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Date: 29th April 2026



Via Electronic Submission

Dear Planning Inspectorate,

SEA LINK DEVELOPMENT CONSENT ORDER (DCO)

Thanet District Council Response to ExA draft DCO Schedule of changes and Deadline 6 Submissions

ExA draft DCO Schedule of Changes [PD-024]

Thanet District Council (TDC) has reviewed the Examining Authority's schedule of changes to the draft Development Consent Order (dDCO) and the proposed changes are welcomed. Should the development be granted, the positive changes proposed to the dDCO would allow direct Local Authority input into detailed design and appropriate mitigation, for example in relation to construction hours and built form.

Noise

Thanet District Council's Senior Environmental Health Practitioner has reviewed the schedule of ExA's recommended amendments to the Applicant's dDCO submitted at deadline 6 [REP6-004] and the Applicant's Operational Noise Levels - Technical Note [REP6-128] and makes the following comments:

Schedule 3 New dDCO Requirements: 20.A: New Operational Noise Requirement for Suffolk and Kent

- **Noise Limits:** While TDC acknowledges the Applicant's case for a 34 dB limit as the Lowest Observed Adverse Effect Level (LOAEL), TDC fully supports the ExA's more precautionary approach. At the Thanet Minster substation, a criterion of 5 dB below background sound levels should be secured. This approach appropriately weights the impact of noise in very low background environments. Furthermore, the Applicant's own assessment [AS-123, Table 1.6] demonstrates that this level is achievable with standard mitigation measures.
- **A-weighted and C-weighted Levels:** TDC welcomes the ExA's requirement that the difference between A-weighted and C-weighted sound levels be no greater than 10 dB. This is a proportionate measure to prevent excessive low-frequency noise.

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- Requirements 6 and 7: TDC welcomes the tighter controls on working hours in Requirement 7 and the removal of the word "substantially" from Requirement 6.

Construction Noise - Draft Section 61 Requirement and Article 49

- TDC is satisfied with the proposed approach and has no objections to the amendments.
- The revised oCNVMP wording submitted at Deadline 6 is agreed.
- The Section 61 framework under the Control of Pollution Act 1974 provides an appropriate mechanism for managing construction noise. TDC particularly welcomes the retention of full Local Authority discretion to review, vary, or modify applications as the project progresses.

Skills, Supply Chain and Employment Plan [REP6-101]

TDC welcomes the provision of a plan to form part of the Development Consent Order to assist in maximising the benefits of the proposal for Thanet residents if the works are approved. The Council has previously provided comments to the Applicant on a draft version of the plan, outlining the need for the East Kent Colleges Group to be an integral part of the plan to provide the local connection to apprenticeship access, whilst raising concerns that it is not clear how the project will translate to opportunities for Thanet residents directly (including providing for higher level apprenticeships), as opposed to a broader catchment across Kent and nationally. It remains a concern about how the plan will translate to increase local opportunities for young people, without current confirmation that primary contractors for the project, Siemens and Sumitomo Electric, have "requirements" through the plan or National Grid contracts (social value requirements) to engage with local training providers and established job matching services (Job Centre Plus etc). This is currently absent from the plan.

In addition, the Council requested that the plan include the establishment of a dedicated local delivery board with representatives from TDC, Kent County Council, the Applicant, the primary contractor, main training/education providers and recruitment matching services (membership to be agreed with the Council), in addition to annual strategic meetings outlined under in Section 7 (7.3.6), with regular meetings prior to and during construction. This would allow the themes suggested in section 6 to come forwards, whilst requiring the Applicant and contractors to report on each action and activity stated in the plan at 6.1 to be tabled for update/discussion on a regular basis. Therefore TDC supports the ExAs recommendation for the Skills, Supply Chain and Employment Plan to be submitted as an outline plan rather than a detailed plan and secure the approval of a final Skills, Supply Chain and Employment Plan through the DCO.

Pegwell Bay Construction Method Technical Note [REP6-104]

TDC is satisfied with the proposed pre-construction surveys of the stability of the hoverport hardstanding and condition monitoring plan post consent to monitor the condition of the hoverport during construction. TDC also therefore supports the addition of the proposed Requirement set out at 11.2 of the Rule 17 - Request for further Information [PD-025] within the DCO.

The matting has not been specified, therefore TDC cannot comment on the suitability of the "matting/tracking" to transfer load to stable ground.

The Applicant needs to ensure recovery of the mudflats in the intertidal zone from the HDD connection works. TDC maintains their opposition to the use of the mudflats via the hoverport.

It is important to restate that the potential instability of the hoverport has the potential to have an adverse effect on ecology (reptiles). This structural instability could lead to further degradation and there is a risk of contamination leaching into the environment through the hoverport without sufficient mitigation.

Environmental Statement Part 4 Marine Chapter 2 Benthic Ecology [REP6-028]

Paragraph 2.9.19

The document has been reviewed by TDC's Coast and Engineering Manager. The Officer considers that the Applicant's comments regarding plant vehicles having a Low Ground Pressure (LGP) highlights that the Applicant has not fully considered the environmental impact of 20 36t excavators traversing the mud flats.

"For example, the typical ground pressure for a 36-ton excavator on standard tracks is approximately 8-9 psi (pounds per square inch), which is lower than the pressure exerted by the average human, of 8 to 16 psi of ground pressure while standing. Thus, disturbance from the movement of LGP plant and vehicles will be limited to tracks and shallow indentations on the surface of the mudflat, which will be undetectable after a single, or at most, a few tidal cycles."

The motion of a human walking on sand is entirely different from a 36t tracked excavator, which will churn up the fine sediment with the force required to move the mass of the plant vehicle through the sand. With the vehicles tracking the same route to reduce wider impacts across the bay, this will have a compounded effect as the excavators dig deeper into the sediment.

In addition, TDC wishes to highlight that human activity is not permitted on the Pegwell NNR, therefore the comparison to human impacts is largely irrelevant.

Paragraph 2.9.44

Paragraph 9.144 (Additional Sediment Dispersion Modelling - Technical Note) states that sediment transport due to excavations on the sand foreshore will be minimal and very localised. Whilst TDC's Coast and Engineering Manager has not modelled sediment transport in Pegwell in any detail, they have modelled sediment nearby in Ramsgate which showed a much more mobile sediment transport system. This has been backed up with visual impacts during Spring tides combined with certain wind conditions causing significant sediment movements along the South Thanet coastline.

Outline Offshore Construction Environmental Management Plan [REP6-072]

In relation to REAC Number GM06, TDC considers that the qualification of an Environmental Clerk of Works (EnvCoW) will need to be ecologically sufficient and an Ecological Clerk of Works (ECoW) should be employed for the duration of the works.

Yours faithfully



Planning Applications Manager