



**SEAS RESPONSE to APPLICANTS'S
D5 SUBMISSIONS, ISH3, ACTION POINTS and ExQ3**

CUMULATIVE IMPACT

PINS Ref: EN020026
DEADLINE 6: APRIL 13, 2026

SEAS IP: [REDACTED]
Date: 13 April 2026

Introduction

1. This submission addresses the continued deficiencies in the Applicant's cumulative impact assessment, having regard to the Applicant's Deadline 5 submissions, ISH3, the Action Points from ISH3 and ExQ3.
2. SEAS' position remains that the Application is not supported by a lawful or policy-compliant cumulative impact assessment. Acceptance of the Application for Examination does not as the Applicant claims constitute any finding that the Environmental Statement is legally adequate or policy-compliant; these are matters for the Examination. The Environmental Statement does not demonstrate, on the evidence provided, a coherent, project-wide assessment of cumulative effects, instead relying on fragmented topic-based assessments, inconsistent project lists, and undefined mitigation only secured through outline plans such as the REAC (REP5-115).
3. A lawful cumulative assessment requires a consistent and clearly defined set of other developments to be assessed across all environmental topics. The Application does not achieve this. Different environmental topics appear to apply different screening criteria, include different projects, and assume different temporal overlaps. As a result, there is no single, coherent cumulative scenario being assessed, and the combined effects of the Proposed Development with other major infrastructure projects in the area are likely to be materially understated.
4. The Applicant has responded to the Examining Authority's Second Written Questions (PD-021) in REP5-135 and REP5-136, and to the ISH2 Action Points (EV6-033) in REP5-126 and REP5-127. However, neither set of submissions provides the comprehensive cumulative assessment sought by the Examining Authority.
5. This position is reinforced by ExQ3 (PD-023) and Action Points arising from ISH3, which indicate that aspects of cumulative effects, their assessment and the application of the mitigation hierarchy remain under active examination.

6. The Examining Authority has sought confirmation as to whether the mitigation hierarchy has been fully applied. This reflects the absence of a coherent, integrated cumulative impact assessment across receptors, geography and time. In these circumstances, the Applicant cannot demonstrate that residual impacts are unavoidable, nor that mitigation is effective. This has direct implications for the application of Critical National Priority policy under EN-1.
7. At this stage of the Examination, there is not sufficient evidence to conclude that cumulative impacts are understood or that mitigation is effective.

Failure to demonstrate mitigation hierarchy

8. The application of the mitigation hierarchy requires a clear understanding of likely significant effects. In this case, however, the cumulative assessment remains incomplete and fragmented. As a result, the Applicant has not demonstrated that impacts have been properly avoided, reduced or mitigated. This is consistent with the Examining Authority's request for confirmation as to whether the mitigation hierarchy has been fully applied.

No integrated cumulative assessment has been provided

9. The Applicant continues to rely on:
 - application-stage material (e.g. APP-060),
 - cross-referenced documents (e.g. REP5-029),
 - and discipline-specific updates (e.g. REP5-137; REP5-138).
10. REP5-135 and REP5-136 respond to intra- and inter-project cumulative effects within individual environmental topics. However, they do not provide a single, integrated cumulative assessment across receptors, geography and time. Accordingly, the Application does not present a coherent assessment of how effects combine across topics.
11. No Deadline 5 submission provides a holistic cumulative assessment across receptors, geography and time.

ExA requests for further cumulative assessment have not been met

12. The ExA has sought further cumulative assessment, including:
 - Cumulative traffic issues were raised at ISH1 → addressed by the Applicant in REP1-110
 - ISH2 Action Points (EV6-033) → partial responses including (REP5-137) and (REP5-138)
 - ExQ2 → responses in (REP5-135) and (REP5-136)
 - Further questions in ExQ3 (PD-023), including in relation to Traffic and Transport and intra-project cumulative effects, indicating that these matters continue to be examined

13. These responses:

- address limited topics or subsets of schemes,
- rely on peak overlap assumptions,
- or provide additional topic-specific analysis only.

14. The Examining Authority has explicitly required further work to determine whether a sufficiently robust cumulative traffic assessment exists and whether impacts would be significant after mitigation. This confirms that, at this late stage of the Examination, the cumulative traffic assessment remains unresolved, including the need for junction modelling and assessment of seasonal traffic variations.

15. This is further reflected in the Examining Authority's ExQ3 (PD-023), which continues to examine how traffic impacts, including cumulative effects, are assessed.

16. No submission provides the comprehensive cumulative assessment requested by the ExA.

17. Key components of the cumulative assessment, including junction modelling and related analysis, remain outstanding and are only due to be submitted at Deadline 6. This is at a very late stage in the Examination and leaves insufficient opportunity for proper scrutiny. In these circumstances, the assessment cannot be regarded as complete or robust.

