



**Application by National Grid Electricity
Transmission (NGET) for an Order
Granting Development Consent for the
Sea Link Project.**

**East Suffolk Council – Final Principal Areas of
Disagreement Summary Statement (PADSS)**

Deadline 7 (29th April 2026)

Application Reference: EN020026

East Suffolk Council IP Reference: [REDACTED]

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Application by National Grid Electricity Transmission (NGET) for an Order Granting Development Consent for the Sea Link Project – East Suffolk Council’s Final Principal Areas of Disagreement Summary Statement (PADSS)

1. Introduction

- 1.1 East Suffolk Council (ESC) submitted a Principal Areas of Disagreement Summary Statement to the Planning Inspectorate’s Sea Link Case Team on 26th August 2025. This was in response to the Examining Authority’s (ExA’s) “procedural decision to request from each named local authority, Marine Management Organisation and the Environment Agency a principal areas of disagreement summary statement (PADSS)” in its letter issued under s89(3) of the Planning Act 2008, dated 8 July 2025 [[PD-005](#)].
- 1.2 ESC produced its PADSS using the sample table provided in Annex A of [[PD-005](#)], and in accordance with the additional requests from the ExA for the PADSS to address, for each area of disagreement:
- the principal issue in question;
 - a brief explanation of the concerns held by the party which they will report on in full in their Local Impact Report/ Written Representation;
 - on a without prejudice basis what, in that party’s view, needs to change/ be amended/ included so as to overcome the disagreement; and
 - in the opinion of that party, the likelihood of the concern being addressed during the examination stage.
- 1.3 The ExA has requested in the Examination timetable (Annex A to the Rule 8 Letter [[PD-013](#)]) that updated versions of PADSS are submitted at Deadline 3 and Deadline 5, and that a final version is submitted at Deadline 7. ESC therefore submitted an updated PADSS at Deadline 3 [[REP3-080](#)] and Deadline 5 [[REP5-184](#)]. This submission is a the final PADSS submitted at Deadline 7.
- 1.4 The ExA should be aware that throughout the previous iterations of the ESC PADSS, a number of the issues raised had fallen into a “to be confirmed” (TBC) category. ESC had previously noted that it had been proving difficult to collaborate with the Applicant on a meaningful level and, as a consequence, ESC did not at that time know whether it was “likely” or “unlikely” that resolution on a number of key issues can be achieved. Despite ESC’s best endeavours, it has now become apparent that the vast majority of matters in this PADSS are ‘not agreed’.
- 1.5 Matters that have been resolved in previous submitted versions of the ESC PADSS have been moved into Annex 1 to this submission.

2. Final Principal Areas of Disagreement Summary Statement (PADSS)

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Need Case				
D7.1.01	Need for the Project	<p>See Section 4 of ESC’s LIR [REP1-128].</p> <p>ESC is extremely concerned as to the timing of the delivery of Sea Link and its relationship with the timing of other Nationally Significant Infrastructure Projects (NSIPs) being delivered within the East Suffolk District, in light of the anticipated onshore impacts collectively introduced by these projects. The need case is predicated on the Sizewell Generation Group. However, Sizewell C is approximately 10 years away from generating power, Nautilus is no longer proposed to connect into Suffolk, and LionLink has been materially delayed as compared to the assumptions in the needs case and will be 6-7 years away from completion if and when consented. Given the completion timeframes of Sizewell C and LionLink, Sea Link is considered to be premature and, importantly, as a result has missed opportunities for real coordination with future projects.</p> <p>Further, should the identified projects not become operational at the times anticipated or not be</p>	<p>ESC and the Applicant fundamentally disagree on the need case presented for Sea Link. This was confirmed by the Applicant’s early dismissal of ESC’s concerns in its response to ESC’s LIR [REP2-027] and its response – or lack of response – to more recent representations. It was therefore apparent to ESC that it would be very unlikely that agreement would be reached on need case over the course of examination. This forecast has proven to be accurate, and the Applicant has strongly maintained its dismissal of ESC’s concerns. This matter is therefore not agreed.</p> <p>ESC fundamentally objects to this project given the impacts it will introduce on local communities, whether alone or cumulatively with other projects. Should the Secretary of State grant consent for the project, in light of the concerns raised, ESC will expect compensation to be agreed with the Applicant to offset the impacts and disruption introduced. This has been stated throughout ESC’s Relevant Representation (see section 6.12 of [RR-1420]) and its submissions into the Examination (including Section 7.7 of ESC’s Local Impact Report [REP1-128], sections D5.1.01 and D5.7.04 of ESC’s</p>	Not agreed.

