** **Applicant:** The applicant's Comments on Other Submissions Received at DL3 and DL3A [REP4-241] suggests that contractor(s) would prepare a HDD landfall Method Statement and Drilling Fluid Management Plan in consultation with NE, KWT and the RSPB "as appropriate". Can the applicant explain what is meant by "as appropriate" in this context. **Other parties:** Comment on this caveat.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			KWT It is our view that the caveat within the Applicant's comments is not appropriate. The caveat enables the HDD Landfall Method Statement and Drilling Fluid Management Plan to be prepared without any consultation with statutory and non-statutory bodies that have expert knowledge in the ecology of Pegwell Bay. It is these bodies who can best advise what steps must be taken to reduce habitat and species disturbance, whether pre-construction mitigation measures and remediation measures are sufficient, and ensure an appropriate contingency plan is put forward that will minimise harm in the event of contamination. By caveating that consultation will take place as appropriate it provides the Applicant with the opportunity to bypass any advice that might be essential in ensuring the method statement and management plan are appropriate for the ecologically sensitive site where HDD landfall will take place. By requiring the input of statutory and non-statutory bodies at the earliest stage possible in the preparation of the document the Applicants will be proactively reducing the risks of additional delays later down the line.	The Applicant confirms that REAC provision B59 no longer contains the wording "as appropriate". The term was not included in the version of the REAC submitted at Deadline 5 [**REP5-115**] and will not be incorporated into future versions. The Applicant trusts that this resolves the issues raised here.
			Natural England Natural England advises that a final Landfall Method Statement and Drilling Fluid Management Plan are requirement of the DCO/dML which will require regulatory sign of prior to construction. Natural England advises that as the regulator for SSSIs and a statutory nature conservation body responsible for the designated sites impacted, we would consider ourselves to be an appropriate body to consult. We advise this should be appropriately secured within the draft DCO/DML and worded to ensure no ambiguity on the need for consultation of the relevant SNCB and that the final approval of the plan would rest with an appropriate regulatory regulator. Please see further advice provided in Appendix E5 of our Deadline 5 submission.	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			RSPB Given that the applicant's answer refers to both Suffolk and Kent, we assume that "as appropriate" is used to imply reference to the relevant land managers (RSPB in Suffolk and KWT in Kent). We welcome the intention to consult us; however, it would be helpful if the wording could be clarified to avoid the interpretation that such consultation may not be required.	
2ECOL52.	NE	**REAC provision B67 - use of low pressure vehicles** The applicant has committed to use of low pressure vehicles across the intertidal area in REAC provision B67 [REP4-235] and further consultation with NE and others regarding routes. Does this alleviate your concerns that further measures should be considered to reduce impacts to intertidal habitats and sediment compaction?	**Natural England** Natural England notes that the REAC is secured through requirement. However, consultation on the final installation methodology and mitigation should be further secured through condition in the DML, see response to 2GEN26. Please also see Appendix E5 to our Deadline 5 Submission where further detail can be found. We also note that the Applicant has suggested in their response to the ExA during ISH2 as summarised in REP4-085, Table 2.1. *The risk of increasing contamination from leaching of coal beneath the concrete apron would only exist if the Applicant further damaged that concrete apron, exposing more coal. Precondition surveys will be undertaken for all work areas, including the hoverport, and protective measures such as track matting and structures will be used to protect both vehicles and the surface, as it is not the intention of the Applicant to track over broken and fragmented concrete which would be a health & safety issue as well as an environmental issue. Condition surveys will be undertaken for all work areas, including the hoverport, and protective measures such as track matting and structures will be used to protect both vehicles and the surface condition*." Please see our advice on this included in Appendix L of our Deadline 4 submission, Point 4.	The Applicant notes NE's comments and confirms the measures are secured via the REAC, with detailed implementation further secured through DML Condition 4, requiring approval of the oCEMP and oCSIP, following consultation with NE. As set out in REAC commitments W37 and B67 monitoring and mitigation measures including lower pressure tires will be implemented to avoid damage to the hoverport concrete apron. In addition to the above, **Application Document 7.5.1.2 Construction Traffic Management and Travel Plan-Kent [APP-338]** secured under Requirement 6 of the DCO commits to road condition surveys to be carried out pre-construction, during construction, and post-construction, to identify any defects that arise to highways assets/verges during the construction phase of the Proposed Project for re-instatement. The Applicant has considered advice provided by NE in their examination submissions and considers that the proposed approach provides appropriate and enforceable control.
2ECOL53.	NE, KWT, RSPB	**Frac out effects - Kent** **All parties:** Are the applicant's measures in the REAC [REP4-235] sufficient to manage frac out and exclude AEoI for the Sandwich Bay SAC, Thanet Coast SAC and Thanet Coast and Sandwich Bay SPA & Ramsar site from changes in marine water quality or pollution by drilling fluid. If not, confirm what further commitments you consider are needed.	**Natural England** Natural England acknowledges that Martlesham creek is not subject to wave action, the reference to EA ONE frac-out was to demonstrate potential temporal significance, of bentonite remains in areas of supporting habitats for foraging birds. Natural England highlights the difference between being able to easily remove something and being able to remove without damage to supporting habitats. Please see advice provided in Appendix E5 to our Deadline 5 submission where we highlight	Measure B59 of the REAC **[REP5-115]** commits to NE consultation on the HDD Landfall Method Statement and Drilling Fluid Management Plan, with MMO approval in accordance with the CSIP prior to any HDD activities. Additionally, Landfall Method Statements have also been added to Condition 4 of the dML at Deadline 6 which further secures the need for MMO approval in consultation with Natural England. To reiterate, Natural England are already listed as a consultee to all Offshore Outline Plans listed in Condition 4 of the dML which are

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		NE: With regards to the impacts of frac out, the applicant (table 3.6 [REP4-241]) considers that the HDD location for East Anglia One was a constrained environment with little coastal wave action, which is not comparable with Pegwell Bay. It noted that the saltmarsh in Pegwell Bay is dry 50% of the time and frac-out could be easily removed. Does this alleviate NE's concerns regarding the impacts of frac out on the supporting habitats of the Thanet Coast and Sandwich Bay SPA?	the need to secure requirements/commitments to sign off final CSIP, Landfall Method Statement and Drill Fluid Management Plan prior to construction is essential to ally our concerns.	subject to MMO approval. The Applicant believes that this addresses NE's concerns.
			RSPB The RSPB is content regarding the applicant's ability to contain any possible frac out incident at this location, provided NE's concerns are alleviated.	Noted
			KWT The REAC [REP4-235] contains several measures intended to minimise the risk of frac-out and manage drilling fluids should an incident occur, such as hydrofracture modelling, monitoring of drilling pressures and drilling returns with the use of "spotters" to detect any surface break-out of fluids, preparation of a drilling fluid management plan and mitigation measures secured through the CEMPs and the use of biodegradable fluids where feasible. These measures reflect standard industry practice for managing frac-out risk during horizontal directional drilling (HDD) and provide a framework for risk reduction and monitoring. However, in KWT's view, the commitments as currently expressed do not provide sufficient certainty to fully exclude adverse effects on integrity (AEoI) for Sandwich Bay SAC, Thanet Coast and Sandwich Bay SPA/Ramsar in relation to changes in marine water quality or pollution by drilling fluids. This is because several elements of the mitigation remain high-level or are deferred to contractor-prepared plans, without clear operational triggers or response procedures. For example, the REAC commits to the preparation of a drilling fluid management plan and inclusion of mitigation within the CEMPs, but the detailed procedures that would govern monitoring, detection, and response to frac-out are not specified within the secured commitments themselves. This means the effectiveness of mitigation is largely deferred to later-stage contractor documentation. Whilst monitoring of drilling pressures and drilling returns is referenced, the REAC does not define thresholds that would trigger suspension of drilling or implementation of contingency measures. Without	Measure B59 of the REAC **[REP5-115]** commits to KWT consultation on the HDD Landfall Method Statement and Drilling Fluid Management Plan (DFMP). Standard industry practice is to include a dedicated section within the DFMP that details frac out response including the items identified by KWT. The consultation with KWT during production of the DFMP, secured under measure B59, allows for review of measures KWT think may be required including real time monitoring and reporting actions. Buffers between construction activities in the intertidal area and the saltmarsh are provided in measure B69 of the REAC **[REP5-115]**; stating exit pits are a minimum 105m from the saltmarsh, and temporary working areas a minimum of 50m from the saltmarsh. These buffers have been updated in both Requirement 16 of the DCO and Condition 10 of the dML. Regarding the suggestion of approval of the DFMP by the relevant statutory nature conservation body, approval by the MMO is stated in measure B59 of the REAC **[REP5-115]** and also under Condition 4 of the dML submitted at Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			clearly defined operational triggers, there is limited certainty that a developing frac-out event would be identified and managed before drilling fluid reached sensitive habitats. The proposed detection measures may not identify subsurface migration of drilling fluids. The use of visual monitoring "spotters" along the drill alignment may detect surface breakout but may not reliably identify subsurface migration of drilling fluids through permeable strata toward the intertidal zone or coastal waters. This creates a residual risk pathway for drilling fluid to enter designated habitats before it can be detected and controlled. Additionally, the response and containment procedures are not clearly secured. Although the REAC references the use of lost circulation materials or other measures to address fluid loss, it does not clearly specify the actions that would be taken if drilling fluid entered the marine or intertidal environment, nor the timescales for implementing containment and remediation. Taken together, these factors mean that while the REAC demonstrates that the Applicant intends to follow standard practice during trenchless installation, the commitments do not yet provide the level of specificity, enforceability, and ecological safeguards required to demonstrate that drilling fluid releases would not result in deterioration of habitats or disturbance to qualifying species. To ensure AEoI can be excluded with confidence, KWT considers that additional commitments should be secured, including: • A detailed frac-out contingency plan – the drilling fluid management plan should include a clearly defined frac-out response procedure covering: - Immediate cessation of drilling where breakout is detected - Containment and recovery measures - Protection of adjacent habitats - Roles and responsibilities and reporting procedures • Real-time monitoring and reporting - Continuous monitoring of drilling pressures and returns - Immediate notification to Natural England, MMO, local authorities, KWT and RSPB if a breakout occurs, no matter the significance	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			- Incident reporting requirements and post-incident review to be shared with Natural England, KWT, MMO and local authorities • Water quality monitoring - Baseline and construction-phase monitoring (e.g., turbidity or suspended solids) at Pegwell Bay should be undertaken during the HDD works, with agreed thresholds that would trigger investigation or cessation of drilling. • Defined exclusion or buffer measures for sensitive habitats - The contingency plan should include specific measures to prevent drilling fluid migration into sensitive intertidal habitats. • Approval of the drilling fluid management plan by the relevant statutory nature conservation body - The plan should be prepared in consultation with Natural England and KWT and approved prior to commencement of trenchless works at the landfall. Whilst the REAC includes a number of measures to reduce the likelihood of frac-out during trenchless installation, KWT considers that additional detail and secured commitments are required to ensure that the integrity of the internationally designated sites is protected.	

4. Cultural Heritage

4.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**.

5. Water Environment

Table 5.1 Water environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comment's
2WE1.	**Applicant**, SCC, KCC, EA	**Water environment – joint position statement** Notwithstanding previously submitted documents, representations and statements of common ground, the ExA requires a joint position statement on areas of agreement and differences with respect to meeting the relevant policy requirements in the National Policy Statement (NPS) EN1 regarding: • Flood risk and assessment • Compliance with the objectives of the Water Framework Directive • Sequential and Exception test (in answering clearly set out all reasonings relating to NPS EN1, paragraph 5.8.42)	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Kent County Council We would expect the applicant to provide us with a draft statement for us to comment on (although the sequential test is not a function undertaken buy us as the LLFA and so we will offer no response with that regards).	The Applicant provided Kent County Council with a draft statement, by email, sent on the 2nd March 2026, with a request to collaborate to reach a join position statement as requested by the examining authority. The Applicant followed up this request by email on 6th March. No response has yet been received.
			Suffolk County Council SCC has relayed its relevant positions to the Applicant to be submitted in its submissions at Deadline 5. These positions reflect SCC's response to AP81 and 86 from ISH 2 [REP4-150].	The Applicant has reviewed Suffolk County Councils responses to AP81 and AP86 and has worked with SCC, producing further information, including an update to the Suffolk Drainage Strategy at Deadline 5 **[REP5-083]** and **9.122 Surface Water Flood Risk and Climate Change - Technical Note [REP5-134]** to address the comments.
			Environment Agency Please see at the end of this table where we have put our comments next to the applicants comments provided to us on 2 March 2026.	The Applicant has reviewed the Environment Agency comments and has subsequently met with the Environment Agency on the 19th March and 10th April, with further exchange of information and a way forward agreed between the parties to close of the remaining unresolved issues. This has cumulated in an update to **Application document 6.8 Flood Risk Assessment,** to be submitted at Deadline 6, that addresses each of the Environment Agency remaining unresolved flood risk matters.
2WE2.	SCC, EA	**Need to relocate temporary drainage pond out of fluvial flood zone 3 in Suffolk** SCC and EA: Do the parties accept the applicant's response to AP85 [REP4-086], which concludes it is not necessary to relocate the particular drainage pond, or if not why not?	**Suffolk County Council** The LLFA do not agree with the response provided by the applicant in AP85 [REP4-086]. In the LLFA's opinion, it is not good practise, to site critical surface water drainage infrastructure, even of a temporary nature within areas predicted to be at flood risk. Therefore, the temporary basin should be relocated to an area within flood zone 1 ideally, or worse case flood zone 2.	The Suffolk County Council position regarding the siting of this temporary pond is noted by the Applicant. Further assessment linked to this pond has been provided in an update to **Application document 6.8 Flood Risk Assessment**, that is submitted at Deadline 6. The Applicant has also engaged with SCC to present information on an alternative design, which centres on a linear drainage feature in place of the drainage basin at this location. Suffolk County Council (and the Environment Agency) have indicated to the Applicant that this alternative would be a positive change, avoiding temporary development in Flood Zone 3a. The Applicant intends to update the Suffolk Drainage Strategy to reflect the design alternative, which will be submitted at Deadline 6.
			Environment Agency The applicant has now provided further clarification on why Flood Zone 3 cannot be avoided, as well as confirmation that the temporary attenuation pond	This matter was discussed with the Environment Agency at a meeting on the 19th March. The further information requested was presented and discussed at the meeting and it was agreed that the information would be incorporated into the update to **Application**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comment's
			would be in place for a two-year period. This additional information is welcomed. However, to progress the assessment, we still require the applicant to supply the following information: • The volume of storage that will be lost. • An assessment of impacts to third parties. • Details of the proposed compensatory storage. • Confirmation of whether the works fall within Flood Zone 3b. • An evaluation of any adverse effects on existing flood flow routes. • The crest level of the storage embankment. • Sufficient design information to support decision-making.	**document 6.8 Flood Risk Assessment**, that will be submitted at Deadline 6. The Applicant has also engaged with the EA to present information on an alternative design, which centres on a linear drainage feature in place of the drainage basin at this location. The Environment Agency (and Suffolk County Council) have indicated to the Applicant that this alternative would be a positive change, avoiding temporary development in Flood Zone 3a. The Applicant intends to update the Suffolk Drainage Strategy to reflect the design alternative, which will be submitted at Deadline 6.
2WE3.	EA, KCC	**Loss of floodplain storage** Do all parties agree with the findings of the Kent Onshore Scheme - Fluvial Flooding from the River Stour [REP4-096]? In answering, can parties specifically have regard to the requirements of NPS-EN1, paragraph 5.8.2 and address: • that floodplain compensation is required to ensure there is no net loss of storage, • that there is sufficient space to create the compensation areas within the order limits, and • if it can be appropriately secured through addition of a new REAC commitment?	**Environment Agency** We are not comfortable "agreeing" to findings within documents – but we can accept findings. We accept that floodplain compensation is required, as we have previously stated within our responses with regards to the fluvial floodplain. Without knowing the compensation strategy or the precise locations on where the applicant intends to compensate for flood storage, we're unable to agree that there is sufficient space to create the compensation areas. The applicant would need to highlight where they intend to compensate for the loss of flood storage to confirm whether it is sufficient. The compensation strategy should demonstrate that there is sufficient flood volume storage and include calculations as to how the strategy has been considered. The applicant will be aware of the vast nature of the floodplain within the Stour Catchment and so will need to be careful as to designing a compensation strategy. The applicant has suggested that this can be added into a new commitment, however it will be important for the applicant to demonstrate that the compensation areas are sufficient and useful. So, whilst it is possible that this can be secured through a REAC commitment, we would like to see evidence of this first, and their compensation strategy should be forthcoming. Any new commitment should allude to the creation of a Floodplain Compensation Strategy and should be reviewed by the Environment Agency. We note that there is some temporary land raising relating to spoil, haul roads, and an attenuation	This matter was discussed with the Environment Agency at a meeting on the 19th March. Further details of the proposals for floodplain compensation storage were discussed and it was agreed that document **Kent Onshore Scheme - Fluvial Flooding from the River Stour** [REP4-096] will be updated and will be appended to the updated **document 6.8 Flood Risk Assessment**, which will be submitted at Deadline 6. With regard to the specific points raised, the Applicant clarifies that Plate 2.4 in document **Kent Onshore Scheme - Fluvial Flooding from the River Stour [REP4-096]** illustrates the space available for compensation provision. The Plate shows that, due to the small volume losses, the land take required for providing compensation is very minor, with ample space within the Order Limits. The wording of a commitment was discussed, and the following wording was shared with the Environment Agency and will be included in the Deadline 6 submission of the Register of Environmental Actions and Commitments. W35 - For events up to and including the 1% Annual Exceedance Probability flood events plus climate change, where pylons and a temporary drainage pond would be located within the fluvial floodplain of the River Stour as part of the Kent Onshore Scheme, compensatory storage within the Order Limits will be provided for loss of floodplain storage, in accordance with a Floodplain Compensation Strategy detailed in the Drainage Management Plan that is secured under Requirement 6 of the DCO and to which the Environment Agency is a consultee. With regard to compensation storage provision for temporary works, it was clarified at the meeting between the parties that no land raising is necessary for haul road construction (as secured by an update to commitment W06 to be submitted at Deadline 6). It was also confirmed that compensation storage would be provided (secured by commitment W35) for the temporary drainage pond that is included as part of the Kent Onshore Scheme.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comment's
			pond in the functional floodplain. The applicant has not provided any detail on the volumes lost as a result of land raising as part of the construction phase of the development or committed to compensatory storage for temporary works. Whilst we acknowledge that these works are temporary in nature they have the potential to influence flood risk elsewhere. On this basis we require that the applicant provides detail on the volume of storage lost in the present day fluvial design event. If compensatory storage is not achievable for temporary works then the applicant should provide quantitative evidence that demonstrates the flood risk impacts will remain on-site and will not impact flood risk to third parties in line with EN-1 paragraph 5.8.12.	
			Kent County Council Matters relating to loss of floodplain storage are outside of our remit.	The Applicant notes this position.
2WE4.	**Applicant** SCC	**River Fromus crossing - bridge soffit height** The EA has identified proposed wording for a requirement in response to ISH2, Action Point 77 [REP4-185] to ensure that the River Fromus Crossing does not impact Water Framework Directive macro invertebrates. Can the parties confirm if they are in agreement with the proposed wording, or if not, why not?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council SCC Ecology are happy to defer to the guidance provided by the Environment Agency regarding this particular matter.	The Applicant notes this position.
2WE5.	**Applicant** EA	**Flood risk assessment - coastal erosion** **Applicant:** Explain why you consider that the response to ISH2, Action Point 84 regarding coastal erosion and its potential to impact flood risk addresses the relevant EA matters raised in [REP4-185]? Address any outstanding matters in your response. **EA:** Confirm if the applicant's response regarding coastal erosion and flood risk as provided in response to ISH2, AP84 [REP4-086] addresses the concerns expressed in this regard or summarise any remaining outstanding issues?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Environment Agency We have reviewed the Applicant's response to ISH2 Action Point 84 [REP4-086]. While the Applicant references paragraphs 4.3.23 and 4.3.24 of the Flood Risk Assessment [APP 292] (FRA) and supporting modelling within the Marine Physical Environment chapter of the Environmental Statement. The FRA itself provides limited detail regarding predicted coastal erosion at the Suffolk landfall over the lifetime of the development. In particular, the FRA does not summarise the erosion rates, climate change assumptions, or how these relate to the proposed cable burial depth and the	The Applicant discussed this matter at a meeting with the Environment Agency on the 19th March. To resolve this matter it was agreed that the Applicant will update **document 6.8 Flood Risk Assessment [APP 292]** to include the requested information, and an updated version of the Flood Risk Assessment is submitted at Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comment's
			conclusion that flood risk would not be adversely affected. The Environment Agency therefore considers that further clarification would assist the Examining Authority in understanding how coastal erosion has been accounted for within the FRA.	