Continued under-scoping of cumulative projects

18. The Applicant continues to rely on a constrained project list (APP-060), and has not demonstrated that all relevant and foreseeable projects have been:

- identified,
- or incorporated into a cumulative framework.

19. REP5-029 (transport) and REP5-064 (CTMTP) indicate that cumulative considerations are:

- limited in scope, and
- not reflective of the full NSIP context affecting East Suffolk.

20. This remains inconsistent with SEAS submissions (e.g. REP3-140; REP4-153; REP5-148), which identify additional relevant and foreseeable projects not consistently included by the Applicant.

Reliance on deferral and outline documents

21. Deadline 5 submissions confirm that the Applicant continues to rely on:

- outline mitigation documents (e.g. REP5-064),
- REAC-based commitments (REP5-115),
- and post-consent approvals secured through the DCO (REP5-005).

22. REP5-064 explicitly confirms that key mitigation details “will remain to be developed... after consent”

23. This demonstrates that mitigation is:

- not fully defined,
- not assessed cumulatively,
- and dependent on future processes.

Mitigation is not assessable without a complete cumulative baseline

24. Even where cumulative effects are identified (including significant effects in REP5-136), mitigation:

- remains outline and non-specific,
- is not tied to defined outcomes,
- and is not tested against realistic cumulative scenarios.

25. Accordingly, the Examination is being asked to consider mitigation without a reliable cumulative assessment of the impacts it is intended to address.

26. This aligns with the Examining Authority’s requests, as reflected in PD-023 and the ISH3 Action Points, for further clarification of the application of the mitigation hierarchy and the treatment of residual significant effects.

Conclusion

27. The Applicant does not demonstrate compliance with:

- a. the EIA Regulations, or
- b. NPS EN-1 and EN-5 requirements for cumulative assessment.

28. Under NPS EN-1, the presumption in favour of Critical National Priority infrastructure applies only where the mitigation hierarchy has been demonstrated and residual impacts are understood. In this case, those conditions are not met. The Applicant has not demonstrated that cumulative impacts have been properly assessed, nor that mitigation is effective. Accordingly, the presumption in favour of consent cannot be relied upon.

29. The deficiencies identified in SEAS’ Relevant Representations (REP1-278), Written Representation (REP3-140), and subsequent submissions (including REP5-148 and REP5-205) remain unresolved.

30. The continued need for clarification and further information, as evidenced by PD-023 and the ISH3 Action Points, demonstrates that the cumulative impact assessment remains incomplete at a late stage in the Examination.

31. In the absence of a lawful and policy-compliant cumulative impact assessment, and in circumstances where the mitigation hierarchy has not been demonstrated, the application fails to meet the requirements of EN-1, EN-5 and the EIA Regulations. The Examining Authority does not have sufficient evidence to

conclude that impacts are acceptable or that mitigation is effective. On that basis, development consent should be refused.

Additional Point on Cumulative Impact and Coastal Erosion

32. SEAS has previously set out evidence in REP4-142 that we do not repeat here, concerning coastal conditions in the Thorpeness–Aldeburgh area. However, the evidence now available demonstrates that coastal conditions are changing materially faster than assumed in the Applicant’s assessment, calling into question the validity of the baseline used.
33. The recent examples of the rapid erosion of the Thorpeness Cliffs, ahead of expectations, and of buried infrastructure become unexpectedly exposed under extreme conditions, call into question the reliability of the Applicant’s mitigation measures based solely on design assumptions.
34. In a system already close to physical thresholds, the interaction of multiple HDD landfalls and cable installations within the same sediment system introduces uncertainty that has not been assessed on a cumulative or durational basis.
35. The absence of a robust, up-to-date and climate-informed assessment of coastal processes means it is not possible to conclude that impacts will be negligible or that mitigation measures, including burial depth and HDD design, will remain effective over the lifetime of the project.
36. ScottishPower Renewables is expected to commence HDD landfall drilling beneath Thorpeness cliffs in the next five months, within the Examination period. This represents a material, real-world test of the Applicant’s assumptions regarding the interaction between HDD works and coastal processes. The outcomes of those works are likely to be directly relevant to the assessment of cumulative effects, particularly in relation to sediment disturbance, burial stability and coastal change.
37. Accordingly, SEAS urges the Examining Authority to review any available evidence from those works, including through site observation, if at all possible, before reaching conclusions on cumulative coastal impacts and submitting its recommendation report. If such evidence is not available within the Examination timetable, this reinforces the existing uncertainty in the assessment and the need for a precautionary approach in decision-making.
38. To ensure that decisions are based as much as possible on up-to-date, empirical evidence, rather than untested modelling assumptions, if this HDD activity has not occurred in time for consideration, SEAS requests that the ExA should formally recommend that the Secretary of State undertakes the same review of evidence prior to issuing any Development Consent Order decision.

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