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		<p>delivered at all, then it follows that this fundamentally changes the need for Sea Link.</p> <p>As stated, this is significant because project prematurity restricts opportunities for meaningful coordination with other projects looking to connect at Friston, such as LionLink, which only accentuates local concerns regarding cumulative impacts.</p> <p>It is the view of ESC that the Sea Link project is being unnecessarily fast-tracked, the promoter using the issue of funding constraints (with Ofgem Regulation and cost justification being cited) as its excuse for a worrying lack of co-ordination and genuine collaboration with LionLink. Sea Link is being delivered at pace due to the overarching ‘top-down’ need case narrative which appears to trump any and all local impacts being introduced.</p> <p>In the Applicant’s response to ESC’s LIR [REP2-027], NGET highlights that Sea Link is a Critical National Priority (CNP) project, being cited in National Policy and having the strong support of Government. NGET highlight <i>‘NPS EN-1 further states (at paragraph 3.3.63) that “Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible”’</i>.</p> <p>However, ESC notes that at ISH3, the ExA made it clear to the Applicant that it was not yet satisfied that CNP</p>	<p>Deadline 5 PADSS [REP5-184]), and it is expected that if consented, a legal agreement will be secured between ESC and NGET to secure the necessary compensation measures and community benefits. This is separate from the funding that would be provided in line with the published Guidance from the Department of Energy Security and Next Zero (DESNZ) on ‘Community funds for transmission infrastructure’, which sets out how DESNZ expects projects that have not yet commenced construction, which would include projects where work has not started on site for the full main works contract, to comply with this guidance.</p> <p>The wellbeing of East Suffolk’s local communities is ESC’s primary concern given the significant volume of NSIP works anticipated over the next decade within the East Suffolk District.</p>	

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		<p>is engaged based on Figure 2 within NPS EN-1. ESC notes that the Applicant subsequently provided [REP6-112] at Deadline 6. The ExA’s uncertainty at IHS3 reinforces the point made in ESC’s submissions that whilst the central thrust and purpose of the Energy NPSs is acknowledged, they cannot be blindly relied upon where sufficient evidence and need had not been demonstrated. This is particularly pertinent where the basis for a given project has shifted and changed, as is the case with Sea Link. ESC together with Suffolk Energy Action Solutions (SEAS) has drawn attention to the fact that the NESO Clean Power Report can no longer be relied upon by the Applicant, and that EN-1 can only “have effect” if there is a demonstrable need, which ESC considers is not the case for the Sea Link project.</p> <p>In addition, Sea Link’s lack of meaningful coordination with LionLink (as discussed in rows D7.10.01-D7.10.04 below) will only result in a far greater and longer duration of community and environmental impacts during the construction phases, in an area already experiencing material impacts.</p> <p>The timing and need case presented for this project must therefore be balanced against the significant disruption and local impacts the project is set to introduce on the local communities of East Suffolk in conjunction with other consented and proposed large scale infrastructure across the District. Further, the</p>		

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		<p>disruption that will be created must all be viewed in the context of both prematurity and a very questionable need case.</p>		
Landfall				
D7.2.01	Depth of cable burial at the Suffolk landfall	<p>One of ESC’s fundamental concerns is to ensure that there is no risk of cable exposure, over the lifetime of the project – and beyond if the cables remain in situ – because of the obvious danger to public health and safety as well as the negative impact that trying to re-bury and protect the cable would have on coastal geomorphology, namely the shingle beach barrier and the coastal protection that feature provides.</p> <p>ESC considers a burial depth of between 25m and 30m under present foreshore levels to be adequate for the long-term avoidance of cable exposure. ESC has come to this conclusion by using the Anglian Coastal Monitoring Programme’s topographic data records to calculate a plausible ‘worst-case scenario’ of beach loss over the Project’s lifespan. If 5m of vertical beach lowering occurred during an erosion event (as is evidenced historically) and this happened several times during the project’s 40-60 year lifespan, with poor beach recovery in the interim, then a 25m depth of lowering (DOL) could still afford adequate future coverage below the transgressive foreshore, that should not pose a future health and safety risk, or impede natural coastal processes.</p>	<p>ESC requires the Applicant to review the drafting of the DCO/REAC to secure a minimum depth of cable burial. As stated, ESC considers a burial depth of between 25m and 30m under present foreshore levels to be adequate for the long-term avoidance of cable exposure.</p> <p>ESC has provided wording for a DCO Requirement to secure the submission of a landfall construction method statement and landfall monitoring plan to ESC for approval post-consent in response to ExQ2 Question 2GEN17 [REP5-189].</p> <p>Whilst ESC has noted its preference for the Applicant to prepare an outline landfall construction method statement, and an outline landfall monitoring plan during this Examination, it is acknowledged that this is now unlikely given the stage of Examination. ESC therefore suggests the following Requirement wording:</p> <p><i>‘(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</i></p>	Not Agreed