6. Geology and Hydrogeology

Table 6.1 Geology and hydrogeology

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2GH1.	KCC	**Kent Council - Local Impact Report** The KCC LIR [REP1-129] does not comment on geology or hydrogeology. Can KCC set out their position in this regard, including identifying any concerns?	**Kent County Council** Matters relating to geology and hydrogeology are outside of our remit.	This response is noted by the Applicant.

7. Agriculture and Soils

7.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**.

8. Traffic and Transport

Table 8.1 Traffic and transport

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2TT1.	**Applicant** KCC SCC	**Junction modelling** It is understood that some of the junction modelling is set to be submitted at DL6. However, given the remaining time within the examination period after DL6, the ExA requests this information at DL5. If this is not possible then explain why this is the case and update on progress.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Kent County Council The applicant has informed KCC that it is endeavouring to provide us with the junction modelling by DL5, at which point we will be able to comment.	The Applicant submitted the junction modelling within Kent at Deadline 5 within **Application Document 6.3.3.7.A (B) Environmental Statement Appendix 3.7.A Transport Assessment Note [REP5-029]**. The analysis consists of junction modelling for three junctions within the Kent study area, comprising the Sevenscore, Ebbsfleet and Minster roundabouts and provided a summary of the junction modelling scope, methodology and results based on the agreed scope and methodology for the junction modelling, as discussed and agreed with Kent County Council (KCC) Highways on 15 January 2026. The Applicant has since held a further meeting with KCC Highways on 31 March 2026 to review KCC's feedback on the junction modelling and their request for additional measures for inclusion within **Application Document 7.5.1.2 Outline CTMTP – Kent**. Following this meeting, additional measures have been included within an updated version of **Application Document 7.5.1.2 Outline CTMTP – Kent** (submitted at Deadline 6), as agreed during the meeting.
			Suffolk County Council SCC is still waiting for junction modelling data from the applicant. SCC's position remains as before, please refer to sections 11.106 – 11.124 from our Local Impact Report submitted at Deadline 1. The accesses/junctions of particular concern to SCC which should be considered for modelling are detailed in Appendix A of [REP3-101].	The Applicant held a further meeting with SCC and ESC on 30 March 2026, and the junction modelling outputs were subsequently shared with them on 1 April 2026. This included junction modelling for the A12/ B1121 Main Road junction (to the south of Saxmundham), the A1094 Aldeburgh Road/ B1121 Aldeburgh Road junction and the A1094 Aldeburgh Road/ B1069 Snape Road junction. The junction modelling includes a Sensitivity Test, to consider potentially higher Baseline traffic flows at other times of the year driven by tourism related traffic peaks in summer months. The junction modelling also includes scenarios with and without cumulative traffic. The junction modelling has been submitted at Deadline 6 within an updated version of **Application Document 6.3.2.7.A ES Appendix 2.7.A Transport Assessment Note** to provide a summary of the junction modelling scope, methodology and results. The junction capacity assessments carried out pursuant to discussions with SCC Highways demonstrate that the Proposed Project will not have a significant effect on the operation of key local junctions and that the conclusions within **Application Document**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				6.2.2.7 Part 2 Suffolk Chapter 7 Traffic and Transport [APP-054] and **Application Document 6.2.2.13 Part 2 Suffolk Chapter 13 Suffolk Onshore Scheme Inter Project Cumulative Effects [APP-060]** are valid and robust. The A12/ B1121 Main Road (South) and A1094 Aldeburgh Road/ B1121 Aldeburgh Road junctions are expected to operate within capacity with and without the Proposed Project. Whilst the A1094 Aldeburgh Road/ B1069 Snape Road junction is expected to operate over capacity, this is the case both with and without the Proposed Project. Additional mitigation has nonetheless been identified to manage construction worker traffic through this junction, secured within the updated version of **Application Document 7.5.1.1 Outline CTMTP – Suffolk** which was submitted at Deadline 6. No further additional mitigation is considered to be necessary following the junction modelling.
2TT3.	**Applicant** SCC	**Journey time analysis** The ExA requests that SCC and the applicant work together to identify if any journey time analysis should and could be produced within the remaining examination period, such as for the A12 for example. Is there data that SCC has, such as a Strategic Transport Model, which could help with this exercise?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council Some journey time analysis was undertaken for SZC as part of the Consolidated Transport Assessment. SCC does not have access to the data used for this analysis. SCC does have a strategic transport model but would need to commission its consultants to undertake any study on any change to journey time across the network and would welcome a joint approach with the applicant to do so. Such an exercise would need to be commissioned urgently if the outputs were to be available to inform the Examination and the Applicant is therefore urged to engage with SCC as a priority. Care would need to be taken in selecting relevant routes and determine the impacts of each NSIP noting the difficulties of identifying the worst case cumulative impact(s) of these projects.	The Applicant's position with respect to further journey time analysis remains unchanged from the response to the Examining Authority's Second Written Question **2TT3** within **Application Document 9.123 Applicant's Responses to Second Written Question [REP5-135]**. Following a further meeting which was held with SCC Highways on 30 March 2026, it was agreed that it will not be possible to utilise a Strategic Transport Model within the remaining timescales of Examination due to reliance on third parties, nor is this considered necessary given the Driver Delay outputs generated by the junction modelling.
2TT4.	SCC East Suffolk District Council	**Alternative Abnormal Indivisible Load (AIL) route** The applicant has presented an Option 3 [REP4-101] which would avoid use of Benhall Railway Bridge for the transformer AIL deliveries. Provide comments on Option 3 and its route.	**Suffolk County Council** Option 3, the routing of AILs in the same way as SPR EA1(N) and EA2 has not been secured as a 'certain' route requiring assessment of a number of highway structures for special order movements (e.g. river bridges on the B1069 in Knodishall / Coldfair Green and B1121 Friston). SCC notes that Sealink propose routing AILs via internal haul roads but that this may require additional aggregate to do so and that SPR avoided this by routing special order movements to the new access on the B1121	The Applicant agrees with SCCs assessment that the AIL route is largely the same as that proposed for the consented EA1(N)/EA2 projects. The Applicant confirms that structural assessments will be required along the proposed AIL route including those structures on the A12, and will continue to work with SCC and other developers within the region to coordinate these assessments. The Applicant notes that such structural assessments normally form part of the post consent process as has been the case for SZC and EA1(N)/EA2 where assessments are ongoing. The reason that assessments are carried out post consent is in part due to the issue highlighted by SCC that the process is dynamic as structures can

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			north of Friston. The route via the B1122/B1069 crosses level crossings at Abbey Road (SZC GRR) and Station Road, Leiston, passes under a footbridge on Park Lane and is required to traverse a narrow section on Haynings Road although these were not considered significant obstructions in the EA1(N) / EA2 examination. Use of the A12 and B1122 as far as Lovers Lane would need to be timed to avoid conflicts with SZC and SPR construction traffic. SCC would dispute the use of the term 'certainty' with regard to option 3 as the structures on these routes have not been assessed for special order movements and there are restrictions on some of the structures for STGO movements. For details see SCC response to [REP4-061]. The Applicant needs to undertake further review, inspection and assessment of structures on the option 3 route to evidence to the LHA that it is acceptable. At the moment, the option is not acceptable for vehicles of STGO2 and above and specifically not for special order movements. It may be that the process can confirm the current assessments are conservative and can be relaxed or that there are specific issues with the structure requiring a weight or other restriction. Note that the process is dynamic as structures can deteriorate with age or increased loading at an unpredictable rate. The Applicant has not assessed any structures on the A12 to demonstrate that special order movements can even get to the study area and use option 3. Therefore option 3 is not possible for AIL movements greater than STGO1 (in terms of weight) at present.	deteriorate at an unpredictable rate or indeed can be replaced or repaired by the asset owner or a 3rd party. On this basis no access can be confirmed or relied upon 100%, however an assessment must be made on the suitability of access routes and the Applicant has laid out its assessment of viable accesses for the project, in the full knowledge that further structural assessments are required which is normal practice for this stage of a project, reflected in the decisions made on recent consents for NSIPs within the area. The other reason for assessments to be undertaken post consent is that detailed design is required to confirm the plant and material requirements and procurement of a haulage contractor is required to confirm the vehicles and thus calculate the load cases on the structures that need to be accommodated. This work can only be undertaken post consent. The Applicant notes the need to continue to liaise with SCC, SZC and SPR and Suffolk Constabulary on the planning and movement of AILS. The Applicant is confident that sufficient assessment has been undertaken to date to confirm the validity of access routes to the site. Suitable to the level of design required for submission and acceptance of a DCO. The assessment of structures along proposed AIL routes is acknowledged and understood by the Applicant and forms an important part of the post consent design development.
			East Suffolk Council ESC defers to SCC as Local Highway Authority.	This response is noted by the Applicant.
2TT7.	**Applicant** All County and District Councils	**Caps on HGVs** If there are no caps on HGVs using certain routes, then would there be any enforcement possible for the County or District Councils if it transpired that there were more HGVs using certain routes than anticipated in the ES assessment, including cumulatively with other projects?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC defer to KCC as the Highway Authority.	Noted – The Applicant continues to work with Kent County Council on all highway matters.
			Dover District Council	Noted – The Applicant continues to work with Kent County Council on all highway matters.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		For the Councils, is there a concern that capping HGV movements may displace them to other more sensitive routes with adverse impacts or that it could elongate the construction programme.	The Council does not consider there would be enforcement possible, unless at county level, given their responsibility as local highway authority.	
			Suffolk County Council SCC concurs with the premise of Q2TT7, namely that merely because a development during its construction phase generates more HGV traffic, either in total or on particular routes than was anticipated in the ES, that would not in itself give rise to any scope for enforcement. The only way that enforcement is possible is if a specific numerical limit is imposed in the DCO, whether by a Requirement or by a control document tied to a Requirement, so that there would be a breach of the terms of the DCO if that limit was exceeded. SCC supports caps for HGVs on specific routes as was considered appropriate for SZC and SPR EA1(N) / EA2. In the authority's opinion the implementation of HGV caps fixes a worst-case assessment and cannot see why such a commitment would be a constraint on development as the quantities are determined by the applicant (as derived from the assessment in the ES). Traffic surveys undertaken do indicate that local traffic does change routing, for example the main construction route via the B1122 to SZC is operating at less than the Early Years forecast whilst that on the A1094 / B1069 is higher potentially reflecting the strict speed enforcement at the latter. Local communities have raised concerns of traffic displaced from the A12 north of Yoxford onto other routes such as the B1125. There is evidence that whilst the total volume of traffic does not increase there are changes in peak flow with a tidal movement towards Leiston in the am peak and away in the pm peak. The table attached shows some of the changes in traffic flows in the area although this needs further work. SCC considers that the issue of displacement can be best addressed by ensuring that the relevant control document imposing the HGV caps includes a requirement for periodic monitoring and adaptive management to address any adverse consequences that are then found to have arisen. However, the risks associated with displacement are not a good reason to exclude the specification of HGV caps.	The Applicant agrees that periodic monitoring and adaptive management, working collaboratively with SCC and other developers in the region, is the best approach to dealing with traffic issues that may arise during the delivery of the project. Traffic management and monitoring is covered within the **Application Document 7.5.1.1 (D) Construction Traffic Management and Travel Plan [REP5-064]** paragraphs 7.4.9 to 7.4.13 and coordination will be undertaken by the Transport Co-ordinator as outlined in paragraph 7.6.5. The Applicant disagrees that overall HGV caps assist in this as they potentially limit the flexibility of the contractors to adapt to changing circumstances and can have unforeseen impacts on the wider network. The Applicant does agree that localised HGV caps, where the Applicant has already incorporated limited movements through sensitive locations, can provide reassurance to the communities affected and has committed to a cap through Saxmundham at the B1121/B1119 junction due to concerns raised by SCC. The cap is outlined in paragraph 6.2.3 of **Application Document 7.5.1.1 (D) Construction Traffic Management and Travel Plan [REP5-064]**. This cap can be managed locally from the compound off the B1121 Main Road which can act as a holding bay should it be required and provide rest facilities and welfare for drivers if required. To confirm, the following daily HGV caps are included within the latest version of **Application Document 7.5.1.1 Outline CTMTP – Suffolk** (submitted at Deadline 6) where these caps are secured: • A daily cap of ten HGV movements at the B1121 Main Road/ B1119 Church Street signalised junction within Saxmundham, to minimise potential impacts of construction traffic at this location (associated with works at access S-BM12) • A daily cap of ten HGV movements at the A1094/ B1122 roundabout junction within Aldeburgh, to minimise potential impacts of construction traffic at this location (associated with works at accesses S-BM01 and S-BM02). • Further to the above, the route along the B1121 Aldeburgh Road and B1121 Saxmundham Road through Friston (associated with access S-BM11) will be limited to access to existing overhead line towers and pylon works. This route will otherwise not be used by HGVs associated with the Proposed Project. Further to the above, **Application Document 7.5.1.1 Outline CTMTP – Suffolk** includes a commitment that no HGVs will arrive or depart site on Sundays or public holidays, other than for specified exception activities when required (as listed), when they will be limited to a maximum of 30 HGVs permitted per day on Sundays and public holidays.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			East Suffolk Council ESC defers to SCC as the Local Highway Authority but supports its requests for greater controls in the Outline Construction Traffic Management and Travel Plan, including HGV caps and controls on HGV routing. This would provide help to ensure compliance with the numbers of movements assumed in the ES assessment, and allow for the necessary remedial measures to be implemented where the project fails to comply with these controls. ESC defers to SCC as the Local Highway Authority regarding the potential for adverse impacts arising from HGV caps, but considers that a combination of controls on permitted HGV routing and HGV caps would address concerns about other sensitive routes.	Noted – the Applicant refers to the response to SCC's statement above. The Applicant is aware that ESC has raised concerns over vehicles accessing the landfall compound via Aldeburgh. The Applicant has confirmed that HGV numbers would be limited to 10 HGVs per day for this access route, which has been formalised as a cap in the same manner as the Saxmundham cap within the latest version of **Application Document 7.5.1.1 Outline CTMTP – Suffolk** which has been submitted at Deadline 6, following further consultation with SCC Highways.
			Friston Parish Council and SASES FPC awaits the responses from SCC and ESC, but this question is also relevant to FPC's Deadline 5 submission Comments on Information/Submissions Received by Deadline 4 in the Sealink DCO on the Outline Construction Traffic And Travel Plan.	The Applicant has further addressed FPCs concern through the addition of paragraph 6.2.4 within **Application Document 7.5.1.1 (D) Construction Traffic Management and Travel Plan [REP5-064]** which states *'Fewer than 30 peak daily construction vehicles are expected along the B1121 Aldeburgh Road and B1121 Saxmundham Road through Friston as a result of S-BM11, which will be limited to access to existing overhead line towers and pylon works. This route will otherwise not be used by HGVs associated with the Proposed Project.'*
2TT8.	SCC **Applicant**	**Benhall railway bridge works** Would SCC have control over when the works to Benhall railway bridge would be undertaken (if the strengthening works were to be done); and also, would SCC have control over any diversion routes if the Benhall railway bridge was closed for a time for these works?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Suffolk County Council SCC would require all diversion routes to be approved by the authority, primarily as the organisation has better local knowledge of the network and potential impacts although the applicant will remain responsible for the design of the signage and consultation. An example would be the proposed diversion for the Benhall Bridge which uses Chantry Road / Mill Road which is single lane through the traffic signals, crosses a level crossing and joins Rendham Road on a slope. The alternative via the B1121 High Street / B1119 Fairfield Road is also restricted passing under the rail bridge. In terms of timing SCC would rely on the permit system and the applicant's duty of co-operation with other stakeholders including Network Rail to control timing of any works on the Benhall Bridge	The Applicant has confirmed that Suffolk County Council's permit scheme will apply to the project, under Article 12(3) Part 3 Paragraph 12 of the Application Document 3.1 draft Development Consent Order [REP5-005]. The permit scheme requires the Applicant (promoter) to submit traffic management proposals, which would include diversions in the event of a closure, to the council as part of the Provisional Advance Authorisation (PAA) and again went submitting the Permit application, both requiring the approval of the council. The Applicant therefore considers that SCC has sufficient control over any diversion routes.

9. Air Quality

Table 9.1 Air quality

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2AQ2.	Local authorities **Applicant**	**Appendix A Air Quality Technical Note [REP4-241]** **Local authorities:** Provide comment on the technical note. **Applicant:** Confirm whether the high predicted NO_x process contributions identified in Table A.7 maximum impact scenario could indicate any potential for exceedance of the hourly limit values for NO_2 and if so, what further analysis or mitigation might be required in respect of the Kent or Suffolk converter station sites to address human health issues? Applicant to also re-provide appendix tables A.8 and A.9 with headings that are aligned with columns as the tables are difficult to read as presented.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC's Senior Environmental Health Officer is satisfied AQ health impacts have been assessed appropriately within the Air Quality Assessment which included construction dust and re-assessment of NRMM. This updated technical note which includes a worse case use of backup generators has not altered our view. Although the assessment relates to ecological receptors and recommends not siting of backup generators within 120m; the nearest relevant human receptor is around 1km away so is highly unlikely to impact human health objectives. However, this will need to be reviewed by an updated assessment.	As set out in the Applicant's response to this question at Deadline 5 (**Application Document 9.123 Applicant's Responses to Second Written Question [REP5-135]**), the Applicant undertook a re-assessment of the back-up generator emissions which included consideration of the potential for exceedance of the 1-hour NO_2 air quality objective (**Application Document 9.123.1 Applicant's Responses to Second Written Questions – Appendix B [REP5-136]**). The assessment concluded that there would be no exceedances of the 1-hour air quality objective at any human receptor, and no further mitigation is required for the Kent Onshore Scheme. The assessment (**Application Document 9.123.1 Applicant's Responses to Second Written Questions**) has since been updated for Deadline 6 to include an assessment of cumulative effects, particularly in relation to the East Anglia One North and East Anglia Two sites. This has concluded that cumulative effects would not be significant for either the Kent or Suffolk Onshore Scheme.
			Suffolk County Council Public Health have reviewed the Technical Note, and the applicant appears to have demonstrated how the advice from Natural England has been considered. However, it is worth noting that Public Health review any documentation from a health perspective only and do not have the technical expertise to comment on air quality modelling etc and so will defer to the technical expertise of East Suffolk Council.	The Applicant notes this response. Please also see response above regarding health impacts from the back-up generators.
			East Suffolk Council The Air Quality Technical Note submitted by the Applicant as Appendix A to its 'Comments on Other Submissions Received at Deadlines 3 and 3A' [REP4-241] concerns impacts of construction dust emissions, Non-Road Mobile Machinery (NRMM) emissions, back-up generator emissions, and emissions from construction and operational traffic on ecologically designated sites. As such, ESC defers to Natural England to comment on this	The Applicant notes this response. Please also see response above regarding health impacts from the back-up generators.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			question, noting ESC focuses on the air quality impacts on human health or nuisance, rather than ecological receptors.	
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	The Applicant notes this response.
2AQ3.	Local authorities	**Outline Air Quality Management Plans (oAQMP)** Are any further changes required to the outline AQMP [REP3-052] and [REP3-054] to take account of the amended order limits as part of the change request?	**Thanet District Council** TDC's Senior Environmental Health Officer considers that no amendments need to be made.	The Applicant notes this response.
			Suffolk County Council Due to the increased proximity of the works, resulting from the revised order of limits, Public Health would like confirmation that monitoring will be undertaken by the additional residential properties and in particular the residential park homes. Park homes, due to their construction, are more susceptible to the impacts of poor air quality. To protect the health of those residents we would like monitoring to be undertaken to enable additional mitigation to be put in place should monitoring identify elevated levels or sustained impacts. Other than this Public Health are satisfied with the monitoring and mitigation identified in the outline AQMP and require no further changes.	**Application Document 7.5.6.1 Outline Air Quality Management Plan – Suffolk** has been updated at Deadline 6 to include two additional air quality monitoring locations compared to the version submitted at Deadline 5 (**Application Document 7.5.6.1 (D) Outline Air Quality Management Plan – Suffolk [REP5-074]**). One of these locations is at Whitearch Residential Park (monitoring location 'Suffolk 7'), as requested by Suffolk County Council. A further monitoring location ('Suffolk 6') has also been added at Shotts Meadow. Monitoring would be undertaken in accordance with the outline AQMP; should monitored concentrations exceed the agreed thresholds, additional abatement controls would be implemented if necessary, or site works would be temporarily stopped.
			East Suffolk Council The oAQMP is the Applicant's management plan and, as such, it must ensure that any amendments to the order limits are assessed thoroughly and management plans updated appropriately. The Applicant provided information in an addendum to Vol 6 Environmental Statement [CR1-055] which included an assessment of the impact of the	The Applicant notes this response. Please also see above for response regarding the outlined AQMP being updated.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			proposed changes on air quality. It is noted that whilst the changes do introduce additional sensitive receptors into the study areas, the mitigation measures already proposed for dust control are for high-risk sites and as such include a comprehensive set of controls across the construction site which are expected to control dust to acceptable levels. With regard to emissions from construction traffic and NRMM, again mitigation is already proposed across the project which will reduce emissions from these sources. As such, any additional receptor locations brought into the study areas will already benefit from the agreed control.	
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	The Applicant notes this response.
2AQ4.	**Applicant** Local authorities	**Operation and maintenance air quality controls** **Applicant:** SCC's LIR paragraph 12.23 [REP1-130] suggests that it is vital for appropriate mitigation to be put in place to minimise operation and maintenance air quality impacts from major works. The applicant's comments on SCC's LIR [REP2-026] simply states that it notes SCC's comments. Provide an appropriate mechanism within the applicant's suite of control documents to control operation and maintenance works emissions or explain why this is not required. **Local authorities:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council This question relates to Suffolk and as such TDC has no comment to make.	The Applicant notes this response.
			Suffolk County Council Public Health have no additional comments to make on this matter.	The Applicant notes this response.
			East Suffolk Council ESC agrees that if major work was to be undertaken at the operational plant, there would be the potential for impact on air quality. As such, ESC requests a suitable mechanism to control emissions during the operational and maintenance phase. ESC will	The Applicant has now introduced an additional operation and maintenance phase measure within the REAC (measure AQ15) (**Application Document 9.84 (C) Register of Environmental Commitments (REAC) [REP5-115]**), submitted at Deadline 5, to ensure that any air quality emissions arising from major maintenance works are appropriately mitigated, where required.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			review the Applicant's response to this question submitted at Deadline 5 and comment, as appropriate, at Deadline 6.	
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	The Applicant notes this response.
2AQ5.	**Applicant** Local authorities	**REAC provision AQ11** **Applicant:** Update REAC [REP4-235] provision AQ11 to specify a minimum 120m offset from Sandwich Bay to Hacklinge Marshes SSSI consistent with the proposed mitigation in the applicant's updated air quality assessment [REP4-241]. **Local authorities:** Suggest wording for a requirement to ensure that a 120m offset is secured between the generators and the SSSI.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Thanet District Council TDC's Senior Environmental Health Officer suggests that the second bullet in AQ11 be amended to: Should diesel generators be required, they shall not be located within 120m of the Sandwich Bay to Hacklinge Marshes SSSI (as defined at the time of application submission). Where used, generators shall be positioned as far from the SSSI as reasonably practicable.	As set out in the Applicant's response to this question at Deadline 5 (**Application Document 9.123 Applicant's Responses to Second Written Question [REP5-135]**), the Applicant undertook a re-assessment of the back-up generator emissions (**Application Document 9.123.1 Applicant's Responses to Second Written Questions – Appendix B [REP5-136]**). This assessment identified that a minimum offset of 100 m would be sufficient to avoid significant effects, and measure AQ11 was updated accordingly in the REAC (**Application Document 9.84 (C) Register of Environmental Commitments (REAC) [REP5-115]**), submitted at Deadline 5. TDC has been advised of the updated measure and has approved the latest wording.
			Suffolk County Council SCC defers to the wording proposed by ESC as the relevant authority on these matters in Suffolk.	The Applicant notes this response.
			East Suffolk Council ESC notes REAC provision AQ11 is related to the Kent Onshore Scheme. ESC therefore defers to the Kent local authorities.	The Applicant notes this response.
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers	The Applicant notes this response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	

10. Noise and Vibration

Table 10.1 Noise and vibration

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2NV1.	Local authorities	**Operational noise and vibration** Suggest draft wording for operational noise and vibration requirements in respect of the detailed converter and substation designs that sets limits for operational noise at specific receptors and a mechanism for agreeing the final acoustic design.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135].**
			Thanet District Council TDC's Senior Environmental Health Officer suggests: [With reference to: AS123] The rating level of noise emitted from the operation of the converter station and substation, when assessed in accordance with BS 4142:2014+A1:2019, shall be at least 5 dB below the existing background sound level (LA90,T) at the nearest noise sensitive receptor during both daytime and night-time periods: 30dB (LAeq,T) at NSR - daytime 24dB (LAeq,T) at NSR - nighttime The assessment shall include any applicable acoustic character corrections for tonality, impulsivity, intermittency or other distinctive acoustic characteristics in accordance with BS 4142:2014+A1:2019. An assessment of low-frequency noise shall also be undertaken. The difference between the C-weighted and A-weighted equivalent continuous sound pressure levels (LCeq,T – LAeq,T) measured at the nearest noise sensitive receptor shall not exceed 10 dB. Where the difference exceeds this value, a detailed one-third octave band analysis shall be undertaken to demonstrate that no significant low-frequency noise impact is likely to occur. Prior to commissioning of the converter station and substation, a scheme demonstrating compliance with the above requirements, including details of the final plant specification, layout and any acoustic mitigation measures, shall be submitted to and approved in writing by the relevant planning authority. The authorised development shall thereafter be operated in accordance with the approved scheme.	A tripartite meeting was held on Thursday 9 April 2026 between East Suffolk Council, Thanet District Council and National Grid as part of action Point 55 from the Issue Specific Hearing 3 (ISH3). The Section 61 process has been agreed and appropriate wording included in the outline Construction Noise and Vibration Management Plans submitted at Deadline 6. Updated wording of Article 49 and operational noise limits are being reviewed. An update will be provided at Deadline 7.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Suffolk County Council *Public Health* Public Health note that the drafting of specific operational noise and vibration limits, the identification of appropriate receptor-specific criteria, and the mechanism for agreeing final acoustic design are technical environmental protection matters. These fall within the technicality speciality of the District Councils Environmental Health Officers, particularly in relation to noise assessment, application of relevant standards, guidance and enforcement under statutory nuisance provisions. Public Health therefore defer to Environmental Health colleagues on the detailed wording of operational noise and vibration requirements.	Please see response above
			East Suffolk Council Prior to agreeing any final operational noise DCO requirements, an operational noise level must first be agreed and this matter remains outstanding. ESC has made clear it wants to see a rating level 5dB below representative background. ESC would, however, be willing to agree an alternative level subject to discussion, provided that: - the Applicant can justify the lowest achievable operational noise level; and - this proposed level satisfies policy. This means that the Lowest Observable Adverse Effect Level (LOAEL) and Significant Observable Adverse Effect Level (SOAEL) should be based on BS4142, where >+5dB above background represents an adverse effect, and >+10dB above background represents a significant adverse effect. This approach has been taken for other comparable committed and planned projects in the District, including EA1N, EA2, and LionLink. However, it should be noted that even satisfying policy may still result in adverse effects and ESC would maintain its concern in that regard. Notwithstanding the above, ESC would require both a firm commitment in detailed design principles to go lower than the agreed operational noise limit if reasonably possible, and verification post-construction that the level has been achieved, as	Please see response above

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments

has been the case for other comparable consented and planned projects in the area.

The Requirement should accord with the following draft or similar, which ESC has prepared largely based on the wording of Requirement 27 of the EA1N and EA2 DCOs:

Control of noise during operational phase

(1) The noise rating level for the Suffolk Converter Station (Work No. 3B) must not exceed [Operational noise limit(s) to be agreed]—

(2) Work No. 3B must not operate until a scheme for monitoring compliance with the noise rating level or levels set out in sub-paragraph (1) above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be

used in the assessment of whether tonal penalties apply.

(3) The noise rating level for the new Substation at Grove Wood, Friston (Work No. 1B) must not exceed [Operational noise limit(s) to be agreed]—

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

(5) In order to demonstrate that the noise levels have been achieved after commencement of the operation of the Suffolk Converter Station (Work No. 3B) at full capacity, and after commencement of the operation of the new Substation at Grove Wood, Friston (Work No. 1B) at full capacity, the schemes referenced in sub-paragraphs (2) and (4) above must identify–

(a) the required meteorological and other conditions under which the measurements will be taken,

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments

acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not to be taken into account;

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

(c) times when the monitoring is to take place.

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

(7) In order to demonstrate that the lowest reasonably practicable operational noise levels have been achieved, the schemes referenced in sub-paragraphs (2) and (4) above must also provide an assessment to demonstrate, to the relevant planning authority's satisfaction, whether it is possible to achieve lower noise rating levels than those identified in sub-paragraphs (1) and (3) above. Where this is demonstrated to be possible, those levels will become the noise rating levels for the purpose of sub-paragraphs (1) and (3) above and for the sites in perpetuity.

(8) The schemes must be implemented as approved, and the results reported to the relevant planning authority.

ESC has included Paragraph (6) of the above proposed Requirement wording in order to make provision for monitoring to ensure that, under a Scenario 1 connection, the infrastructure required to connect Sea Link into the National Grid substation delivered under the SPR Consents does not result in exceedances of the site-wide operational noise rating level of the substation site, as prescribed by the SPR Consents. In wording Paragraph (6) of the above proposed Requirement, ESC has assumed that all of the additional infrastructure required to

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			connect Sea Link into the National Grid substation under a Scenario 1 connection is contained within Work No. 2. ESC requires clarity from the Applicant, however, that this is indeed the case, as if some of the infrastructure in fact falls under Work No. 1B (all parts of which ESC assumes would not be delivered under Scenario 1), the proposed Requirement will need to be revisited. ESC requires monitoring to be secured for the infrastructure required to connect Sea Link into the National Grid substation under a Scenario 1 connection, as ESC considers that an exceedance of the operational noise rating level for the substation site caused by connection infrastructure delivered by Sea Link would, in the absence of a Requirement similar to that proposed above, sit with ScottishPower Renewables, rather than with Sea Link. Therefore, in order to ensure that the operational noise rating level of the Friston substation site can be appropriately enforced in the event of a Scenario 1 connection, ESC considers that this aspect of the Requirement is required.	
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	See the Applicant's response to this point in 2AQ2.
			Friston Parish Council and SASES Wording in relation to operational noise and acoustic design at the substations site already exists in the EA2 DCO (Requirements 27 and 22 Part 3 Schedule 1) and could be used in the Sealink DCO subject to some consequential amendments. Please note that these noise requirements were agreed following a meeting between experts acting for ESC, SPR (who were coordinating with National	Please see response above

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Grid) and SASES. The expert for SASES was Mr Rupert Thornely-Taylor. *Control of noise during operational phase* ***27.**—(1) The combined noise rating level for the standard operation of Work No. 30 cumulatively with the standard operation of the new national grid substation and the East Anglia ONE North onshore substation must not exceed—* *(a)32dB LAeq (15 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—* *(i)1 Woodside Cottages, Grove Road (641837, 261172);* *(ii)Woodside Barn Cottages, Church Road (641237, 260645);* *(b)31dB LAeq (15 min) at any time at a free field location immediately adjacent to the noise sensitive location—* *• Little Moor Farm, Knodishall (641228, 261676).* *(2) Work No. 30 must not operate at the same time as the new national grid substation or the East Anglia ONE North onshore substation until a scheme for monitoring compliance with the noise rating levels set out in sub-paragraph (1) above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply. The scheme must identify—* *(a)the required meteorological and other conditions under which the measurements will be taken, acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not to be taken in to account;* *(b)suitable monitoring locations (and alternative surrogate locations if appropriate); and* *(c)times when the monitoring is to take place to demonstrate that the noise levels have been achieved after—* *(d)initial commencement of—* *(i)Work No. 30, the new national grid substation and the East Anglia ONE*	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments

North onshore substation all operating at the same time; and

(ii)where Work No. 30 begins operation before the East Anglia ONE North onshore substation, Work No. 30 and the new national grid substation operating at the same time; and

(e)six months after—

(i)Work No. 30, the new national grid substation and the East Anglia ONE North onshore substation have all been operating cumulatively at full capacity; and

(ii)where Work No. 30 begins operation at least six months before the East Anglia ONE North onshore substation, both Work No. 30 and the new national grid substation have been operating cumulatively at full capacity.

(3) The monitoring scheme must be implemented as approved.

(4) For the purposes of this requirement—

(a)"East Anglia ONE North onshore substation" means the onshore substation comprised within Work No. 30 of the East Anglia ONE North Order;

(b)"new national grid substation" means the national grid substation comprised within Work No. 41 of this Order and Work No. 41 of the East Anglia ONE North Order; and

(c)"standard operation" means the ordinary operation of the substations excluding emergency operation and the testing of plant and equipment associated with emergency operation.

Detailed design parameters onshore

***12.**—(1) No stage of Work No. 30 may commence until details of the layout, scale and external appearance of the onshore substation have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. Work No. 30 must be carried out in accordance with the approved details.*

(2) No stage of Work No. 30 may commence until written details of the specification of plant, and any noise mitigation proposed in respect of Work No. 30

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			together with updated modelling, have been submitted to and approved in writing by the relevant planning authority in consultation with Suffolk County Council. Work No. 30 must thereafter be implemented in accordance with the approved details. *(3) No stage of the national grid substation comprised within Work No. 41 may commence until details of the layout, scale and external appearance of the national grid substation have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. Work No. 41 must be carried out in accordance with the approved details.* It is appreciated that paragraph 12(2) only relates to the Scottish Power substation but FPC regards the omission of the National Grid substation as inadvertent. In any event the drafting of this paragraph can be used subject to the necessary consequential amendments.	
2NV3.	Local authorities	**s61 controls** Suggest an alternative form of wording for the outline Construction Noise and Vibration Management Plan (oCNVMP) s61 controls or a suitable requirement to secure s61 controls for specific construction activities.	**Thanet District Council** TDC's Senior Environmental Health Officer suggests: Construction Noise and Vibration Management Plan No authorised development may commence until a Construction Noise and Vibration Management Plan (CNVMP) has been submitted to and approved in writing by the relevant planning authority. The assessment of construction noise and vibration must (a) be undertaken by a suitably qualified acoustic consultant; and (b) be carried out in accordance with BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites and BS 5228-2:2009+A1:2014. Where the assessment identifies that predicted construction noise levels are likely to exceed the Category A threshold defined within BS 5228, the undertaker must, unless otherwise agreed in writing with the relevant planning authority, submit an application for prior consent under section 61 of the Control of Pollution Act 1974 to the relevant planning authority before the relevant works commence.	Please see response above

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			The authorised development must thereafter be carried out in accordance with the approved CNVMP.	
			Suffolk County Council *Public Health* These matters fall within the professional remit of the District Councils Environmental Health Officers, who are the enforcing authority. Public Health defer to Environmental Health colleagues on the drafting of alternative wording to secure Section 61 controls for specific construction activities.	Please see response above
			East Suffolk Council ESC suggests the following wording, which has been prepared using the wording contained within Section 10.2 of the EA1N (and EA2) Construction Phase Noise and Vibration Management Plan (see Appendix 1), and its experience with Section 61 applications for those projects: *The Project and its Principal Contractors will seek and obtain prior consent from ESC for all works as defined by Section 60 of the Control of Pollution Act 1974 (CoPA) including the erection, construction, alteration, repair or maintenance of buildings, structures or roads, under Section 61 (S.61) of the CoPA.* *The CoPA gives the Council powers to control noise and vibration from construction sites and other works, allowing contractors to apply for Prior Consent and agree matters relating to the control of noise and vibration arising from construction of the project. It is a well understood mechanism for both the developer and ESC and provides an industry standard framework for controlling noise and vibration.* *The application for a Section 61 consent will include details of working hours, site noise levels, the works and the methods by which they will be carried out and the measures to be implemented to mitigate and minimise the noise and vibration resulting from the works. The application must include a detailed noise and vibration impact assessment to ensure that relevant receptors are considered, along with local conditions and cumulative impacts with other packages of work on this project or with other projects, and to demonstrate Best*	Please see response above

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Practicable Means for noise and vibration control have been considered and implemented. *Applications for prior consent under Section 61 of CoPA will assess the noise impact from construction noise using the ABC assessment method set out in Annex E.3.2 of BS 5228- 1:2009+A1:2014.* *The contractors will use Best Practicable Means, as defined by Section 72 of CoPA, and as set out in detail in the Construction Noise and Vibration Management Plan, to minimise construction noise as far as is reasonable and practical to do so. Contractors will also have due regard to Section 8 of BS 5228- 1:2009+A1:2014 and BS 5228- 2:2009+A1:2014 to further inform the control of noise and vibration associated with the development.* *S.61 applications will be made at regular intervals throughout the project where a package of works is ongoing for a significant duration. S.61 consents should be reviewed and refreshed when changes occur to the programme or methodology of work that results in a change in impact outcome from previous S.61 consents. Regular S.61 applications provide the opportunity to review working practices, mitigation and monitoring to ensure the Best Practicable Means are being employed and to demonstrate that Construction Noise and Vibration are being controlled to the lowest reasonable level. It also provides the opportunity for regular engagement with ESC and ensures that matters such as local concerns, complaints and wider district issues, cumulative and conflicting matters are included in the consideration of noise and vibration control arising from the construction of this project.*	
			Dover District Council In relation to 2AQ2., 2AQ3., 2AQ4., 2AQ5., 2NV1. and 2NV3, DDC's Environmental Protection Officers have engaged with the applicants in thematic meetings and examined submitted Air Quality documents. Mitigation measures included in the Document 7.5.6.2 Outline Air Quality Management Plan – Kent have been accepted and it has been concluded that the impact of NO2 from road traffic	See the Applicant's response to this point in 2AQ2.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			and/or machinery in terms of effect on existing AQMAs or the potential for new AQMAs in the Dover District is minimal. Furthermore, it has been concluded also that the impact on human health from NO2 emissions is insignificant for sensitive receptors in the Dover District. The Council's Environmental Protection Officers have no further comments on the proposals.	
2NV8.	TDC	**Piling data** Provide comment on the extent to which the noise levels selected to inform the piling noise assessment in Pegwell Bay are representative of the spreadsheet of data relating to piling noise levels [REP4-088] that has been used to inform the assessment.	**Thanet District Council** TDC's Senior Environmental Health Officer states that the Council would expect the assessment to have regard to the levels given in BS5228, (as considered in Application Document 6.3.1.4.B ES Appendix 1.4.B Construction Plant Schedule) which currently state that vibratory sheet piling at 10m is 88dBLAeq until actual measured or manufacturer specified data for the proposed equipment are available. The graph reference appears broadly in keeping with these levels when considered as an LAeq.	This is noted.

11. Socio-economics, Recreation and Tourism

11.1.1 All questions were directed to the Applicant. Therefore, please refer to the responses provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**.