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		<p>ESC considers that the shoreline is more dynamic than the Applicant has assessed and has empirical evidence of unprecedented coastal erosion adjacent to the cable landfall site at Thorpeness and therefore adopts a precautionary approach.</p> <p>Following review of the Applicant’s submitted commentary on ESC’s LIR [REP2-027], ESC understands that ‘the cable will be installed in ducts at 16-25m depth below the nearshore’ and ‘in ducts at 19-25m depth beneath the foreshore’. The Applicant also identified that ‘the conceptual HDD design drawing in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note [APP-321]...shows the proposed depths of cable installation’. However, following discussions with the Applicant on 16th April 2026, ESC now understands that the Applicant’s preferred landfall installation method is to use HDD, but at a minimum burial depth of 12m beneath the foreshore, shallower than the 19m – 25m indicated on the conceptual landfall design drawing in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note [APP-321] page 99.</p> <p>Notwithstanding ESC’s requests for a minimum cable burial depth of 25m to be secured in the DCO/REAC, ESC cannot see that this minimum depth of 12m is secured anywhere in the DCO or REAC.</p>	<p><i>relates to works seaward of mean high water springs, the Marine Management Organisation—</i></p> <p><i>(a) a landfall construction method statement for the construction of that part of Work No. 6. This must secure use of the specific 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 foreshore elevation; and</i></p> <p><i>(b) a landfall monitoring plan which commits to systematic topographic surveys to ascertain whether any coastal geomorphological change is taking place, that could ultimately risk cable exposure if unmitigated.</i></p> <p><i>(2) The landfall construction method statement and the landfall monitoring plan must be implemented as approved.</i></p> <p><i>(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</i></p>	

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			<i>timetable for their implementation, to the relevant planning authority for approval in consultation with the relevant statutory nature conservation body. The remedial works or mitigation measures must be implemented as approved.'</i>	
D7.2.02	Final HDD profiles to be approved	ESC also expects the Applicant to share the Final HDD proposed profiles with ESC (as the Coastal Risk Management Authority under the Coast Protection Act 1949 and Flood and Water Management Act 2010). Whilst ESC has previously advised that this can be submitted for approval as part of the approval of the Offshore and Onshore CEMPs through a discharge of Requirement 6, in its response to ExQ2 Question 2GEN17 [REP5-189], ESC proposed wording for a new Requirement (see D7.2.01 above), with the final HDD proposed profiles able to be approved by the relevant planning authority via approval of a landfall construction method statement.	Whilst ESC acknowledges that the Applicant has updated Condition 4 of the dML in the Deadline 6 draft DCO [REP6-004] to include a requirement for a landfall method statement to be submitted to and approved by the MMO, notwithstanding ESC's preference for a landfall construction method statement to be secured via a DCO Requirement, ESC requests that it, as the relevant coastal erosion risk management authority, is also included as a consultee for this dML condition, insofar as is relevant for its administrative area. ESC's planning jurisdiction extends to Mean Low Water, hence there is an overlap of consenting authority with the MMO, with whom ESC is consulted in partnership on planning applications that span East Suffolk's foreshore (e.g Sizewell C, and SPR's EA1N and EA2 projects) and nearshore zone, since construction activities that take place in the latter could impact the former.	Not agreed
D7.2.03	Mitigation in the event of cable exposure	ESC is not satisfied that the Applicant has provided adequate detail regarding the type of mitigation it proposes in the eventuality that cables are exposed on the foreshore (irrespective of how unlikely it deems this to be).	ESC requires the Applicant to provide details of the mitigation measures for the eventuality that cables are exposed on the foreshore, in the Outline Offshore Construction Environmental Management Plan during the course of the Examination. Whilst further detail can be approved post-consent through a discharge of	Not agreed

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			<p>Requirement 6 of the draft DCO, it is essential that an adequate proposal is provided at this stage to reassure ESC and other stakeholders that instances of cable exposure will be appropriately managed. The Environment Agency are the primary stakeholders on this stretch of shoreline, with approval and consent required from Natural England and the Marine Management Organisation for any mitigation</p> <p>The Shoreline Management Plan policy in (Unit 14.2 Thorpeness Haven Beach) is 'Managed Realignment' to 2105. The intent here is for a natural shoreline, not to encourage new defences. ESC therefore considers that the only viable mitigation measure would be to rebury the cable. Enough "slack" in the cable is therefore required to allow it to be reburied at a lower level. If the existing beach material is severely depleted, a recharge may be appropriate.</p>	
D7.2.04	Post-installation landfall survey reports	<p>The Outline Offshore CEMP [REP4-223] commits to post-installation survey reporting of the HVDC link, but does not appear to require that these survey reports be provided to ESC, and other relevant stakeholders.</p> <p>ESC has been requesting that the Applicant commits to giving ESC, along with other relevant stakeholders, sight of post-installation landfall survey reports of the HVDC link, from exit pit to the transition joint bay (TJB).</p>	<p>This should be a formal requirement within the DCO. ESC's proposed wording for a Requirement securing the use of a trenchless landfall technique, provided in response to ExQ2 Question 2GEN17 [REP5-189] (see D7.2.01 above), also requires that a landfall monitoring plan is submitted to and approved by the relevant planning authority. ESC considers that the sharing of post-installation survey reports with relevant stakeholders, including ESC, could be secured through the landfall monitoring plan which would be approved through the discharge of ESC's proposed Requirement.</p>	Not agreed

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		<p>Other energy infrastructure projects share this information with ESC as part of the consented monitoring plan. ESC’s Coastal Management Team would take a keen interest in the ultimate depth of cable burial beneath nearshore, foreshore and backshore. ESC would expect the surveys to show the cable buried at the depth proposed on the design drawings in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note [APP-321].</p>		
D7.2.05	Risk of frac-out	<p>Whilst the use of a trenchless technique (such as HDD) is preferable to an open cut technique, it comes with its own potential construction impacts, such as the risk of ‘frac out’ of the drilling compound/material (e.g., bentonite). ESC is now satisfied, following changes made at Deadline 6, that the REAC [REP6-078] adequately addresses the risk of frac-out.</p> <p>ESC understands from discussions with the Applicant that the Applicant’s intention for the depth of HDD drilling to be 19-25m beneath the foreshore area (as shown in Application Document 7.3 Design Development Report – Appendix A Landfall HDD Feasibility Technical Note [APP-321]) is driven by a need to minimise frac-out risk within the sensitive SSSI coastal hinterland. However, ESC notes that this minimum burial depth is not secured in the DCO, and during the Coastal Environment thematic meeting with the Applicant (16/04/2026), a much shallower</p>	<p>ESC therefore requests that the Applicant commits to a minimum cable burial depth of 25m (as noted in D7.2.01 above) in the DCO/REAC, at the very least in the event that HDD is the chosen trenchless installation method, in order to satisfy ESC that the risk of frac-out is being adequately addressed.</p>	Not agreed