12. Onshore Cumulative Effects (Intra-Project)

Table 12.1 Onshore cumulative effects (intra-project)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2CEIntra1.	All Councils	**Mitigation of intra-project cumulative effects** Do you consider that further mitigation measures are required to mitigate significant intra-project cumulative effects in addition to those already identified by the applicant? If yes, explain what specific additional measures should be considered. In answering identify the specific significant cumulative effects that the mitigation is considered to address, how it accords with appropriate planning tests and how it could be secured? If it is to be secured in the DCO, provide suggested wording.	**Thanet District Council** It is unlikely that further mitigation measures are available to mitigate significant intra-project cumulative effects as the relevant mitigation measures have already been imposed for the relative topics. Whilst other potential mitigation measures are still being discussed for each topic. In addition, the Applicant has advised the exact intra-project impacts are not fully known at this stage and are subject to detailed design and construction programme.	The Applicant notes TDC's view that further mitigation measures are unlikely to be available. The Applicant has included measure GG40 which commits to revisiting the intra-project cumulative effects assessment to reconsider if the reported significant effects are still considered likely to occur on the basis of more detailed construction information, and, if so, what other mitigation measures may be available.
			Dover District Council The Council has no comments on this.	The Applicant notes this response
			Suffolk County Council *Public Health* Public Health considers that further mitigation is required in respect of intra-project cumulative effects on community mental health and wellbeing arising from the combined and prolonged interaction of construction activities and associated impacts, including extended working hours, repeated access disruption, noise, vibration and progressive landscape change throughout the delivery of the Project. While individual effects may not reach significance in isolation, their temporal overlap and sustained nature over the construction period have the potential to give rise to chronic stress, sleep disturbance, reduced opportunities for respite and diminished quality of life, particularly for older residents and others who may be more sensitive to environmental change. The current mitigations do not adequately address this cumulative pathway, nor do they offer a structured mechanism to detect and respond to emerging wellbeing impacts. Additional mitigation should therefore include a restriction of core construction hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine Sunday or Bank Holiday working except where agreed in advance with the relevant planning authority, together with a requirement for a	The core working hours proposed are required in order to facilitate the delivery of this critical nationally important electricity transmission infrastructure. There are robust controls in management documents including in **Application Document 7.5.3 (C) Outline Construction Environmental Management Plan** [**REP5-068**] and **Application Document 9.83 (B) Outline Code of Construction Practice** [**REP4-232**] that mitigate the effects of construction activity, and there are restrictions on noisy works (namely percussive piling) and on HGV movements on weekends in any case. These measures, combined with the removal of bank holiday weekends, support the position that the proposed core working hours (including weekends where necessary) are reasonable and justified. The Applicant has aligned the working hours for Works 1A and 1B (which largely align with the works being undertaken pursuant to the extant SPR East Anglia TWO DCO at Friston, recognising that the works are numbered differently) to those secured in the SPR DCO. The Applicant has provided detailed response regarding monitoring of health and wellbeing, and the proposal of further measures to address disruption and potential effects on mental health and wellbeing arising from construction activities are secured within **Application Document 9.84 Register of Environmental Actions and Commitments (REAC)** submitted at Deadline 6 to reduce or avoid adverse human health and wellbeing related impacts during the development. A detailed response regarding the existing commitments, and further proportionate measures

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			proportionate Mental Health and Wellbeing Monitoring Plan covering construction and early operation. These measures should be secured through requirement attached to the DCO. Mitigations are required to address cumulative impacts identified in [APP-059], where no specific measures are currently confirmed. A robust mitigation strategy should be secured through the DCO and embedded in the CEMP, with design and monitoring undertaken in partnership with affected communities. This must include participatory engagement and adaptive monitoring throughout construction, operation, and decommissioning to ensure timely response to emerging wellbeing risks. The Applicant should seek to coordinate with the promoters of nearby projects to minimise cumulative impacts. *Public Rights of Way* Fromus Bridge If a permanent bridge over the river Fromus is provided due to the haul road, a new PROW should be provided to allow non-motorised links between the converter station, local communities and new housing allocations. To provide routes for commuters to the converter and southern west/east links for Saxmundham. It is not sufficient to provide this as a permissive route as opposed to a PRoW to future proof the route for public amenity for users. Public Rights of Way (PROW) are legally protected, permanent public highways over private land (footpaths, bridleways), shown on definitive maps and maintained by councils. Permissive routes are voluntary, non-permanent paths opened by landowners, often with restricted access (e.g., no bikes) and can be closed at any time without legal process. This is not an enhancement or protection of the public network for amenity. B1119 bridleway. New PROW (bridleway, to allow cycling and horses) along B1119 to run east/west from Saxmundham to the east, to link to other PRoWs, or highway, to mitigate the impact of the user experience of the diverted footpath Saxmundham E-460/023/0 and Sternfield E-491/006/0. The permanent diverted route will be located close to the new converter station and the landscaping will not screen the buildings from the PROW user and will detrimentally impact on public amenity. Even when the planting is	to demonstrate recognition of the LPA and community's concerns regarding health and wellbeing is set out in **Application Document 9.136 Applicant's Responses to Third Written Questions** in response to 3HW3. The Applicant sets out its position regarding provision of new PRoW and in Appendix D of **Application Document 9.136 Applicant's Response to Third Written Questions submitted at Deadline 6.**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			mature, it may not screen adequately to mitigate the impact. Setting a new route further to the north and on higher land, any planting will be more of a screen to the buildings and be a more positive impact on amenity. This will also provide an off-road route for non-motorised highway users, for both local communities, visitors and employees. The above routes should not be promoted as permissive routes and should be made Public Rights of Way to future proof for public amenity for users. Public Rights of Way (PROW) are legally protected, permanent public highways over private land (footpaths, bridleways), shown on definitive maps and maintained by councils. Permissive routes are voluntary, non-permanent paths opened by landowners, often with restricted access (e.g., no bikes) and can be closed at any time without legal process. This is not an enhancement or protection of the public network for amenity. Aldeburgh footpath [APP-059] paragraphs on Public Rights of Way and users' pages 8, 9 and 18 recognises that there will be significant impact during construction and use due to cumulative effects. No mitigation has been confirmed at this stage. The enhancement proposals put forth by SCC may be relevant to this receptor when considering SCC's argument made during ISH 2 and within [REP4-150] that PRoW enhancement can be relevant in planning terms even if the enhancement is not in close proximity to the given receptor when considering the interaction of the wider PRoW nexus in relation to an affected PRoW receptor. SCC has also detailed what changes it considers necessary to be included in the outline PRoW management plan in table A6 of [REP2-062] which would commit the Applicant to keep PRoWs open as far as possible and give PRoW users priority whilst maintaining safety standards. Restriction of Core Construction Hours. Restriction of core construction hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine Sunday or Bank Holiday working except where it is agreed in advance with the relevant planning authority, to give respite to PROW users. This will give all legal users of the PROW days with no active construction. Especially horse riders, who will have little respite from noise and flashing lights etc.	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			East Suffolk Council As noted in response to Question 2CEIntra2 below, ESC is satisfied that the REAC Measure GG40 commits the Applicant to undertaking a review of the intra-project cumulative effects assessment at detailed design stage to consider additional mitigation measures. ESC understands that this detail will then be approved by ESC through a discharge of Requirement 6 of the draft DCO for the Code of Construction Practice. ESC has no requests for further mitigation measures to be identified for intra-project cumulative effects at this stage, but notes that it has requested further mitigation for individual topic areas, and these would collectively also help to address significant intra-project cumulative effects.	The Applicant notes ESC position regarding measure GG40.
2CEIntra2.	All Councils	**REAC commitment to review / mitigate significant intra-project cumulative effects** Having regard to the applicant's response to AP112 [REP4-086], can all Councils confirm if they agree with the suggested commitment wording for the REAC (and subsequent approval through discharge of requirement 6 via relevant management plans) to review intra-project cumulative effects and establish what additional mitigation measures could be applied to reduce their significance? In answering, summarise any remaining concerns, if you consider it should be secured in the DCO provide suggested text.	**Thanet District Council** A review of the intra-project cumulative effects is welcomed. However, it is unclear how this would be secured through Requirement 6 of the DCO unless it is secured as an intra-project cumulative management plan. Alternatively, Requirement 5 already secures the need to prepare the management plans in accordance with the REAC in which commitment GG40 would have to be undertaken to inform the management plans.	Commitment GG40 is secured through inclusion in the REAC which in turn is secured via Requirement 5.
			Dover District Council The Council agrees with the suggested commitment wording for the REAC and subsequent approval through discharge of requirement 5 via relevant management plans.	The Applicant notes this response
			Suffolk County Council *Planning* SCC welcomes the principle of reviewing whether significant intra-project cumulative effects are still likely to occur following the detailed design stage and exploration of additional mitigation measures. However, following the mitigation hierarchy, if there are no appropriate mitigation measures available, offsetting measures must be explored and implemented where possible. In addition, the commitment proposed by the Applicant in GG40 of the REAC [REP4-234] needs to include a mechanism for implementing the additional measures once agreed by the relevant local authorities. SCC has made detailed submissions proposing potential offsetting measures in relation to significant effects on PRoWs, for instance. SCC	*Planning* The Applicant has added the additional wording requested by SCC for two points of commitment GG40. *Public Health* The core working hours proposed are required in order to facilitate the delivery of this critical nationally important electricity transmission infrastructure. There are robust controls in management documents including in **Application Document 7.5.3 (C) Outline Construction Environmental Management Plan** [**REP5-068**] and **Application Document 9.83 (B) Outline Code of Construction Practice** [**REP4-232**] that mitigate the effects of construction activity, and there are restrictions on noisy works (namely percussive piling) and on HGV movements on weekends in any case. These measures, combined with the removal of bank holiday weekends, support the

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			considers that more detail should be given at this stage regarding what mitigation/offsetting measures may be implemented as part of this commitment as they are relevant to making the development acceptable in planning terms. At present, SCC has no assurance that there are mitigation/offsetting measures available which will be implemented by the Applicant should significant effects remain likely once the review required by the proposed commitment has been carried out. Therefore, the commitment should include reference to potential mitigation measures which are available to be implemented should likely significant effects remain. These details can be inserted into the outline management plans relevant to the likely significant intra-project cumulative effects. The commitment should also require the Applicant's review to be reviewed and agreed by the relevant local authorities through the relevant management plans within Requirement 6. Appropriate text should be included in the relevant outline plans to secure this. The proposed REAC commitment could be reworded as follows: '*Once detailed design is complete and detailed construction and programme information is available, the undertaker commits to undertaking a review of the intra-project cumulative effects assessment submitted with the application (as amended during the Examination) in collaboration with the relevant local authorities to consider:* *a) if the significant intra-project cumulative effects are still considered likely to occur; and* *b) if they are still considered likely to occur, what additional appropriate mitigation measures may be applied to reduce their significance; and* *c) if no such mitigation measures are available, what additional appropriate offsetting measures may be applied following the mitigation hierarchy.* *d) any such mitigation or offsetting measures must be agreed with the relevant local authorities, including a timetable for their implementation, and once agreed shall be implemented in accordance with the terms of such timetable.*' *Public Health* Public Health recommend that the Applicant's commitments are strengthened to include mitigation for intra-project cumulative effects on community health and wellbeing arising from the prolonged interaction of construction activities. This should	position that the proposed core working hours (including weekends where necessary) are reasonable and justified. The Applicant has aligned the working hours for Works 1A and 1B (which largely align with the works being undertaken pursuant to the extant SPR East Anglia TWO DCO at Friston, recognising that the works are numbered differently) to those secured in the SPR DCO.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			include restriction of core construction hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine Sunday or Bank Holiday working except where otherwise agreed in advance with the relevant planning authority together with a requirement of a proportionate Mental Health and Wellbeing Monitoring Plan covering the construction period and early operation.	
			East Suffolk Council ESC notes that the Applicant has now proposed REAC measure GG40 to address ESC's request. ESC welcomes this additional commitment and considers this satisfies its previous request.	The Applicant notes this comment
2CEIntra3.	All Councils	**Quantification of significance of effects** Having regard to the applicant's response to AP111 [REP4-086], can all Councils confirm if they agree with the applicant's stated position regarding quantification of magnitude/degree of significance of effects in cumulative (intra-project) assessments on residential properties and how the various effects interact with each other? In answering: • explain if you agree with the conclusion that if any significant effects on residential receptors were to occur, they would be likely to be moderate not major? • set out if there are any other concerns regarding possible significant effects on non-residential receptors (including road, public rights of way and recreational users) and how any specific significant cumulative effect could be mitigated, how that accords with appropriate planning tests and could be secured?	**Thanet District Council** The response from the Applicant solely focuses on the residential receptors. The conclusion of moderate adverse (significant) effects on residential receptors is agreed. For the other receptors it is unlikely that further mitigation measures are available to mitigate significant intra-project cumulative effects as the relevant mitigation measures have already been imposed for the relative topics. Whilst other potential mitigation measures are still being discussed for each topic. The applicant should attempt to identify the magnitude of the effect to understand the impact of the effect as to whether the significant effect is moderate or major adverse.	The Applicant notes TDC conclusion of a moderate effect on residential receptors. The Applicant has given further consideration to the likely significant effects identified on PRoW users and transport and road users and has also concluded these are likely to be moderate. Further information is provided in **Application Document 9.141 Intra Project Cumulative Effect Significance - Technical Note.**
			Dover District Council Given the location of the project and distance from residential dwellings in the district (whereby those in the vicinity of Richborough Road would likely most notice the construction of the development as this road would provide access to Whitehouse Drove for the pylon works), the Council has no comments on this. The Council has previously advised that Richborough Road serves as a crossing point for PRoW, is used by residential, agricultural and tourist traffic, however defers to KCC in their role as local highway authority and responsibility for PRoW on any significant cumulative effects mitigation measures.	The Applicant notes this response

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Suffolk County Council It should be noted that the issue of magnitude of significance of intra-project cumulative effects applies to other receptors such as PRoWs which are not addressed in the Applicant's response to AP111. SCC offered its own views on this in response to 1CEIntra 2 of ExQ1 [REP3-101]. Whilst SCC appreciates the further review undertaken by the Applicant, the Applicant has not provided evidence detailing this review demonstrating how it came to its conclusions. This is particularly important due to the role of professional judgement cited by the Applicant in making these conclusions which cannot be verified by SCC due to the lack of appropriate detail. On matters such as noise, SCC defers to ESC as the relevant local authority, aside from its relevance to public health. Regarding non-residential receptors, SCC's view remains unchanged from that detailed in response to 1CEIntra2 of ExQ1 [REP3-101]. Without further detail demonstrating otherwise, SCC considers a precautionary approach should be taken which considers the degree of effect to be major rather than moderate. In what follows, technical detail is given further to SCC's position. *Public Health* The Applicants response refers to further work undertaken to review the potential significant intra project effects reported in [APP-059]. Public Health notes that Table 12.2 of [APP-059] identifies combined significant effects for some residential receptors under Friston Scenario 2 during construction, operation and decommissioning, with no mitigation currently proposed. The same conclusions are applied for Transport and users, Public Rights of Way and users, Recreational Receptors and Communities and human health during construction, operation/maintenance and decommissioning. Public Health considers that the conclusions reached are optimistic and not precautionary. Furthermore, in practice, the interaction of effects when combined may reasonably result in additional or exacerbated effects on the receptors, beyond the individual effects as defined. Public Health notes the additional cross topic workshop and GIS based review undertaken by the Applicant and recognises that the approach reflects a professional judgement led assessment rather than a	The Applicant completely disagrees with the suggestion that the conclusions of the further work carried are "*optimistic and not precautionary*". On the contrary they demonstrate that the original assessment was pessimistic in reporting a significant intra-project effect on residential receptors.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			property-by-property quantitative exercise. Public Health consider that the methodology described remains largely unfocused and receptor focused and does not fully capture or articulate how prolonged duration, temporal overlap and repeated exposure to multiple stressors were weighted in determining overall magnitude. From a public health perspective, these factors are central to understanding cumulative effects on wellbeing. Public Health does not have evidence to conclude that effects would necessarily be "major", however, the conclusion that effects would be limited to moderate significance appears to rely on optimistic assumptions regarding duration, resilience and adaptive capacity. A precautionary interpretation would recognise greater potential for adverse cumulative outcomes where stressors interact over extended periods. Lengthy working hours, intermittent but persistent noise and vibration, access disruption, and reductions in visual amenity has the potential to erode predictable respite periods and to heighten stress and fatigue within affected communities over time. In this context, Public Health does not disagree that effects may fall within a moderate significance band but maintains that this does not diminish their material public health relevance or the need for targeted mitigation. Public Health therefore reiterates that commitments should address cumulative health and wellbeing impacts arising from the interaction of construction effects, and that mitigation must be proportionate, enforceable and aligned with appropriate planning tests. This should include restrictions on working hours and monitoring of mental health and wellbeing. *Public Rights of Way* Restriction of core construction hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine Sunday or Bank Holiday working except where it is agreed in advance with the relevant planning authority, to give respite to PROW users. This will give all legal users of the PROW days with no active construction. Especially horse riders, who will have little respite from noise and flashing lights etc. New PROW (bridleway, to allow cycling and horses) along B1119 to run east/west from Saxmundham to the east, to link to other PRoWs, or highway, to mitigate the impact of the user experience of the diverted footpath Saxmundham E-460/023/0 and Sternfield E-491/006/0. The permanent diverted	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			route will be located close to the new converter station and the landscaping will not screen the buildings from the PROW user, and will detrimentally impact on public amenity. Even when the planting is mature, it may not screen adequately to mitigate the impact. Setting a new route further to the north and on higher land, any planting will be more of a screen to the buildings and be a more positive impact on amenity. This will also provide an off-road route for non-motorised highway users, for both local communities, visitors and employees. [APP-059] paragraphs on Public Rights of Way and users pages 8, 9 and 18 recognises that there will be significant impact during construction and use due to cumulative effects. No mitigation has been confirmed at this stage. If a permanent bridge over the river Fromus is provided due to the haul road, a new PROW should be provided to allow non-motorised links between the converter station, local communities and new housing allocations. To provide routes for commuters to the converter and southern west/east links for Saxmundham.	
			East Suffolk Council ESC considers that a precautionary approach should be applied in the assessment of intra-project cumulative effects, as is appropriate when dealing with environmental impact assessments. Given the Applicant has suggested during the Examination that it is unable to differentiate between moderate and major intraproject cumulative effects, the Applicant's response to Action Point 111 from ISH2 does not provide ESC with sufficient detail to reassure it that the identified intraproject cumulative effects would be moderate rather than major. ESC maintains its view that, given the Applicant's evident uncertainty, a precautionary approach should be adopted. Such an approach would treat the impacts as major. In any event, whether moderate or major, these are significant effects and should be treated as such. The Secretary of State should, therefore, apply significant weight to these effects, particularly given the local context.	The Applicant has provided further explanation to supplement the response to Action Point 111 in **Application Document 9.141**
2CEIntra4.	All Councils	**REAC mitigation commitments (GG27, GG03, NV03)** In responding to AP112 [REP4-086] the applicant has set out initial comments regarding REAC commitments GG27, GG03 and NV03? Can the identified Councils	**Thanet District Council** ES Chapter 3 'Summary of Likely Significant Effects' [REP1A-013] sets out intra-cumulative effects significant visual amenity effects in-combination with minor additional noise, traffic and transport, and health and wellbeing effects, upon some residential	Although the Applicant has updated commitments GG27, GG03 and NV03 to focus more on cumulative effects, and has also introduced commitment GG40, it is not proposed to change the original intra-project cumulative effects assessment. Further information is provided in **Application Document 9.141**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		confirm if they agree with the applicant's position / proposed amendments, or if not provide details of the additional changes you consider necessary?	receptors in proximity to viewpoints 5 and 11 and to PRoW users of TE37 and the Saxon Shore Way due to significant visual amenity effects at some locations combined with minor traffic and transport, socio-economic, and health and well-being effects upon the regional trail. It confirms that no mitigation has been confirmed at this stage and it is recognised that detailed mitigation will come forward at a later stage subject to a review of the intra-project related effects. Whilst this review of intra-project effects is welcomed it has to be assumed that the significant effects cannot be mitigated for the purposes of the examination. However, if the Applicant has identified measures to mitigate the significant effects such as those contained within GG27, GG03 and NV03, then this should be clearly stated by the Applicant and the assessment updated. Notwithstanding this, there remains the inherent risk that the significant effects cannot be mitigated.	
			Dover District Council DDC has no comments on this response to East Suffolk Council and Suffolk County Council's comments.	The Applicant notes this response
			Suffolk County Council *Public Health* GG27 - Public Health consider that proactive community liaison is a necessary component of managing cumulative effects. However, as drafted, GG27 remains largely reactive. Logging complaints does not in itself mitigate cumulative wellbeing impacts unless accompanied by defined response times, escalation procedures and a clear trigger for reviewing construction practice where patterns of complaints emerge. It is recommended the commitment should include regular scheduled community updates (not solely activity requested notifications), define timescales for response to complaints and a mechanism requiring review of working practices where repeated complaints indicate emerging cumulative impacts. GG03 - The appointment of an Environmental Manager and ECoW is supported as a reasonable governance mechanism. We do note however that the current wording focuses on compliance monitoring rather than adaptive and proactive mitigation of cumulative effects. For this measure to address intra-project cumulative health impacts, it	The Applicant has updated commitments GG27, GG03 and NV03 to ensure they include specific commitments in respect of intra-project cumulative effects.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			should require the ECoW to review patterns of environmental effects in combination, and to advise on additional mitigation where sustained or overlapping impacts are identified. Public Health consider NV03 to be the most substantive opportunity for proactive mitigation, as it provides for reassessment and site-specific control. The current drafting refers only to "*new or different significant adverse effects*" at individual receptors and does not address cumulative or prolonged exposure. The measure would be strengthened by requiring the detailed construction noise and vibration assessment to consider temporal overlap, duration and repeated exposure at receptors, and to identify additional mitigation where cumulative construction effects may contribute to sustained community stress or sleep disturbance. Reference to intra-project cumulative effects would improve clarity and robustness. Public Health recommend that the Applicant's commitments are strengthened to include mitigation for intra-project cumulative effects on community health and wellbeing arising from the prolonged interaction of construction activities. This should include restriction of core construction hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine Sunday or Bank Holiday working except where otherwise agreed in advance with the relevant planning authority together with a requirement of a proportionate Mental Health and Wellbeing Monitoring Plan covering the construction period and early operation.	
			East Suffolk Council ESC has no objections to the Applicant's positions and welcomes its indication that further consideration will be given to the wording of REAC measures GG03 and NV03. ESC will review and comment, as appropriate, on any revised REAC wording once this is submitted into the Examination.	The Applicant has updated commitments GG27, GG03 and NV03 to ensure they include specific commitments in respect of intra-project cumulative effects and welcomes comments from ESC.

13. Onshore Cumulative Effects (inter-project)

Table 13.1 Onshore cumulative effects (inter-project)

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2CEInter1.	All Councils	**Mitigation of inter-project cumulative effects** Do you consider that further mitigation measures are required to mitigate significant inter-project cumulative effects in addition to those already identified by the applicant. If yes, explain what specific additional measures should be considered. In answering identify the specific significant cumulative effects that the mitigation is considered to address, how it accords with appropriate planning tests and how it could be secured? If it is to be secured in the DCO, provide suggested wording.	**Thanet District Council** TDC has no additional mitigation measures to propose beyond any previously outlined. In addition, it is not possible to identify additional mitigation measures given the full cumulative impact of inter-project effects is not known as the cumulative assessment has omitted numerous sites which will have a cumulative effect particularly on traffic and transport as set out in the Statement of Common Ground.	The Applicant notes the Council's position on the lack of availability of additional mitigation. With respect to the new developments, the Applicant has undertaken a full review of 'other existing and, or approved development' and has submitted the findings in Application Document 9.110 Inter-Project Cumulative Effects Assessment Update - Technical Note.
			Dover District Council DDC has no comments to make on this.	The Applicant notes this response.
			Suffolk County Council SCC considers further mitigation is necessary for adverse effects related to Health and Wellbeing, Traffic and Transport, Socioeconomics and Tourism, the National Landscape and Public Rights of Way. Within these areas, there are several effects which the Applicant has concluded are not significant; however, SCC and other IPs have made representations throwing doubt on the validity of these conclusions both by criticising the robustness of the assessments and providing evidence/reasoning to the contrary of those conclusions. In any case, SCC considers that significant uncertainty remains regarding the eventual magnitude of cumulative effect on various receptors. In this case, SCC proposes that robust monitoring, reporting and adaptive management measures should be put forth as part of a collaborative approach with the relevant local authorities to determine magnitude of effect during construction and operation and identify potentially appropriate mitigation measures. In what follows, detail is given on each relevant ES topic justifying and proposing what should be secured consisting of a combination of mitigation to be confirmed at the planning stage and commitments to identify mitigation during delivery should it be necessary utilising robust monitoring	<u>Health and Wellbeing</u> Please see the Applicant's response to 3HW3 in **Application Document 9.136 Applicant's Responses to Third Written Questions** <u>Traffic and Transport</u> The Applicant has held further meetings with SCC Highways throughout Examination to review requests for additional mitigation, including a meeting most recently on 30 March 2026. **Application Document 7.5.1.1 Construction Traffic Management and Travel Plan – Suffolk** has been updated multiple times during Examination to include additional measures where agreed, including at Deadline 6. This includes the inclusion of daily HGV caps for localised parts of the highway network, including at the B1121/B1119 junction within Saxmundham. The Applicant has also carried out junction capacity modelling with the results reported within **Application Document 6.3.2.7.A ES Appendix 2.7.A Transport Assessment Note** which was shared with SCC on 1 April 2026 (and then submitted at Deadline 6). Additional mitigation has subsequently been included within **Application Document 7.5.1.1 Construction Traffic Management and Travel Plan – Suffolk** to manage construction workers using the A1094 Aldeburgh Road /B1069 Snape Road junction. The Applicant does not consider any further additional mitigation to be required from a traffic and transport perspective. Nonetheless, further consultation will be held with SCC Highways prior to the end of Examination, including to review the Statement of Common Ground [].

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			and reporting practices. These measures should be implemented into the relevant management plans. Highways With the uncertainties of when an what the worst case inter project impacts will be SCC would consider that an appropriate measure would follow a process of monitoring, reporting and enforcement of measures secured through requirements or management plans together with a formal commitment form the applicant to contribute in proportion to any additional mitigation identified if the cumulative impacts exceed those assessed by the applicant. In transport terms this could follow a similar methodology for the SZC continent fund secured in the Deed of Obligation (Schedule 16). https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010012-008240-SZC%20Co.%20-%20Final%20signed%20and%20dated%20s.106,%20final%20s.106%20Explanatory%20Memorandum%20and%20final%20Confirmation%20and%20Compliance%20Document%208.pdf Specific areas where the authority considers mitigation to be necessary are: B1121 Benhall: Improvements to footways and provision of safe crossing points for pedestrians and cyclists to reduce fear, anxiety, severance and improve amenity both as an individual project and in combination with LionLink. These can be secured by inclusion as numbered works within the dDCO, defined work in the OCTM&TP or a contribution agreed with the authority (i.e. s106). B1121/B1119 junction Saxmundham: In this case the impact of construction traffic to and from the east side of the River Fromus bridge construction site is of the greatest concern The signalling has been updated recently, and the geometry restricts major design changes. Avoidance of traffic through this junction through suitable approved caps on number and timing would be the preference with a commitment to review signal phasing if considered to provide any benefit to reducing delay. A1094/B1069 Corridor: The cumulative impacts of a number of NSIPs have exceeded that forecast (i.e. SZC consolidated transport assessment) and the addition of Sea link traffic will exacerbate these impacts. Junction modelling and a review of the cumulative environmental impact of all projects may indicate additional mitigation is necessary. If	Socio-economics and Tourism Please see the Applicant's response to 3SERT2 regarding monitoring of impacts on tourism and the visitor economy within **Application Document 9.136 Applicant's Responses to Third Written Question.** The Applicant has also prepared **Application Document 9.120 Detailed Skills, Supply Chain and Employment Plan submitted at Deadline 6.** Please also refer to the Applicant's response to 3SERT1 in relation to the Skills, Supply Chain and Employment Plan within **Application Document 9.136 Applicant's Responses to Third Written Question**. Public Rights of Way The Applicant has committed to the series of additional mitigation measures requested by SCC which are now included in an update to Application Document 7.5.9.1 Outline Public Rights of Way Management Plan – Suffolk submitted at Deadline 6. With respect to other mitigation matters, please see the Applicant's position as set out in Appendix D of Application Document 9.136 Applicant's Responses to Third Written Questions. Working Hours The core working hours proposed are required in order to facilitate the delivery of this critical nationally important electricity transmission infrastructure. There are robust controls in management documents including in **Application Document 7.5.3 (C) Outline Construction Environmental Management Plan** [**REP5-068**] and **Application Document 9.83 (B) Outline Code of Construction Practice** [**REP4-232**] that mitigate the effects of construction activity, and there are restrictions on noisy works (namely percussive piling) and on HGV movements on weekends in any case. These measures, combined with the removal of bank holiday weekends, support the position that the proposed core working hours (including weekends where necessary) are reasonable and justified. The Applicant has aligned the working hours for Works 1A and 1B (which largely align with the works being undertaken pursuant to the extant SPR East Anglia TWO DCO at Friston, recognising that the works are numbered differently) to those secured in the SPR DCO.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			mitigation is identified by further study, then it could be included as for the B1121 Benhall mitigation or alternatively a mechanism for monitoring to identify cumulative impacts secured as described above. A12/B1119 Junction: In SCC's view the additional Sea link traffic through this junction increases the risk of collisions whether or not used as a diversion route. The matter is complicated by the proposed residential development south of Saxmundham which is likely to have a greater impact. In these circumstances a proportional contribution to junction improvements would be suggested with a backstop of inclusion within the mechanism of managing unforeseen impacts through a contingent fund / agreement. Comments on the potential impacts of Sea link construction traffic on junctions on the A12 were detailed in Appendix A of [REP3-101]. *Public Health* Public Health considers that further mitigation is required in respect of significant interproject cumulative effects, particularly where the Sea Link proposals coincide temporally and geographically with other major energy and infrastructure developments in Suffolk. The interaction of construction activities across multiple projects has the potential to amplify pressures on community mental health and wellbeing through extended periods of elevated noise, traffic disruption, constrained access, workforce related activity, and progressive landscape change. Whilst the applicant has identified project specific measures, these do not sufficiently address the combined effects experienced by communities exposed to overlapping construction programmes, nor do they provide a mechanism to detect and respond to emerging cumulative wellbeing impacts. Public Health therefore maintains that additional mitigation, specifically, restricting core working hours to Monday–Friday 08:00–18:00 and Saturday 08:00–13:00 with no routine Sunday or Bank Holiday working, except by prior agreement with the relevant planning authority, alongside the requirement for a proportionate Mental Health and Wellbeing Monitoring Plan covering construction and operation remains necessary to manage cumulative risk. This should also include commitments to implement appropriate measures to	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			mitigate adverse effects where possible according to the results of monitoring. Another aspect which bolsters the necessity of a monitoring plan is potential adverse cumulative effects on vulnerable groups. The Applicant's consideration of vulnerable groups in the ES is minimal which SCC has previously criticised in Chapter 14 of [REP1-130]. In addition to those critiques, other vulnerable groups such as neurodiverse and SEND individuals do not appear to have received any consideration in the relevant parts of the ES such as [APP-060] and [APP-058]. SCC is aware that a new SEND school will open in close proximity to the B1121 and the Applicant's permanent access road2. Consideration of how this vulnerable group, as well as this specific receptor, will be affected is therefore essential. For instance, members of certain vulnerable groups may be more susceptible to noise and vibration effects and the effects of high levels of HGVs due to the different ways sensory inputs affect them. It is therefore vital that effects on all vulnerable groups are considered and robustly monitored in addition to potential mitigation measures being identified. Such a Monitoring Plan should set out a clear framework for identifying, tracking and responding to potential community mental health and wellbeing impacts associated with prolonged or overlapping construction activity. The Plan should operate throughout construction and into the early operational phase, recognising that cumulative pressures may persist beyond the construction period where communities have experienced extended disruption. It should establish clear governance arrangements, reporting routes and defined review points with the local authorities and health system partners to enable issues to be identified early and appropriate mitigation considered where necessary. Public Health considers that reliance solely on publicly available general practice or primary care activity data would be insufficient, as this would capture only those individuals who actively present to services and self-report mental health concerns. A more proportionate and robust approach would involve triangulating a range of information sources to provide a broader understanding of community wellbeing trends within the project area. This could include analysis of population health management data and primary care activity trends, monitoring of	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			referrals to social prescribing and community mental health services, and regular engagement with local primary care leads and community mental health teams to identify emerging patterns or service pressures. The Monitoring Plan should also include mechanisms to capture community experience directly. This may include periodic community wellbeing surveys or qualitative engagement exercises designed to understand lived experience of disruption and cumulative impacts, recognising that such methods should be carefully interpreted alongside service data to avoid response bias where views may be influenced by opposition to the Project rather than demonstrable mental health effects. In addition, clear and accessible routes should be provided for residents to raise wellbeing concerns associated with construction activity, with processes in place to record, categorise and escalate issues where patterns emerge. Regular reporting of monitoring findings to relevant local authority and health partnership forums would enable ongoing dialogue between the Applicant, local authorities and health stakeholders, and provide an opportunity to review whether additional mitigation or targeted community support measures may be required. Consideration should also be given to independent or academic input to support objective evaluation of emerging and cumulative impacts, drawing on relevant work undertaken locally by organisations such as Suffolk Mind (https://www.suffolkmind.org.uk/reports-and-accounts/) and University of Suffolk. Visitor Economy- The Sizewell C Tourism mitigation fund is a good example of an initiative acknowledging the adverse effect on a sector and taking proactive steps to work with affected businesses and their customer base on mitigating the effects of any disruption before they become an issue. *Employment, skills and education* SCC considers that further mitigation measures are required, as the Applicant has proposed no mitigation for cumulative skills, employment or education impacts. A Skills and Employment Plan (SEP) should be secured to manage cumulative skilled-labour shortages, workforce displacement and competition for labour. The plan would ensure that workforce numbers, skills and phasing are modelled clearly,	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			enabling Suffolk's constrained labour market to be managed in coordination with other major infrastructure projects in the region. This mitigation is necessary to manage labour-market effects identified in SCC's policy, relevant to the workforce impacts of the development. It should be secured through a DCO Requirement obligating the Applicant to prepare and deliver the SEP in consultation with SCC via the Regional Skills Coordination Function (RSCF). A Local Education and Training Strategy, embedded within the SEP, is required to mitigate cumulative pressure on Suffolk's FE, HE and private training providers, who will need to service multiple NSIPs concurrently. Coordinated planning is essential to avoid unmet demand for critical skills and ensure inclusive access for local residents. This is necessary to address identified cumulative effects on training capacity, relevant to the project's workforce needs. It should be secured as a mandatory SEP component within the DCO. A coordinated supply chain development programme is required to mitigate cumulative competition for local and regional contractors, inflationary price pressures and displacement of SMEs caused by overlapping NSIP procurement. Scenario-based assessment across hyper-local, local and regional geographies, reflecting low, medium and high participation, would ensure adequate capacity and resilience. This measure is necessary to address supply-chain displacement risks, relevant to the project's procurement impacts. It should be secured through a DCO requirement mandating a supply-chain strategy agreed with SCC. Finally, governance and monitoring through the RSCF is required to mitigate the risk of uncoordinated labour-market planning across overlapping NSIPs and to enable adaptive management as project timelines evolve. This is necessary to manage ongoing cumulative effects, relevant to the project's workforce and training footprint. It should be secured through the DCO by requiring Applicant participation in RSCF led governance. Suggested DCO Requirement Wording *No part of the authorised development may commence until a Skills and Employment Plan ("SEP") has been submitted to and approved in writing by the relevant local authority, following*	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			consultation with Suffolk County Council in its role operating the Regional Skills Coordination Function (RSCF). The SEP must demonstrate how it will mitigate cumulative effects on skilled labour availability, workforce displacement, training capacity, supply-chain resilience and accommodation pressures arising from the authorised development in combination with other nationally significant infrastructure projects. *The SEP must include:* *(a) a detailed workforce assessment for each phase of the authorised development, including workforce numbers, skill sets, role durations and the anticipated split between home-based and non-home-based labour, in order to mitigate cumulative skilled-labour shortages and workforce displacement;* *(b) a Local Education and Training Strategy prepared jointly with the RSCF, demonstrating how training pathways and provider capacity will be aligned with project needs to mitigate cumulative pressure on Suffolk's FE, HE and private training providers and to support inclusive access for local residents;* *(c) scenario-based cumulative workforce modelling, including a worst-case assessment consistent with Suffolk County Council's socio-economic guidance, to mitigate cumulative impacts on accommodation, transport, local services and availability of home-based labour;* *(d) a supply-chain development strategy identifying hyper-local, local and regional opportunities, with measures to support capacity-building and mitigate cumulative supply-chain displacement linked to overlapping NSIP procurement demands;* *(e) arrangements for ongoing information-sharing with the RSCF to enable adaptive management of cumulative labour-market, training and supply-chain impacts throughout the construction phase; and* *(f) monitoring and reporting arrangements, including performance indicators for local employment, apprenticeships, training delivery, supply-chain participation and socio-economic outcomes, to ensure enforceability and ongoing assessment of cumulative effects.* *The authorised development must be carried out in accordance with the approved SEP unless otherwise approved in writing by the relevant local*	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			authority following consultation with Suffolk County Council. *The undertaker must ensure that all contractors and sub-contractors involved in the authorised development comply with the approved SEP, including local employment, training and supply-chain obligations.* *The undertaker must participate in governance arrangements led by the RSCF to support coordinated labour market management, information-sharing and monitoring across nationally significant infrastructure projects in Suffolk.* *Visitor Economy* There is still concern that the cumulative effect of NSIPs will have a detrimental effect on aspects of the visitor economy. There is already considerable pressure on the accommodation sector (self-catering and private rental) as a result of Sizewell C. At the time of writing, 2000 workers are already onsite for Sizewell alone. Whilst there is some short-term benefits to be made for the accommodation sector and wider visitor economy, we need to ensure that we have a viable tourism economy once all NSIPs are complete. The sector has expressed concerns and the need to ensure that Suffolk still has a tourism economy which is attractive and accessible to visitors. Given the number of projects taking place over a relatively short period of time, it is inevitable that there will be some crossover, and it is important that the effects of all of them are taken into consideration. It would therefore be very difficult to consider them in isolation. One NSIP alone is likely to have some impact, to a greater to lesser degree. Multiple projects will definitely have a significant impact We need to consider the practical aspects of how the construction phase would impact the visitor experience in a number of areas. **Perception**- Is Suffolk likely to be viewed as a viable place for a short break or holiday? Word of mouth, particularly in an age of TripAdvisor and/or social media, can quicky lead to negative experiences and perceptions becoming widespread. Excess traffic and diversions create bad first impressions on arrival. Add to this excess noise,	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			road closures, visual blight during construction phase and afterwards) etc and Suffolk could acquire an image which would be problematic. This in turn has the potential to lead to people holidaying elsewhere or at the very least not returning in the short to medium term. **Practical effect on tourism businesses**- Roadworks, delays, road closures etc all pose issues for businesses. The visitor economy relies on shift workers as well as prompt deliveries of fresh food and other supplies. If these need to be accommodated, then they need to be planned for and mitigation measures need to be put in place to ensure that these can be overcome. **Timescale**. Whilst Suffolk welcomes visitors all-year round and is a popular out of season weekend and short break location, there is clearly a traditional "high season" of July- early September where visitor numbers are at their peak. Whilst we strive to have good public transport links, we need to acknowledge that the bulk of visitors will travel by car and so traffic will be heavier during the peak period. There needs to be a balance struck between accommodating visitors, while acknowledging the practical benefits of a construction project taking place when the weather is good. **Marketing and publicity** - If NSIPs are likely to happen, then there needs to be adequate notice given and the operators need to work with the sector to ensure that the messages convey the fact that Suffolk is still open for business and welcoming visitors. Sizewell C has a tourism mitigation fund, which is working with the sector to convey such messages. As part of this work, it is carrying out perception studies and collating baseline data on visitor numbers, spend etc across the district, in order to measure the effects on individual businesses, towns and the county as a whole. Organisations such as the Suffolk Coast Destination Management Organisation (DMO) and the Suffolk and Norfolk Local Visitor Economy Partnership (LVEP) will be useful sources of support and information. On a **wider economic point**, we also need to consider where the workforce and materials will be drawn from for this and other NSIP initiatives. Again, coming back to the point about the cumulative effect, we need to be mindful of how SeaLink will work alongside the other projects.	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			While we would obviously want to see the economic benefits for the Suffolk economy (and an appropriate sourcing tool might be something like the https://suffolksupplychain.co.uk/) we need to ensure that we are able to provide the labour and materials when required. If done effectively, then it will be a welcome boost for Suffolk businesses and employment figures. If materials and workforce are to be transported into Suffolk, then we need to return to the point about additional traffic on the county's roads and pressure on bedspaces. Whilst we welcome the economic and practical benefits of the Sealink scheme, we need to ensure that any potential disbenefits are considered and effectively mitigated against. *Public Rights of Way* Whilst no significant inter-project cumulative effects are identified within [APP-060], the assessment of several receptors rely on coordination with the promoters of cumulative developments, particularly Lion Link and EA1N/EA2, to avoid significant effects. Relevant receptors include S-P9 and S-P10 which are assessed to have potentially significant effects without coordinated measures between cumulative developments. SCC has criticised this approach given the reliance on third parties to avoid significant effects which may not be possible during project delivery should those parties not agree. SCC has criticised this approach as not representing a reasonable worst-case scenario (see A6.2 of [REP2-062]) due to the reasonable likelihood of coordination not occurring and lack of guarantee and monitoring of its effectiveness. SCC gave further detail of its position on this matter in response to the Applicant's answer to 1TT17 of ExQ1 [REP4-201] and reiterates the necessity of further mitigation measures detailed in table A6 and B3 of [REP2-062] and Chapter 11 of [REP1-130]. If direct mitigation is not feasible, then offsetting measures must be considered, examples of which were detailed in SCC's LIR [REP1-130] and in response to 2CEIntra1 and 2CEIntra3 of this document. Therefore, SCC considers further mitigation is necessary in the scenario where coordination does not avoid significant effects and robust monitoring is needed to determine whether effects are materially different to those reported in [APP-060]. *Landscape and Visual*	