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		(12m) minimum depth of burial was introduced by the Applicant as its current preference, and this would not preclude the risk of frac-out.		
D7.2.06	Access to the landfall	See Section 6.1.3 of ESC's LIR [REP1-128] . ESC defers all highway and traffic matters to SCC as the Local Highway Authority. ESC does, however, wish to note its concern that access to the landfall area by large vehicles is very limited. The site is served by narrow roads which either travel through Aldeburgh or Thorpeness, two popular tourist seaside destinations, and ESC is concerned about the difficulties of large vehicles using the A1094/B1122 roundabout at the entrance to Aldeburgh, which was considered in the SPR examinations. Consideration must also be given to potential impacts on the tourism industry resulting from landfall access and associated activities.	Given that the Sea Link project proposes a landfall directly adjacent to the B1122, ESC recommends that the Applicant revisits the constraints pertaining to the proposed use of narrow roads, as highlighted in the SPR examinations, and limits HGV movements as far as practicable, putting the lessons learned from the SPR projects into practice for Sea Link. ESC expects such controls to be contained within the Construction Traffic Management and Travel Plan (CTMTP). ESC understands that the Applicant has now added a 10 HGV movement cap to the CTMTP at Deadline 6 [REP6-062] . Whilst the addition of this HGV cap is welcomed by ESC, ESC defers to SCC as the Local Highways Authority for broader landfall access issues, noting ESC's concern regarding the impacts of this access on the local community and tourism.	Defer to SCC
Saxmundham Converter Station and River Fromus Crossing				
D7.3.01	Heritage impacts – general	See Section 6.3.6 of ESC's LIR [REP1-128] . ESC has serious concerns regarding the harm that the converter station and the access over the River Fromus will cause to the significance of designated heritage assets which surround the site, due to the impact of the development on their setting. In	Whilst ESC appreciates the need for compliance with the Water Framework Directive, ESC requires that the scale of the bridge is minimised to mitigate impacts introduced on nearby heritage assets. ESC understands the Environment Agency is 'willing to accept a 4m soffit height [above the Q95 flow level], subject to the inclusion of a monitoring and contingency plan'. The	Not Agreed

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		<p>particular, Grade II listed Hurts Hall and Hill Farmhouse, as well as the Saxmundham Conservation Area and Grade II* Church of St John the Baptist would be impacted through the changes in their settings.</p> <p>The height of the bridge will affect the visual impact of the bridge and retaining walls, as well as the size of the required ramps and bunding. The residual visual impact of the bridge itself will be limited following the establishment of the landscape mitigation planting; however, the scale and height of the new landscaping will differ depending on the required ground levels around the bridge. This landscaping and the changes to the ground levels are unrelated to the historic form and layout of the former parkland to Hurts Hall and will be intrusive in views toward Hurts Hall. They will also (to a lesser extent) be intrusive in the landscape setting to Saxmundham Conservation Area.</p> <p>The movement of the River Fromus Crossing 40m north along the river (which ESC did not request) will make it more prominent in views towards these heritage assets, and the Saxmundham Conservation Area. The mitigation planting around the bridge and access where there are currently open views towards those assets may obstruct these views and affect their significance.</p>	<p>Applicant has subsequently amended Requirement 3 (Detailed Design) of the draft DCO at Deadline 5 such that it now states that ‘the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level)’. ESC notes that this secures a minimum soffit height of 4m above the Q95 flow level, but not a maximum soffit height of 4m above the Q95 flow level. Whilst the Applicant is required to submit a technical statement demonstrating how it has sought to reduce the scale of the bridge, without a secured maximum soffit height, ESC remains concerned about the heritage impacts of a larger bridge.</p> <p>Regardless of the height of the bridge, this part of the development is considered to detract from the setting of the Grade II Hurts Hall and from the setting of the Saxmundham Conservation Area. Therefore, ESC considers that, irrespective of the final height of the bridge, there will be a significant adverse effect to be carried forward into the planning balance. ESC considers this aspect of the scheme to be unacceptable.</p>	

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D7.3.02	Impacts on designated heritage assets	<p>As set out in Section 6.3.6 of ESC's LIR [REP1-128], ESC disagrees with the Applicant's assessment of impacts and effects on designated heritage assets. ESC considers that the landscape planting proposed to mitigate the harm to Hurts Hall would not reduce the magnitude of the adverse impact, and so the residual effect would be moderate adverse (significant). For Hill Farmhouse, ESC disagrees that there would be no impact, and instead considers that there would be a moderate adverse (significant) effect on Hill Farmhouse.</p> <p>ESC considers that the assessment of heritage impacts on Hurts Hall and Hill Farmhouse should take into account the Landscape Viewpoints – particularly Updated Landscape Viewpoint 2 [REP1-298] and Additional River Fromus Viewpoint B [REP1-300] for Hurts Hall, and Landscape Viewpoint 5 [APP-209] for Hill Farmhouse. In relation to the Applicant's comment at Section 6.3.6.10 of [REP2-027], ESC does not disagree with the statement that the Cultural Heritage Viewpoints are most relevant to the heritage assessment. However, ESC remains of the view that the Landscape Viewpoints are also important, as they demonstrate that Hurts Hall is widely visible in the surrounding area, which is an aspect of its setting that contributes to its significance and it would be misleading to attempt to downgrade the importance of these views.</p>	<p>This is a matter of professional disagreement and ESC has no remedy measures to propose.</p> <p>ESC notes that additional visualisations have been provided [REP4-086] which show illustrative models of the Saxmundham Converter Station within the maximum parameter blocks represented by the Rochdale Envelope. ESC has made its assessment of the impact on designated heritage assets on the basis of the maximum parameters (the worst-case scenario) of the converter station, as the visualisations are only illustrative and not definitive at this stage. If the height, footprint and layout of the converter station had been definitively agreed to be as shown on the illustrative model, then the visual impact on the setting of Hill Farmhouse could be assessed against these new details, which could lead to a lower assessment of harm.</p>	Not Agreed