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			SCC considers that the Applicant should have regard to the landscape proposals for SPR's and Lion Link' substations at Kiln Lane and for Lion Link's landscape proposals around the converter station sites at Saxmundham. Please see more detailed comments in SCC's Written post hearing submissions including written summaries of oral cases made at hearings the w/c 26 January 2026 - Issue Specific Hearing 2 (ISH2) [REP4-150]. SCC considers that the Applicant should actively seek to agree a masterplan at the Saxmundham site and to further enhance the proposals at Kiln Lane.	
			East Suffolk Council ESC has no further specific requests for mitigation measures for inter-project cumulative effects at this stage, but notes that it has requested further mitigation for individual topic areas, and these would also help to address significant inter-project cumulative effects. ESC is particularly concerned about inter-project cumulative effects on socio-economic receptors, and disagrees with the Applicant's conclusion of 'no significant inter-project cumulative effects'. To help to mitigate these, ESC's requests in individual topic areas include: - an Employment and Skills Plan (for example, see Section 7.8.9 of ESC's LIR [REP1-128] and ESC's response to Question 1SERT7. of ExQ1 [REP3-085]); - a Supply Chain Plan (Plan (for example, see Section 7.8.9 of ESC's LIR [REP1-128]); - reduced core working hours (for example, see Section 7.4.2 of ESC's LIR [REP1-128], and Sections D5.5.01 and D5.5.02 of ESC's updated PADSS submitted at Deadline 5); and - a commitment to ongoing monitoring and reporting of socio-economic conditions during the construction phase (for example, see Section 7.8.3 of ESC's LIR [REP1-128]). ESC is also concerned about cumulative noise impacts. To help mitigate these effects, ESC has requested: - improvements to the Outline Construction Noise and Vibration Management Plan to provide more detail with regards to Best Practicable Means (for example, see Appendix A to ESC's LIR [REP1-128]);	The Applicant notes the Council's position on the lack of availability of additional mitigation. The Applicant notes the Councils comments regarding the Outline Employment and Skills Plan and a Supply Chain Plan, In response the Applicant has prepared **Application Document 9.120 Detailed Skills, Supply Chain and Employment Plan submitted at Deadline 6.** The core working hours proposed are required in order to facilitate the delivery of this critical nationally important electricity transmission infrastructure. There are robust controls in management documents including in **Application Document 7.5.3 (C) Outline Construction Environmental Management Plan** [**REP5-068**] and **Application Document 9.83 (B) Outline Code of Construction Practice** [**REP4-232**] that mitigate the effects of construction activity, and there are restrictions on noisy works (namely percussive piling) and on HGV movements on weekends in any case. These measures, combined with the removal of bank holiday weekends, support the position that the proposed core working hours (including weekends where necessary) are reasonable and justified. The Applicant has aligned the working hours for Works 1A and 1B (which largely align with the works being undertaken pursuant to the extant SPR East Anglia TWO DCO at Friston, recognising that the works are numbered differently) to those secured in the SPR DCO. Please see the Applicant's response to 3SERT2 regarding monitoring of impacts on tourism and the visitor economy within **Application Document 9.136 Applicant's Responses to Third Written Questions.** The Applicant will continue to coordinate wherever possible with Scottish Power Renewables and National Grid Ventures to ensure opportunities to mitigate effect jointly are taken.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			- a commitment to Section 61 consents for all works in the Outline Construction Noise and Vibration Management Plan (for example, see ESC's response to ExQ1 Question 1NV8. [REP3-085] and to ExQ2 Question 2NV3. (this document); and - reduced core working hours (for example, see Section 7.4.2 of ESC's LIR [REP1-128]). ESC understands that the Applicant has agreed to preparing an Outline Employment and Skills Plan to be certified under the DCO, and a detailed version of this Plan should be added to the list of Management Plans to be approved through a discharge of Requirement 6. ESC continues to request a Supply Chain Plan, and suggests that this could be secured in the same way (that is, through preparation of an outline plan at this stage, and approval of a detailed Plan through a discharge of Requirement 6). A commitment to ongoing monitoring and reporting of socio-economic conditions could be secured through a REAC commitment. The reduction in core working hours should be achieved through an amendment to Requirement 7, removing Saturday afternoon, Sunday, and Bank Holiday working for all works. ESC also considers that coordination, particularly with SPR at the Friston substation site and with NGV's LionLink project at the converter station site, is an essential form of mitigation which would help to minimise inter-project cumulative effects. ESC urges the Applicant to coordinate with other projects in the District proactively. This should include the Applicant including the ability within their DCO to provide the ducting for the LionLink project, preventing successive disruption and environmental impacts at the Saxmundham converter station site. Notwithstanding ESC's above requests for further mitigation, where significant residual effects remain, ESC will expect adequate compensation and is in the process of engaging with the Applicant on this matter with a view to securing a Section 111 agreement.	
			Friston Parish Council and SASES Mitigation of inter-project cumulative effects – future connections to the National Grid substation including Lionlink and other projects listed in NESO's TEC register will require the expansion of the National Grid substation. A concern arose	The Applicant has undertaken a review of the additional information published be NGV for the LionLink in January 2026 and submitted this as Appendix C in **Application Document 9.108.1: Applicant's Response to January Hearing Action Points (CAH1 and ISH2) - Deadline 5 – Appendices [REP5-127].**

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			during the EA2 examination that permitted development rights might allow National Grid to expand its substation without seeking any form of planning consent. Given the environmental impacts of such expansion and the EXA's concerns about future development at the substations site (see extracts from their report highlighted in blue at the head of this submission), particularly landscape and flood risk, Requirement 44 Part 3 Schedule 1 was included in the EA2 DCO. National Grid has chosen to omit this requirement from the draft DCO. FPC also considers this issue is relevant to change 2 in CR1. The requirement is reproduced below. Such a requirement should be included in the draft DCO subject to any consequential amendments required. *Control of development during operational phase* ***44.**—(1) During the operation of and within operational land related to Work No. 30 and Work No. 41, any development in addition to that authorised in this Order that is permitted under Schedule 2 Part 15 Class B (d), (e) or (f) of the General Permitted Development Order 2015 ("electricity undertakings permitted development") or any equivalent successor provision is subject to the following conditions—* *(2) In respect of operational drainage—* *(a)No electricity undertakings permitted development may commence until an amendment to the operational drainage management plan approved pursuant to requirement 41 that includes provision for the replacement of any existing drainage measures to be removed and maintenance of any new drainage measures to be provided as part of the permitted development, has been submitted to and approved by the relevant lead local flood authority, in consultation with the relevant planning authority and the Environment Agency; and* *(b)The measures in the amendment to the operational drainage management plan in respect of the permitted development must be implemented as approved.* *(3) In respect of the provision, implementation and maintenance of landscaping—* *(a)No electricity undertakings permitted development may commence until an amendment to the written landscape management plan and associated work*	The Applicant has provided a response regarding the impossibility of undertaking any meaningful assessment with projects for which no information is available The Applicant does not consider that a requirement such as requirement 44 on the SPR DCOs is appropriate or necessary. No robust justification has been provided for why permitted development rights should not apply in the normal way. The Town and Country Planning (General Permitted Development)(England) Order 2015 is a piece of legislation that grants permitted development rights for works that are sufficiently minor and low impact as to not require a planning application. The legislation is updated regularly and undergoes significant scrutiny to ensure there are appropriate restrictions, exclusions and conditions so that works with greater scope of environmental impacts would require an application or submission of relevant details. The GPDO contains provisions explicitly written to apply to electricity undertakings, with consideration given specifically to requirements for the type of infrastructure being developed as part of Friston substation. Of course, these permitted development rights enable the efficient and economic progression of works to maintain and improve substations that is essential to National Grid. In this context, the Applicant does not agree that there is a justification for a requirement like 44 on the Sea Link DCO.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			programme approved pursuant to requirement 14 that includes provision for the replacement of any existing landscape measures to be removed and maintenance of any new landscape measures to be provided as part of the permitted development, has been submitted to and approved by the relevant planning authority; and *(b)The measures in the amendment to the written landscape management plan and associated work programme plan in respect of the permitted development must be implemented as approved.*	

14. Marine Physical Environment

Table 14.1 Marine physical environment

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2PE1.	ESC, MMO	**Pneumatic casing installation** The applicant's response to ExQ 1PE5 [REP2-034] explains that there are currently 'no plans' to use pneumatic casing as part of the trenchless technique installation method and its use has not been included in any noise modelling. However, paragraph 2.2.2 of the outline Cable Specification and Installation Plan (oCSIP) [REP4-090] references temporary casing as part of the installation methodology. Should use of pneumatic casing be excluded from the working methods secured in the dDCO/deemed marine licence (DML) or be subject to some form of control in the event that plans were to change and if not, why not?	**East Suffolk Council** ESC understands that the Applicant has *'no plans to use pneumatic casing as part of the trenchless technique installation method'* [REP2-034]. ESC notes that if a requirement similar to that proposed by ESC in response to ExQ2 Question 2GEN17. above was incorporated into the draft DCO, the Applicant would be required to submit a landfall construction method statement to the relevant planning authority for approval. Given that the use of pneumatic casing has not been included in the environmental assessments, including in noise modelling, ESC would not expect this to be included in a landfall construction method statement submitted to it for approval post-consent. If a change in circumstances necessitated its use, this could then be agreed (or otherwise) through a discharge of this Requirement, provided that the Applicant demonstrated to the satisfaction of the relevant planning authority that the subject matter of the approval or agreement sought will not give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement, as per Paragraph 1(4) of Schedule 3 to the draft DCO [REP4-217]. Therefore, ESC considers that an additional requirement for a landfall construction method statement to be submitted to the relevant planning authority for approval would provide control in the event that the Applicant's plans change and they wish to use pneumatic casing.	The Applicant reiterates that there are no plans to use pneumatic casing as part of the trenchless technique installation method for the Offshore Scheme as confirmed within Issue Specific Hearing 3. The Applicant confirms that it has already committed to submitting a HDD Landfall Method Statement prior to construction works in Suffolk as committed to within B59 of the REAC. This is also secured under Condition 4 of the dML submitted at Deadline 6 and requires approval from the Marine Management Organisation prior to construction as the competent authority for the marine environment in consultation with relevant SNCBs.
2PE3.	**Applicant** NE	**Appendix D4 – comments on baseline characterisation** NE's Appendix D4 [REP4-191] makes a number of comments regarding the need for robust characterisation of the baseline. The applicant should meet with NE to confirm the exact requirements for any outstanding assessment and either provide the updated assessment information or a technical note justifying why this is not necessary.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England would welcome the opportunity to discuss the baseline characterisation and impact assessment for the hoverport change request area in Pegwell Bay with the Applicant. Please also note that we have provided further comments on the	The Applicant confirms that the earliest availability from Natural England during Examination for a meeting on Marine Physical Processes is 14th April 2026.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			hoverport-intertidal access route in Appendix D5 to our Deadline 5 submission. And have set out in our R&I log at Deadline 5 how we believe that outstanding issues could be resolved.	The Applicant will discuss this issue with Natural England on the 14th April 2026.
2PE4.	NE	**Maximum design scenarios** The ExA notes NE's concerns [REP4-191] about the MDS for construction phase coastal and marine processes impacts as considered in the Marine Chapter 1 Physical Environment [REP4-027] and its advice that these impacts need to be quantified to inform assessment in the HRA [REP4-057]. Confirm if the applicant's updates to [REP4-027] address your concerns about the MDS. If not, advise what further detail is needed. Also confirm whether NE agrees with the applicant's conclusions of no AEoI of Sandwich Bay SAC, Thanet Coast SAC and Thanet Coast and Sandwich Bay SPA & Ramsar site in the HRA Report [REP4-057] for pathways arising from coastal and marine process impacts following the applicant's updates.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England welcomes the Applicant's updates to [REP4-027], [REP4-058] and other relevant documents at Deadline 4. We have reviewed these updates and signpost the ExA to our advice in Appendix D5 of our Deadline 5 submission. Natural England's concerns regarding marine physical processes relate primarily to impacts on intertidal/shallow subtidal mudflats and saltmarsh features which provide supporting habitat to Thanet Coast and Sandwich Bay SPA & Ramsar. We have outstanding concerns regarding the following: • Migration of the River Stour channel and Shell Ness towards the cable route • Potential risk of cable exposure and need for remedial works through lifetime of the Project • Potential blockage effects due to the presence of cofferdams in the intertidal • Disturbance of intertidal mud/sand flats due to movement of heavy construction plant/vehicles using hoverport access route • Potential release of contaminants from the hoverport site into coastal sediments/waters. • Lack of empirical evidence from previous cable installations to demonstrate recovery and associated timescale. • Potential cumulative impacts.	An update to REAC commitment MPE09, will be submitted by Deadline 6 alongside a bespoke Requirement in the DCO drafted by the Environment Agency. The Applicant can confirm the following has been agreed with the EA, *The River Stour Channel will be monitored throughout the operational life of the asset. Monitoring will be undertaken annually for the first five years following installation, after which the frequency and scope of monitoring will be reviewed in consultation with the Environment Agency.* *Monitoring will be undertaken using a proportionate, risk-based approach to identify any material change in channel position, morphology, or migration over time.* *A trigger for consultation with the Environment Agency will be 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 will be agreed with the EA and approved by the relevant discharge authority (MMO) prior to the undertaking of any remedial works; other consultees will likely include EA, NE and local planning authorities.* Requirement 18 has also been added to the DCO at Deadline 6. **Cofferdam/intertidal bed disturbance:** A modelling exercise was undertaken confirming current velocities at cofferdam location are too weak to mobilise sediments. Peak currents may reach 0.2 m/s which is insufficient to mobilise sand or mud fractions. The latest update to the ES chapter describes how sediment mobilised from perimeter of cofferdam would most likely settle within a relatively short distance (of the order of 100m). Though currents in Pegwell Bay are too weak to erode sediment on their own, the combined effects of episodic wave stirring and tidal

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				currents will encourage recovery of the seabed from temporary construction-related impacts without further intervention. Results also show that the maximum. increase in current speed at the saltmarsh edge will be less than 0.05m/s (i.e. less than natural variability due to wind/wave effects). The model also demonstrated that scour likely to be limited in extent to corners of the cofferdam. A Technical note detailing the above will be submitted at Deadline 6. **Release of contaminants:** The Thanet Extension project (Vattenfall Wind Power Ltd) identified the former Ramsgate Hoverport site as a potential source of contamination due to the presence of colliery spoil that was used to raise levels at the site, and due to the potential for historical fuel storage at the site. Information from the Thanet Extension Application (EN010084) indicates that the development boundary was kept away from the hoverport to prevent interactions with any contamination. Kent Onshore Chapter 5 Geology and Hydrogeology [APP-065] for the Proposed Project acknowledges that the hoverport represents a potential source of contamination but in the context that the hoverport site is only proposed for access and that there will be no ground disturbance from the Proposed Project, it has been concluded (in 9.76.5 Change Request: Addendum to Volume 6 Environmental Statement [CR1-055]) that it does not represent a likely significant effect. This is based on the presence of hardstanding across the hoverport, which overlies any made ground and potential sources of contamination. The Proposed Project is seeking to prevent any interactions with potential contamination through avoiding ground disturbance and conserving the existing overlying hardstanding barrier – and is committed to undertaking a Structural Integrity Assessment of the hardstanding at the hoverport to ensure it is suitable for the limited construction and maintenance access proposed. This has already been committed to at Deadline 4 within the highway condition surveys outlined in section 7.4.7 of Application Document 7.5.1.2 Outline Construction Traffic Management and Travel Plan – Kent updated at Deadline 6. Further mitigation such as the deployment of track matting will be used as appropriate. Maintaining the structural integrity of the hardstanding will prevent exposure of any potential sources of contamination (as well as protect vehicles) and therefore significant effects on the environment from contamination at the hoverport, as a result of the Proposed Project are considered unlikely. Given this, and the fact Application Document 6.6 (G) Habitats Regulations Assessment Report and the Environmental Statement already considers water quality impacts and the measures that will prevent

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				pollution (paragraphs 4.4.16 to 4.4.20), the HRA does not require updating. The Applicant confirms that it has included a new commitment 'The Applicant will prepare a hoverport condition monitoring plan post consent to monitor the condition of the hoverport during construction. This will include measures for identifying and managing any potential contamination risk and will be prepared in consultation with the EA, NE, KWT and TDC' which is secured within the 7.5.3 (C) Outline Onshore Construction Environmental Management Plan updated and submitted at Deadline 5. This is in new commitment W37.

15. Benthic Ecology

Table 15.1 Benthic ecology

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2BE3.	NE	**Thanet Coast SAC** The applicant has responded to NE's remarks in relation to the sensitivity of Thanet Coast SAC reef biotopes on page 58 of the updated Part 4 Marine Chapter 2 Benthic Ecology [REP4-029]. Is NE satisfied with this re-assessment with use of a medium sensitivity? If so, is NE content that the proposed development would not have any likely significant effects on the benthic aspects of Thanet Coast SAC?	**Natural England** Natural England draws your attention to Appendix E5 to our Deadline 5 submission where we confirm that the sensitivity of reef features of Thanet SAC has been updated, but we note there has been no update to the assessment therefore this remains unresolved on our Risks and Issues log.	The Applicant confirms that an update to the assessment has now been made in paragraph 2.9.38 of **Application Document 6.2.4.2 (F) Part 4 Marine Chapter 2 Benthic Ecology**, submitted at Deadline 6.
2BE4.	NE	**Seabed disturbance – Thanet Coast SAC** The ExA notes that you have raised concerns [REP3-118] about how the applicant has calculated the total area of intertidal seabed disturbance during construction and the potential for this to be underreported, in the context of potential LSE from temporary disturbance to Thanet Coast SAC. Noting that the applicant confirmed that the footprint of seabed disturbance does not intersect with the SAC qualifying features, the ExA requests clarification of your concerns and if these relate to suspended sediment concentration and sediment deposition, which have been separately assessed in the applicant's HRA?	**Natural England** Natural England is unclear where the reference to Thanet Coast SAC has come from. At point 2 of [REP3-118] we have advised that the total footprint of impact on the intertidal supporting habitats is unknown and that will have implications for the HRA for Thanet Coast and Sandwich Bay SPA/Ramsar. This advice remains unchanged.	The Applicant has provided significant additional information regarding the construction activities at Pegwell Bay and a further updated version was submitted at Deadline 4 [**Application Document 9.13 (C) Pegwell Bay Construction Method Technical Note REP4-229/REP4-230**]. In particular, this includes a new figure showing the Marine Limits of Deviation (LOD), the cable corridor in which the main construction activities occur, and the Order Limits, which extends beyond the LOD to allow access, plant movements and anchor placement only. No significant disturbance to benthic habitats occurs beyond the LOD. The Applicant has also now added additional information to the HRA [**Application Document 6.6 (H) Habitats Regulations Assessment Report**] to consider the impact of temporary disturbance to the mudflat in Pegwell Bay, which is a supporting habitat for prey availability for the Thanet Coast and Sandwich Bay SPA.
2BE5.	NE	**Potential effects from temporary disturbance on Thanet Coast SAC** The ExA notes that you have raised concerns [REP3-118] about how the applicant has calculated the total area of intertidal seabed disturbance during construction and the potential for this to be underreported, in the context of potential LSE from temporary disturbance to Thanet Coast SAC. Noting that the applicant confirmed that the footprint of	**Natural England** Natural England refer the ExA to the response above at 2BE4.	The Applicant notes this response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		seabed disturbance does not intersect with the SAC qualifying features [REP4-057], the ExA requests clarification of your concerns and if these relate to suspended sediment concentration and sediment deposition, which have been separately assessed in the applicant's HRA?		
2BE8.	NE MMO	**In principle monitoring plan for benthic** The applicant states [REP4-241] that given that no likely significant effects had been identified for benthic ecology, and there are no requirements for additional mitigation or any areas of uncertainty/data gaps, no specific offshore receptors have been identified at this stage that would require further monitoring. The applicant therefore considered that an outline in principle (IPMP) is not required for benthic ecology. Do you agree with these points made by the applicant? If not please explain why.	**Natural England** Natural England doesn't agree with Applicant in relation to the need for an Outline IPMP please see Point 3 of Appendix D5 and Point 31 of our Appendix E5 to our Deadline 5 submissions. In addition, monitoring requirements are highlighted throughout these Appendices.	The Applicant confirms that **Application Document 9.140 Outline In Principle Monitoring Plan** (oIPMP), proportionate to the Proposed Project, will be submitted at Deadline 6. This oIPMP will outline the approach to the following relevant topics and / or receptor groups based on the general guiding principles outlined above and recent DCO submissions, namely Five Estuaries and North Falls Offshore Wind Farms: • Marine Physical Environment; • Benthic and Intertidal Ecology; • Fish and Shellfish Ecology; • Marine Mammals; • Offshore Ornithology; • Commercial Fisheries; and • Marine Archaeology. Due to the unavailability of Natural England during Examination to attend a Thematic Meeting up to this point, the above document will be discussed with Natural England at their earliest availability, which they have confirmed as the 16th of April 2026. The Applicant, would however re-iterate that the need for an oIPMP should be dependent on the type of activity and associated impacts and not because the Project is applying for DCO consent as a Nationally Significant Infrastructure Project. The most recent offshore projects which have applied for DCO consent are Offshore Windfarms. The magnitude of impacts associated with Offshore Windfarms are very different to a bundled HVDC subsea cable such as is comprised in the Proposed Project in terms of construction footprint, volumes of sediment disturbance, noise profiles, vessel activity, permanent subsea infrastructure and programme. Recent Major UK Subsea Cable only projects consented though Marine Licences and DCO's, with a similar Project Description to the Proposed Project, where it was not considered necessary to submit an oIPMP prior to consent include: • Eastern Green Link 1;

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
				• Eastern Green Link 2; • Aquind; • Greenlink; and • Neuconnect.
2BE9.	**Applicant** MMO NE	**Benthic mitigation** Under BE05 and BE06 of the REAC [REP4-235] it is understood that where benthic habitats of principal importance are identified during pre-construction surveys and there is potential for an impact on these habitats, the applicant would prepare a Benthic Mitigation Plan and an IPMP. For NE and MMO: • These commitments state that these plans would be prepared in consultation with the MMO and Statutory Nature Conservation Body (SNCB) but does not require any agreement from MMO and/or a SNCB. Is such agreement on these plans necessary or would a consultation suffice? • If an IPMP records impacts worse than anticipated with the ES assessment, should there be a requirement for adaptive management, and how should this be secured? For the applicant: • Would further post-installation survey work be necessary as part of monitoring if an IPMP were considered necessary?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England advises that a final monitoring plan will need to be agreed with the MMO in consultation with relevant SNCB. And that pre-construction monitoring of potential areas of Section 41 NERC habitats will be required to inform the final cable route for the project, noting that mitigation measures are to avoid this priority habitats where possible and where this is not possible then every effort should be made to reduce the impacts. A pre-construction monitoring report detailing the findings and how that been taken into consideration in the Cable Specification and Installation Plan will need to be provided to the MMO 6 months prior to construction. This should be suitably secured through conditions within the DML. Furthermore, if Section 41 Habitats and Species are found then post installation surveys will be required to demonstrate either avoidance or that habitats have recovery where impacts where unavoidable. If impacts are found to be not as predicted in the ES, then there would be a requirement on the Applicant to undertake further monitoring and/or remediation. Similarly, it is also considered true for demonstrating that impacts from sandwave levelling and placement of cable protection i.e. that mitigation measures have been successful in avoiding impacts and ensuring sandwave recovery.	The Applicant confirms that this has been addressed by commitment BE05 in **Application Document 9.84 (D) Register of Environmental Actions and Commitments (REAC)**, submitted at Deadline 6. In addition to the above, the Applicant confirms that an Outline In-Principle Monitoring Plan (**Application Document 9.140**) has now been submitted into examination at Deadline 6, also securing the above. This document is listed under Condition 4 of the dML and requires MMO approval in consultation with Natural England prior to construction starting. *4.—(1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with Natural England, the JNCC, MCA, the Environment Agency, PLA, Trinity House and Cefas).* Both the Outline IPMP and CSIP are included in the dML under the above condition for submission to the MMO and are Certified Plans within the DCO which has been updated at Deadline 6. The Applicant also confirms that the Outline CSIP has also been updated at Deadline 6 with regards to pre-sweeping.
2BE10.	**Applicant** MMO NE	**Final cable route** Is it necessary for MMO and NE to agree on the final proposed cable route prior to installation, including areas of micro-routing where necessary? If so, how would this be secured?	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England As per our response to Question 2BE9, the MMO should agree the final cable route included within the final CSIP in consultation with Natural England. The cable route and CSIP should be informed by the pre-construction surveys and include mitigation	The Applicant confirms that this has been addressed by commitment BE05 in **Application Document 9.84 (D) Register of Environmental Actions and Commitments (REAC)**, submitted at Deadline 6.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			in the form of micro-siting around sensitive NERC habitats including *Sabellaria spinulosa* reef, littoral rock, coastal saltmarsh, peat and clay exposures, and subtidal chalk. The CSIP should be provided to the MMO no later than 6 months prior to construction.	In addition to the above, the Applicant confirms that an Outline In-Principle Monitoring Plan (**Application Document 9.140**) has now been submitted into examination at Deadline 6, also securing the above. This document is listed under Condition 4 of the dML and requires MMO approval in consultation with Natural England prior to construction starting.
2BE11.	NE MMO	**Baseline benthic surveys** Do the submitted subtidal and intertidal surveys submitted (including, for example, [APP-196] [APP-198], [AS-006], [APP-197]) by the applicant provide sufficient coverage at this stage for the assessment of impacts on benthic ecology?	**Natural England** Natural England advises that the baseline surveys are sufficient to characterise the potential biotopes present. However, uncertainty remains on the scale and significance of the impacts due to limited extent of data and no final project design parameters. Therefore, commitments to adopt appropriate mitigation measures to manage down environmental risk and commitments to undertake pre-construction monitoring is required at this stage.	Noted.
2BE12.	NE	**Kent landfall exit pits – Sandwich Bay SAC** Confirm if the applicant's clarifications about concrete mattresses or rock bags at the Kent landfall HDD exit pits have addressed your concerns about potential effects to the SAC from placement of cable protection. If not, explain what further evidence you consider is needed. Also, if the applicant commits to use of concrete mattresses or rock bags in the SAC, does this address NE's concerns as related to HRA?	**Natural England** Natural England has advised that our concerns in relation to Sandwich Bay SAC related to potential impacts to humid dune slacks, which were resolved at Deadline 3. Issue with the placement of cable protection on supporting habitats of the Thanet Coast and Sandwich Bay SPA and Ramsar and Sandwich Bay to Hacklinge Marshes SSSI remain. Please see Appendices D5 and E5 to our Deadline 5 submissions.	The Applicant confirms that an update to Condition 13 of the dML was provided in **Application Document 3.1 (H) draft Development Consent Order [REP5-005]** at Deadline 5. *13 (2) Unless otherwise agreed by the MMO in writing, no cable protection granted by the licence may be deployed within the Sandwich Bay Special Area of Conservation (SAC) after the construction period has ended and any cable protection to be installed outside of the Sandwich Bay SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction.*
2BE13.	NE **Applicant**	**Cable protection restriction in the Sandwich Bay SAC** MMO [REP4-126] have requested amendments to the wording of schedule 16, DML condition 13 in the dDCO [REP4-217] to prevent placement of cable protection in the SAC after the end of the construction period. **NE:** What is your opinion on this request from MMO? Do you advise that there could be LSE of the SAC in the absence of such a commitment? **Applicant:** What is your response to MMO's request for amendments? If your position is that such a restriction is not required, explain why with reference to relevant precedent.	**Applicant** **Natural England** Natural England and MMO agree, that further placement of scour prevention and cable protection within all benthic Marine (including coastal) Protected Areas (MPAs) beyond the construction phase would require a separate marine licence.	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]** The Applicant confirms that an update to Condition 13 of the dML was provided in **Application Document 3.1 (H) draft Development Consent Order [REP5-005]** at Deadline 5. *13 (2) Unless otherwise agreed by the MMO in writing, no cable protection granted by the licence may be deployed within the Sandwich Bay Special Area of Conservation (SAC) after the construction period has ended and any cable protection to be installed outside of the Sandwich Bay SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction.*

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2BE15.	NE	**Margate and Long Sands SAC** Confirm if you agree with the applicant's conclusion [REP4-057] of no AEoI of Margate and Long Sands SAC from the LSE pathway of suspended sediment concentrations and subsequent sediment deposition during construction. If not, explain your outstanding concerns.	**Natural England** Natural England can confirm that there is no impact pathway to Margate and Long Sands SAC.	Noted. Issue resolved.
2BE18.	NE	**Outline Cable Specification and Installation Plan [REP4-090]** The oCSIP [REP4-090] sets out the applicant's proposals for handling boulder clearance along the offshore cable route if needed. Advise if the proposed methods would be suitable for boulders cleared adjacent to the MCZ. If not, confirm what measures would be required and why.	**Natural England** Natural England draws the ExA attention to advice provided on the CSIP [REP4-090] in our Appendix E5 to our Deadline 5 submission.	The Applicant confirms that the Outline CSIP has been updated at both Deadline 5 and Deadline 6 following Natural England comments.
2BE19.	NE	**Implications for MCZ conservation objectives** The Risk and Issues Log ([REP4-197], E52 and E55) raises concerns about hindrance of the conservation objectives for various MCZ. The ExA understands that this is primarily about Goodwin Sands MCZ but notes that NE also refers to Thanet Coast and Kentish Knock East MCZs. Confirm if the applicant's response in [REP4-241] about the absence of direct effects due to distance between the sites/ protected features and offshore cable addresses NE's concerns about Thanet Coast and Kentish Knock East MCZs. If not, confirm which protected features and impact pathways NE remain concerned about. Provide any advice on mitigation that could be used to address these matters.	**Natural England** Natural England draws the ExA to our response provided in Appendix E5 to our Deadline 5 submission where we have highlighted that there is insufficient evidence to support the conclusions drawn in the MCZ assessment. In addition, we have provided further comment in this appendix and Appendix D5 in relation to indirect impacts to the MCZ and further information being required. Having had due regard to the comments made by the Applicant in REP4-241 we do not believe that the information included in this document is sufficient to address the concerns we have raised during examination and in our latest submissions.	The Applicant has made further updates to **Application Document 6.11 (E) Marine Conservation Zone Assessment** in response to NE comments in Appendix E5 (E5.16 and E5.18) and Appendix D5 (row 9) regarding the impact of cable protection, submitted at Deadline 6. This has considered the impact of cable protection generally for all MCZ sites and for Goodwin Sands MCZ and the Cross Ledge sandbanks specifically.

17. Marine Mammals

Table 17.1 Marine mammals

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2MM3.	NE, Joint Nature Conservation Committee (JNCC)	**Peak abundance and density estimates** NE's risk and issues log [REP4-197] requests further information from the applicant regarding the seasonality of the peak abundance and density estimates. The applicant provided further narrative on the implications of the use of the Winter SCANS 2025 harbour porpoise abundance data in Revision D of the HRA Report [REP4-057]. It concluded in response to 1MM7 [REP3-069] that the revised baseline did not change the overall outcomes of the assessment as the numbers estimated to be disturbed were still significantly lower than the threshold criteria for impacts to harbour porpoise SACs. Do the JNCC and NE agree with this conclusion?	**Natural England** Natural England is in agreement, and issue F8 is marked as resolved within the R&I log at Deadline 5. The impact alone assessment uses the correct worst case winter density figure and an outdated EDR for SBP as Worst Case Scenario (WCS). The outdated EDR is greater than the revised 2025 figure, so is therefore an overestimate. A disturbance impact area of 700km2 is predicted from underwater noise, equating to less than 2% of the Southern North Sea SAC, but it is not specified if this is for 1 day or across a season and 1146 harbour porpoise predicted to be impacted which represents less than 1% of the relevant MU population. We note there is nothing included for cable laying activities themselves. **Joint Nature Conservation Committee (JNCC)** With the Applicant now providing the updated baseline using the Winter SCANS 2025 density estimates and updating the assessment, JNCC agrees with the conclusion as outlined in Section 7.3.22 of Application Document 6.6 (E) Habitats and Regulations Assessment Report (pp108).	The Applicant confirms that the area of disturbance calculated is based on the total area disturbed, across all days of sub-bottom profiling activities. An update to this paragraph, to convert this to both a daily and a seasonal disturbance, has been made to **Application Document 6.6 (H) Habitats Regulations Assessment Report**, submitted at Deadline 6. The Applicant refers to paragraph 7.3.27 of the HRA which includes reference to cable lay activities themselves, the sound source for which is best described by the sound produced by a cable lay vessel operating under dynamic positioning, which has been assessed. However, to improve clarity the Applicant has made some updates to **Application Document 6.6 (H) Habitats Regulations Assessment Report** submitted at Deadline 6 (paragraph 7.3.29). The Applicant notes this comment and considers that this resolves the issue.
2MM4.	NE	**Underwater noise modelling** NE's concern regarding the underwater noise modelling [RR-3920] is unresolved in the DL4 risk and issues log [REP4-197]. The applicant in [REP2-014] confirmed that modelling used the standard NMFS/NOAA acoustic tools, as detailed in [REP4-031]. Can NE confirm whether this resolves its concerns, and if not do the concerns regarding modelling have implications for the HRA?	**Natural England** Natural England notes that there is a table with noise modelling results presented (4.20), however no details of the model or input parameters used for the modelling are included. We also note that there is mention of the NMFS User Spreadsheet Tool having been used. This tool is an Excel based spreadsheet and not an empirical model and Natural England do not consider it a robust substitute for empirical underwater noise modelling. We consider the EDR approach used in the HRA to be the most appropriate method of assessment with respect to designated sites, however it is not clear which activities have been assessed and as per our	In accordance with standard practice, the Applicant directs NE to paragraph 4.9.18 of the original submission of **Application Document 6.2.4.4 (A) Part 4 Marine Chapter 4 Marine Mammals [APP-077]** which states "Sound propagation calculations have been undertaken using the latest version of the NMFS spreadsheet, together with the NOAA guidance manual (available from Marine Mammal Acoustic Technical Guidance & Other Acoustic Tools | NOAA Fisheries5)." The Applicant notes NE opinion on the use of EDR in the HRA as the most appropriate method of assessment with respect to designated sites. The MDS activity associated with all phases of the Proposed Project, the operation of the sub-bottom profiler during geophysical surveys, is what has been assessed in terms of disturbance, using JNCC provided EDR ranges. There are no other

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			advice in Appendix F5, the in-combination assessment is not currently fit for purpose.	project activities associated with the Proposed Project, including the operation of vessels for cable lay installation activities for example, for which EDR values have been determined by JNCC, which reflects the significantly lower intensity of these non-impulsive sound sources. Underwater sound from UXO clearance required for the Proposed Project is not included in the DCO application and will be subject to a separate assessment and marine licence application post-consent.
2MM5.	JNCC	**Southern North Sea Special Area of Conservation (SNS SAC)** With regards to conservation objective 3, the applicant has calculated that <0.01% of that habitat of the SNS SAC could be affected by the proposed development and considers that the impact pathways relating to effects to prey species can be screened out in response to 1MM12 [REP4-083]. The MMO has also confirmed that further to consultation with the Centre for Environment, Fisheries and Aquaculture, it agrees with the applicant's conclusion of no likely significant effects. Further to this explanation, does the JNCC agree with the applicant's conclusions of no likely significant effects to harbour porpoise of the SNS SAC as a result of impacts to prey species?	**JNCC** We acknowledge the confirmation from the MMO in consultation with Cefas that they agree with the Applicant's conclusion. JNCC will provide a response in terms of these conclusions following the Applicant's submission of an update to the Habitats Regulations Assessment Report at Deadline 5 as outlined in REP4-083 (pp.145 1MM12). We note the Applicant states that more detail regarding the scale of impact has been added to paragraph 9.3.35 in Application Document 6.2.4.4 (G) Marine Chapter 4 Marine Mammals, submitted at Deadline 4, however this does not appear within the latest version.	The Applicant has now provided additional information in relation to the scale of impact pathways relating to prey species in paragraph 4.9.37 of **Application Document 6.2.4.4 (I) Environmental Statement Part 4 Marine Chapter 4 Marine Mammals**, submitted at Deadline 6.
2MM6.	JNCC	**Outline Marine Mammal Mitigation Plan (oMMMP)** The JNCC [RR-2635], [REP1-210] made several comments on the oMMMP. The applicant has made several revisions to the oMMMP, the most recent being [REP4-069]. Can the JNCC confirm whether it is satisfied with the revisions made?	**JNCC** JNCC confirm we are satisfied with the revisions to the oMMMP (REP4-069) and provide the following advice in response to the updated plan. • We welcome the Applicant's reference to obtaining a separate license for UXO detonation (if required) in Section 1.4.1 of the oMMMP and are satisfied with this approach. We are content that the final MMMP will be updated with mitigation for this activity following JNCC guidance at the relevant time. • JNCC reiterates our previous comments regarding the Applicant's use of noise management guidance in harbour porpoise SACs (JNCC 2020 and 2025). While the latest oMMMP (REP4-069) lists the guidance in Section 1.5.2, we highlight the need for the final mitigation plan to reflect the most up to date information on other activities occurring in the site at the same time. Additionally, we expect developer liaison via the MMO	Updates, and a correction, to **Application Document 7.5.11 (D) Outline Marine Mammal Mitigation Plan** (oMMMP) has been made for submission at Deadline 6, to ensure that requirements post-consent are captured and referencing error has been corrected. The updates are as follows: • Noted. • The oMMMP has now made reference to a requirement to consider any updated guidance, in relation to the Southern North Sea SAC, that may be available at the time the final MMMP is produced (see paragraph 1.5.3). • It is understood that an HRA will be required should any UXO clearance be required within the Southern North Sea SAC and reference to this has been made in paragraph 1.9.4; and • The reference citation for the Joint Position for UXO has been corrected to 2025.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			coordination groups to prevent seasonal disturbance thresholds being breached. We note that our comments regarding this guidance and proposed measures for red throated divers do not appear to have been addressed in any resubmitted documents. • Within the oMMMP the Applicant states that specific measures in relation to UXO detonation will be updated when the EPS licence application is made (Section 1.10.2, pp.13). We highlight that a separate HRA will also be required if UXOs identified for detonation are located within the SNS SAC. In addition, Section 1.10.2 states "…..since current guidance to minimise harm to marine mammals has recently been updated and was out for comment in draft form at the time of writing." We highlight the JNCC guidance to reduce the risk of injury during UXO clearance was published in January 2025 and can be accessed via our resource hub. • Please note the UXO Joint Position Statement in Table 1.1 is incorrectly referenced as HM Government, 2026; this statement was published in January 2025.	
2MM7.	JNCC	**Collision risk** Further to the applicant's response in table 3.8 of [REP2-016] is the JNCC satisfied that compliance with International Regulations for Preventing Collisions at Sea 1972 (International Maritime Organisation, 1972) is sufficient to ensure slow vessel speeds and reach a conclusion of no likely significant effects to marine mammals for vessel collision risk?	**JNCC** JNCC are satisfied that the Applicant's commitment to comply with International Regulations for Preventing Collisions at Sea 1972 (International Maritime Organisation 1972) is sufficient to ensure slow vessel speeds and reach a conclusion of no likely significant effects to marine mammals for vessel collision risk. We note that this is now included within paragraph 4.9.42 (REP4-032) and within the updated oMMMP.	Noted. Issue resolved.
2MM9.	NE	**Updates to risks and issues log** The applicant has provided updates at previous deadlines including to ES Part 4 Chapter 4 Marine Mammals [REP4-031] in response to NE's comments. Provide an update to the risks and issues log for marine mammals indicating whether the issues have been resolved and if so reference the document that has resolved them.	**Natural England** Please see Natural England's Updated Risk and Issue Log submitted at Deadline 5.	The Applicant can confirm that the latest NE Risk & Issues Log submitted at Deadline 5 has been reviewed. However, as requested by Natural England during the Marine Ornithology meeting held 01 April 2026, the Applicant has not made any updates to the D5 version of the R&I.