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		<p>ESC has reviewed the Applicant’s comments on its LIR [REP2-027] and strongly disagrees with the statement at Section 6.3.6.9 that “views of the asset [Hill Farmhouse] in the surrounding landscape are not a feature of its setting that contributes to significance”. As a historic farmhouse, the rural agricultural setting of the listed building contributes to the historic interest of the building, and the development will, if permitted, undoubtedly detract from this setting.</p> <p>Plate A.1 in Appendix 1 to the Applicant’s comments [REP2-027] demonstrates the issue clearly as it shows that the trees to the north of Hill Farmhouse are not a dense woodland, especially in winter.</p>		
D7.3.03	Landscape planting	<p>See Section 6.3.8 of ESC’s LIR [REP1-128], and Agenda Item 9.5 of ESC’s ISH2 post-hearing submission [REP4-117]</p> <p>New and comprehensive planting around the Converter Station will be a necessary addition to local green infrastructure and wildlife connectivity. Provision should represent the maximum possible given the national significance and scale of this Project which contrasts with the introduction of local community impacts. This justifies an over and above ‘exemplar’ provision of mitigation planting.</p> <p>ESC largely agrees with the conclusions presented in Tables 1.11 and 1.12 of [REP4-023]. However:</p>	<p>The Applicant states in its response to ESC’s LIR [REP2-027] that additional planting in Area B shown on Figure 2 of ESC’s LIR [REP1-128] ‘would entirely enclose views along the existing Public Right of Way (PRoW) and restrict views to the wider landscape’. ESC considers that enclosed views would be preferable to a PRoW user than a wide view of a landscape in which the converter station would be the focus, and so continues to request that the Applicant proposes additional planting in Area B.</p> <p>For Viewpoints 4, 5, 20 and 21, ESC notes that there are limited opportunities for additional mitigation planting given the area of land available, but is strongly of the view that the Applicant could have included more land</p>	Not Agreed

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		<ul style="list-style-type: none"> • ESC considers that Viewpoint 1 could be better mitigated with the addition of additional screening along the length of the PRoW running south from the B1119 towards the site as illustrated by additional tree planting area B in Fig.2 within [REP1-128]. • For Viewpoints 4, 5, 20 and 21, ESC considers that further mitigation planting could have achieved enhanced screening. • ESC considers that the moderation of some of the effects on viewpoints is optimistic, as the erratic rainfall patterns and prolonged, very dry periods in East Suffolk have made it exceptionally difficult to establish new planting. In particular, ESC considers that the effects on Viewpoint 21 at Year 15 would remain major adverse, unless the mitigation planting establishes very quickly. • For viewpoints along the B1119, ESC has been requesting enhanced planting along the B1119 (Area C in Figure 2 of [REP1-128]), specifically multi-species tree belts. ESC has reviewed Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 [REP4-065]. 	<p>within the Order Limits to allow for planting closer to the receptor. This would have achieved enhanced screening compared to what is now proposed, namely only planting around the converter station itself. ESC notes, with regret, that the Applicant is unlikely to amend the Order Limits to address this at this stage.</p> <p>ESC disagrees with the Applicant’s Year 15 assessment for Viewpoint 21. As stated in Paragraph 7.1.4 of ESC’s LIR [REP1-128], realistic anticipated growth rates for new planting in East Suffolk are an essential factor informing the Landscape and Visual Assessment. ESC maintains that erratic and unpredictable rain fall patterns can be a very limiting factor in successfully establishing new tree and shrub planting in this region. ESC considers that the Year 15 assessment for Viewpoint 21 would be major adverse, as unless the mitigation planting establishes very quickly, ESC does not consider that it will lessen the effect to moderate adverse by Year 15</p> <p>ESC notes the Applicant’s proposal to plant tree belts along the B1119 to achieve enhanced screening. ESC previously advised in Paragraph 6.3.8.9 of its LIR [REP1-128] that such tree belts need to be at least 15m, if not 20m, wide to be fully effective. ESC understands from Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 [REP4-065] that the tree belts are proposed to be 8.5m wide. ESC therefore considers that this is too</p>	