18. Marine Ornithology

Table 18.1 Marine ornithology

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2MO1.	**Applicant** NE	**Red-throated diver (RTD) displacement** **Applicant:** The applicant confirmed in table 3.1 [REP4-085] that a quantification exercise is underway to assess the implications of vessel movements on RTD of the Outer Thames Estuary SPA. Submit the quantification exercise at DL5. The exercise should interpret findings against conservation objectives, as requested by NE (table 1, [REP4-193]). **NE:** Comment on any progress with assessments.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England will address this question once further assessment of vessel impacts on Red Throated Divers are submitted into examination.	The Applicant responded to this question in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**: *In their Deadline 4 submission **[REP4-193],** Natural England specifically requested that the Applicant calculate the proportion of 'bird (Red-throated Diver) days' lost, based on the methods set out in Reach et al. (2013). Natural England have been unable to provide a copy of the method and it is not publicly available, so the Applicant is trying to source a copy from the original authors. Once the Applicant has sourced a copy of the method specified by Natural England then the Applicant will update **Application Document 6.2.4.5 Part 4 Marine Chapter 5 Marine Ornithology** and **Application Document 6.6 (D) Habitats Regulations Assessment Report** for submission at Deadline 6.* Following the call with Natural England on 01/04/2026, the Applicant confirms that PLGR has now been included within the Seasonal Restriction secured within Condition 11 of the dML. Further analysis of vessel impacts associated with these activities is therefore no longer required.
2MO2.	**Applicant** NE MMO	**Red-Throated Diver Protocol** **Applicant:** Should the RTD protocol be updated to: • Reflect the need to restrict non-emergency operational and maintenance activities to NE and the MMO for the full duration of the seasonal restriction? • Confirm mitigation for the decommissioning phase? **Other parties:** Comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England notes that Section 1.5.8 of the RTD protocol [APP-361] states that '*during operation and maintenance, and decommissioning, vessels will be required to follow the same mitigation and best practice measures as during construction*'. Therefore, it is assumed that non-emergency O&M activities and decommissioning will be subject to the full seasonal restriction unless otherwise agreed with the MMO in consultation with the relevant SNCB.	The Applicant confirms that **Application Document 7.8** has been updated at Deadline 6 following the meeting with Natural England on 01/04/2026. The RTD protocol already confirmed its applicability to routine repairs and maintenance at Deadline 5. This document is now secured under Condition 4 of the dML and as a Certified Plan.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			However, we advise that the text in section 1.5.8 is updated to confirm this and to clarify that the restricted period covers the full sensitive period i.e. 1st Nov to 31st March (not 1st Jan -31st March) and if essential/emergency work is required in this period consultation with MMO and NE is required as set out in in REP2-010, Table 2.38, G2. We also refer the ExA to our Appendix G4 provide at our Deadline 4 submission [REP4-193].	
2MO3.	NE **Applicant**	**2km buffer from Outer Thames Estuary SPA** **NE:** Noting that RTD numbers are likely to decrease substantially towards the boundary of the SPA, provide further justification for applying a 2km buffer for vessels outside the SPA as requested in [REP4-193]. **Applicant:** To comment.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England We refer the ExA to our Appendix G4 provided at our Deadline 4 submission [REP4-193] where further justification for the inclusion of a buffer is given, including relevant references to scientific papers. In summary, the 2km vessel transit buffer is to account for the range over which red-throated divers flush from vessels, noting that RTD numbers will not necessarily decrease towards the boundaries of the SPA. The 2km buffer is included to ensure the integrity of the SPA is protected in its entirety. Please see Annex 1 for a summary of the evidence to support the use of a 2km buffer.	The Applicant confirms that it has already committed to the 2km buffer around the Outer Thames Estuary SPA in the Red Throated Diver Protocol updated at Deadline 6.
2MO5.	**Applicant** NE KWT	**Disturbance to bird species foraging within Pegwell Bay** **Applicant:** Explain whether the estimates of the areas disturbed by construction activities within Pegwell Bay in the Maximum Design Scenario take into account disturbance due to noise and lighting effects in table 5.16 of Marine Chapter 5 [REP2-003]. Confirm whether table 5.16 accounts for use of bog matting within the intertidal area? Provide a comparison of the total area and percentage of foraging habitat that would be temporarily lost in Pegwell Bay during construction activities compared with the extent available. The ExA notes that the HRA still refers to 0.02km^2 disturbance when assessing effects on Thanet Coast and Sandwich Bay SPA and Ramsar, in contrast to [REP2-003] and [REP4-029] which use 0.072km^2. Taking into account any adjustments required by this question, provide	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Natural England Natural England is not content that indirect effects on Thanet Coast and Sandwich Bay SPA and Ramsar features has been fully considered against the conservation objectives of the designated sites. The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: • **the extent and distribution of the habitats of the qualifying features** • **the structure and function of the habitats of the qualifying features**	The Applicant re-iterates that there will be no loss of saltmarsh habitat. Also see response to 2BE4 above. The Applicant has provided significant additional information regarding the construction activities at Pegwell Bay and a further updated version was submitted at Deadline 4 (**Application Document 9.13 (C) Pegwell Bay Construction Method Technical Note [REP4-229]/[REP4-230]**). In particular, this includes a new figure showing the Marine Limits of Deviation (LOD), the cable corridor in which the main construction activities occur, and the Order Limits, which extends beyond the LOD to allow access, plant

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		an updated HRA [REP4-057] that reports consistent areas. **Other parties:** The MDS for temporary disturbance at Kent landfall, appears consistent with details in the Pegwell Bay Construction Method Technical Note [REP4-229], and concludes a minor and not significant effect. Are you satisfied that the correct area of intertidal seabed disturbance has been used as the basis for assessment of indirect effects to prey in the HRA? Also explain whether any additional mitigation is required to offset this effect.	• **the supporting processes on which the habitats of the qualifying features rely** • **the populations of each of the qualifying features** • **the distribution of qualifying features within the site** In addition, waders and wildfowl which use the area in winter and during the Spring and Autumn migrations are notified features of the Sandwich Bay to Hacklinge Marshes SSSI We draw the ExA to our Appendix J3A of our Deadline 3A submission where we raised concerns in relation to effective loss of supporting habitat (mudflat and saltmarsh) from the presence of infrastructure associated with landfall activities and disturbance from the presence of humans and movement of vehicles. Some of this will be temporary whilst present, but this doesn't mean this it is not significant. Some of these effects are likely to be medium to long term impacts from the compaction of sediment reducing infauna, and changes to extent and distribution of saltmarsh post installation. Mitigation measures to minimise the footprint and also the significance of the impacts on supporting habitats are required. Please see our response to Q2PE4 above which is also relevant here.	movements and anchor placement only. No significant disturbance to intertidal habitats occurs beyond the LOD. The Applicant has also now added additional information to the HRA submitted at Deadline 6 [**Application Document 6.6 (H) Habitats Regulations Assessment Report**] to consider the impact of temporary disturbance to the mudflat in Pegwell Bay, which is a supporting habitat for foraging qualifying birds of the Thanet Coast and Sandwich Bay SPA / Ramsar site.
			KWT KWT is not currently satisfied that it is clear the correct maximum area of intertidal seabed disturbance has been used as the basis for assessment of indirect effects on bird foraging resources within the Habitats Regulations Assessment (HRA). KWT has reviewed the Pegwell Bay Construction Method Technical Note [REP4-229] alongside the Marine Physical Environment chapter [REP4-027] and the Maximum Design Scenario (MDS) used to assess temporary disturbance associated with the Kent landfall. The Construction Method Technical Note describes several construction activities that would occur within the intertidal zone at Pegwell Bay, including establishment of a temporary working area around the HDD exit pits, excavation of the exit pits themselves, construction access across the mudflats from the former hoverport, installation of cofferdams, and subsequent duct installation and	The Applicant re-iterates that there will be no loss of saltmarsh habitat. Also see response to 2BE4 above. The Applicant has provided significant additional information regarding the construction activities at Pegwell Bay and a further updated version was submitted at Deadline 4 [**Application Document 9.13 (C) Pegwell Bay Construction Method Technical Note REP4-229/REP4-230**]. In particular, this includes a new figure showing the Marine Limits of Deviation (LOD), the cable corridor in which the main construction activities occur, and the Order Limits, which extends beyond the LOD to allow access, plant movements and anchor placement only. No significant disturbance to intertidal habitats occurs beyond the LOD. The Applicant has also now added additional information to the HRA submitted at Deadline 6 [**Application Document 6.6 (H) Habitats Regulations Assessment Report**] to consider the impact of temporary disturbance to the mudflat in Pegwell Bay, which is a

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			cable pull-in works. The Technical Note indicates that the temporary working area around the exit pits could extend to approximately 120m by 180m (approximately 21,600 m²) within the upper intertidal zone. Direct excavation of the HDD exit pits would affect a smaller area of approximately 200 m² of intertidal seabed. The Technical Note also indicates that duct pull-in operations may require the placement of rollers or similar infrastructure along the cable alignment within the intertidal zone. This infrastructure could extend up to approximately 1km seaward of the exit pits, within a corridor of approximately 10m wide, depending on the installation methodology adopted by the contractor. KWT notes that the direct excavation footprint of approximately 200 m² appears to be the primary seabed disturbance area referenced within the MDS in the Marine Physical Environment chapter. Whilst this represents the area of permanent excavation associated with the exit pits, it is substantially smaller than the wider temporary disturbance footprint described in the Construction Method Technical Note. The latter includes the temporary working area around the exit pits, construction access routes across the mudflats, and the potential corridor associated with duct pull-in infrastructure and plant movements within the intertidal zone. On this basis, it is not clear whether the MDS used to inform the HRA reflects the maximum realistic spatial extent of temporary intertidal disturbance during construction, including sediment disturbance and compaction associated with vehicle movements, temporary infrastructure and construction activities across the mudflats. Intertidal habitats within Pegwell Bay support benthic invertebrate communities that form an important foraging resource for qualifying bird species of the Thanet Coast and Sandwich Bay SPA and Ramsar, including the millions of birds that forage within the bay each year. Temporary disturbance to sediments, including excavation, vehicle movements or the placement of temporary infrastructure, has the potential to affect benthic communities and therefore prey availability for these species, even where disturbance is temporary. KWT also notes that construction activity within the intertidal zone has the potential to cause direct disturbance or displacement of foraging birds through the presence of plant, personnel and	supporting habitat for foraging qualifying birds of the Thanet Coast and Sandwich Bay SPA / Ramsar site.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			vehicle movements. Pegwell Bay supports internationally important numbers of wading birds and wildfowl which rely on the availability of intertidal feeding habitat during the non-breeding season. Disturbance or sediment compaction within areas used regularly for feeding could temporarily reduce the suitability of these areas for foraging. In addition, benthic invertebrate communities within intertidal mudflat habitats may take time to recover following disturbance, particularly where sediment structure has been altered or compacted. Even where disturbance is temporary, the recovery of foraging resources may not be immediate, which could influence the availability of feeding habitat for SPA bird species during the construction period. KWT therefore considers that it would be helpful for the Applicant to clarify that the maximum spatial extent of temporary intertidal disturbance, including the HDD working area, access routes across the mudflats and any temporary infrastructure associated with duct pull-in and cable installation, has been appropriately incorporated within the MDS used to assess indirect effects on foraging resources in the HRA, including the anticipated frequency and duration of use of access routes, the number and type of vehicle movements across the intertidal zone, and the extent and duration of any temporary infrastructure placed within the mudflat environment. This would provide greater confidence that the conclusion of a minor and not significant effect represents a realistic worst-case scenario and that there is no reasonable scientific doubt as to the absence of adverse effects on the integrity of the Thanet Coast and Sandwich Bay SPA and Ramsar site.	

20. Shipping and Navigation

Table 20.1 Shipping and navigation

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2SN4.	**Applicant**, Maritime and Coastguard Agency (MCA), Port of London Authority, London Gateway Port Ltd, HHA, and other relevant stakeholders	**Vessel management plan (VMP)** Following the submission of the updated oNIP [REP4-075], provide an update as to whether a VMP is still required and if not explain why not.	**Applicant**	A response is provided in **Application Document 9.123 Applicant's Responses to Second Written Questions [REP5-135]**
			Maritime and Coastguard Agency MCA It is our understanding that the oNIP [REP4-075] was submitted at the same deadline as MCA's response to the supplementary agenda additional question, in which we had detailed the areas MCA expected to be included within the NIP for it to be considered an acceptable equivalent for a Vessel Management Plan (VMP). The applicant has therefore not had time to incorporate all of our feedback. We have reviewed the current document, and we note that the applicant has added in some additional areas like North Shipwash, KP55-66 as IMO Routeing Measures AoI. However, there are still areas which were detailed in our previous response which we would like the applicant to include: 1) The area next to SUNK DW anchorage to start from KP33 and extend all the way to KP70. This is to capture how the work will be managed closer to the anchorage; 2) West of LSH (KP66-70) where there have been frequent transits of dredging vessels; and 3) We would also recommend the NIP includes the area next to Goodwin Knoll (KP105-115) to capture the interactions with traffic coming in and out of Ramsgate. We have noticed some minor inconsistencies in Section 3.10 Safety Zones and 3.11 Exclusion Zones which the MCA has explained directly with the applicant to be addressed in the next update.	The Applicant notes that the MCA requests additional areas for the NIP AOI. Please see the Applicant's response at Reference 91 in Table 10.2 of **Application Document 9.121 Applicant's Comments on Other Submissions Received at Deadline 4 [REP5-132]**. Regarding the further oNIP edits suggested by the MCA directly with the Applicant via email on 3 March 2026, the Applicant notes these and will address them in **Application Document 9.12 (C) Outline Navigation and Installation Plan**, submitted at Deadline 6.
			London Gateway Port Limited In response to question 2SN4, we refer to LGPL's comments on ExQ1 1SN17 as set out in LGPL's	The Applicant notes this response.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			Deadline 3 submission [REP4-188], where we explained that, in LGPL's view, matters addressed by the Vessel Management Plan could appropriately be included within the Navigation Installation Plan. However, LGPL does not have a strong preference on this point and would not object if the Vessel Management Plan were a separate document.	
			Port of London Authority In the MCA's written response [REP4-164] they have noted that the oNIP may be suitable and negate the requirement for an additional VMP if their additional areas of interest are added. The PLA notes that it would appear that the deadline 4 version of the oNIP now includes these areas and the MCA will comment on whether this overcomes their concerns, however the PLA still has concerns about the suitability of the NIP to effectively cover vessel operation movements and communications. The Five Estuaries oNIP (para 4.2.4) contains a statement on notification of planned activities which includes a commitment to provide a process flow chart in agreement with the interested parties detailing how activities within the area of interest will be managed and what notifications will be required etc in advance of project vessel activities. There is also an optional requirement for RAM vessels to carry a pilot to provide local information and communicate directly with Sunk VTS and pilot launches during RAM vessel activities. The Sea Link oNIP now contains a similar requirement for a process flow chart, but only refers to agreement how activities within the five AOI will be notified to stakeholders, but not agreement on how they will be managed. This is definitely an improvement, but there is a subtle difference in the wording which is not acceptable to the PLA.	The Applicant notes the PLA's comments on the oNIP, and has addressed these in **Application Document 9.12 (C) Outline Navigation and Installation Plan**, submitted at Deadline 6.
2SN5.	MCA, United Kingdom Hydrographic Office (UKHO)	**Force majeure** Considering Trinity House comments on the dDCO [REP4-205] in relation to 'force majeure', MCA and UKHO to provide comments on whether they consider that they should be within scope of condition 9(1) of the dDCO.	**MCA** The MCA agrees with Trinity House that both the MCA and the UK Hydrographic Office must be notified if the project deposits any part of the authorised deposits within or outside of the order limits because the safety of human life and/or of the vessel is threatened. Further risk mitigation measures may be required such as the issue of Maritime Safety Information by the UKHO and broadcast by HM Coastguard.	This is noted by the Applicant and has been reviewed and addressed for Deadline 6 noting that Condition 8 has been updated at Deadline 6 following MMO feedback.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			In addition, the applicant should consider linking this condition with condition 8 (8) regarding the dropped objects procedure: - "*Force majeure 9.—* *(1) If, due to stress of weather or any other cause the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life and/or of the vessel is threatened, within 48 hours full details of the circumstances of the deposit must be notified to the MMO in the manner provided in condition 8 (8).* *(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO"*	

21. Commercial Fisheries

Table 21.1 Commercial fisheries

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
2CF4.	Relevant stakeholders including National Federation of Fishermen's Organisations (NFFO), Felixstowe Ferry Fishermen's Association, Thanet Fishermen's Association (TFA), Kent and Essex Inshore Fisheries and Conservation Authority (KEIFCA), Whitstable Fishermen's Association (WFA), EIFCA, Southwold Fishermen's Group (SWG)	**Updated comments** Provide comments on the updated version of ES Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009] and ES Appendix Commercial Fisheries Technical Report [REP1-007] and the applicant's responses to selected representations in [REP2-022] table 6.14. Include in your comments consideration of the adequacy of the baseline data gathering and forecast methods, adequacy of the assessment of potential effects and adequacy of the proposed mitigation or compensation measures.	**Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)** The question asked for comment on the following: *- Adequacy of baseline data gathering and forecast methods* The data gathered for baseline fishing activity appears adequate, including both available landings/activity data (MMO, VMS, AIS, IFCA) and direct consultation with fishermen from a variety of fishing associations. This consultation likely helps to compensate for the lack of representation of under 10m vessels in much of the available data. Whilst the data are primarily presented at a larger scale (e.g. ICES rectangle or the applicants study area), there are no clear inconsistencies with what we know to be occurring in the relevant portion of the Eastern IFCA district. Furthermore, the applicants consultation with fishermen was able to identify finer scale areas for specific gear types. The forecast methods used rely on the current and recent fishing trends, assuming they would continue to follow these trends in the absence of development. This is a reasonable approach, and potential influential factors such as Brexit and COVID-19 have been taken into account. A dynamic approach is advised to consider significant changes to fishing activity during the assessment process and throughout the projects various phases. *- Adequacy of assessment of potential effects* The potential impacts scoped into the assessment cover the key concerns raised in our previous written representation. These appear to have been assessed adequately with consideration to local fishermen and different gear/methods. It is agreed that, with the embedded measures and mitigation, significant effect to fisheries are likely to be minor. It should be noted that some individual fishermen are more likely to be impacted based on their location, vessel size, fishing grounds and financial/practical resilience to these impacts. Whilst this has been	This is noted by the Applicant.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
			touched on in the Environmental Statement, the importance of individual fishermen should be emphasized as well as the fisheries as a whole. - *Adequacy of proposed mitigation and compensation methods* The embedded measures and mitigation are in line with what was requested in our written representation, including procedures to minimise impacts to fishing activity and gear, and appropriate measures to ensure active and continuous communication with fishermen and other sea users. Included in the list of mitigation measures is the development of procedure for loss of/damage to fishing gear, it is important that this is developed in collaboration with stakeholders and Eastern IFCA request to continue to be consulted on this. The additional mitigation proposed to reduce the significance of impacts include development of a Fisheries Co-existence Liaison Plan, agreement of the detailed nature of compensation post-consent, methods for engaging with the fisheries sector on cable design and post-instalment monitoring. Concerns in relation to compensatory measures were included in our written representation; indirect impacts of monetary payments to fishermen should be carefully considered. Aside from this, the measures proposed cover our key concerns and we have no further suggestions at this time.	
2CF5.	Relevant stakeholders including NFFO, FFA, TFA, KEIFCA, WFA, EIFCA, SWG	**Outline Fisheries Co-Existence and Liaison Plan (FCLP)** Provide comments on the oFCLP [REP4-081].	**Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)** The outline FCLP provides a clear overview of the approach to engagement with fisheries stakeholders, including appointment of a Fisheries Liaison Officer and Offshore Fisheries Liaison Officer. It is clear what these officers will be responsible for. Understanding of the importance of effective communication with fishermen is evident. From this outline FCLP, the level of engagement proposed appears appropriate. As mentioned above, plans to develop compensation measures should be done with collaboration with the industry and with consideration of indirect effects.	This is noted by the Applicant.
2CF7.	Relevant stakeholders including NFFO, FFA, TFA, KEIFCA, WFA, EIFCA, SWG	**Cumulative effects** Consider whether the applicant's assessment of cumulative effects with other developments on commercial fisheries is adequate in table 11.24 [REP1A-011]. If you consider that it is not adequate, explain what additional information or assessment is required. Do you	**Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA)** Reasonable considerations have been made to the cumulative effects with other developments. It is important that impacts of the increasing number of developments on fishermen is fully understood. For example, one section of the assessment mentions	This is noted by the Applicant.

Reference	Question to:	Question	Response from Interested Party or Affected Person	Applicant's Comments
		consider that additional mitigation is required, if so what mitigation measures are sought?	that there is potential for moderate significant effect if exclusion zones from different developments are implemented at the same time and in close proximity. It should also be considered that an increasing frequency and area of temporary losses to fishing grounds or disruptions may take a cumulative toll on fishermen even if they occur at different times/locations within an area. Communication and collaboration between developers with input from fishermen is important to mitigate cumulative effects as much as practicable.	
2CF8.	Relevant stakeholders including KEIFCA	**Cockle harvesting** Explain if you consider that the potential effects in relation cockle harvesting in Pegwell Bay have been adequately assessed and mitigated in terms of disturbance of cockles and the impact on the fishery and potting and netting activities. If not, specify what additional information is required.		The Applicant is not aware that any stakeholders responded to this question.

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