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			<p>narrow to be fully effective and remains of the view that the Applicant has missed an opportunity to increase the Order Limits south of the B1119 via Change 5 of its Change Request 1 to accommodate a wider tree belt. ESC notes that the Applicant has failed, and now missed the opportunity, to amend the Order Limits to address this, despite the obvious detrimental impact that will now be caused to the local community. This is another example of the Applicant's refusal to genuinely attempt to mitigate, and where not possible compensate, for the damage it will be causing if consent is granted.</p>	
D7.3.04	Adaptive landscape management	<p>Particularly important will be the adoption of an adaptive landscape maintenance programme which will ensure that all new planting receives the full required programme of maintenance, regardless of how long it takes for the plants to successfully establish. ESC will expect that, as part of this programme, where trees must be replaced due to failed establishment, the clock will reset and the committed maintenance period will also apply to the new planting.</p>	<p>ESC acknowledges that a commitment to adaptive management has been included in the Outline Landscape and Ecological Management Plan (OLEMP) [REP6-078], with further details to be approved in the final LEMP through a discharge of Requirement 6 of the dDCO. ESC also acknowledges the addition of paragraph 7.3.5 to the OLEMP at Deadline 6 [REP6-078], which secures the 'pausing' of establishment maintenance periods to be agreed with the local planning authority. Whilst this is welcomed by ESC, ESC continues to request amendments to Requirement 6 of the draft DCO to secure this, which is the correct and appropriate way to resolve this issue.</p> <p>ESC requests that additional wording is included in Requirement 6(4) of the draft DCO to confirm that any replacement planting will also be subject to the same monitoring and maintenance period as the original planting. ESC suggests that the following amendments</p>	Not agreed

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			<p>to paragraph (4) of Requirement 6 are adopted (amendments shown in red):</p> <p><i>'(4) Any tree or shrub planted as part of an approved Landscape and Ecological Management Plans that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority. Any replacement planting will be subject to the same management and monitoring arrangements (including management periods) as agreed for original planting through the approval of the Landscape and Ecological Management Plans under sub-paragraph (1).'</i></p>	
D7.3.05	Early planting	<p>ESC expects and requires the Applicant to undertake early planting around the converter station site at Saxmundham ahead of construction commencing. ESC notes that the Applicant has amended the OLEMP at Deadline 4 so that it no longer commits to advance planting prior to construction where planting areas do not conflict with construction compounds and activities, and instead only commits to this planting in advance of operation (Para 5.8.1 of [REP4-066]). ESC is</p>	<p>ESC strongly supports the ExA's suggestion in ISH2.022 for advance mitigation planting to be added to pre-commencement operations in Article 2 of the dDCO, with a requirement that pre-commencement operations cannot be carried out until details of advance planting are approved with a timetable for their implementation. ESC has suggested the following Requirement wording:</p> <p><i>Advanced planting</i></p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>extremely concerned by this as it appears to be a significant watering down by the Applicant of its previous commitments to advance planting. The Applicant’s assertion that this is not a watering down of its previous commitments is clearly incorrect and rejected in that it states that “the commitment remains that advance planting will be undertaken during construction where planting areas do not conflict with construction compounds and activities” (see Applicant’s response to ExQ3 3LVIA1 [REP6-111]); the commitment was previously made for advanced planting to take place ‘prior to construction commencing’ [CR1-045] and the Applicant has reneged on that commitment through amendments made to the OLEMP at Deadline 4. The Applicant’s proposed approach is no longer in line with other projects in the District, and it fails to commit to the widely-accepted standard practice of pre-commencement planting where at all possible.</p> <p>ESC is not clear as to the Applicant’s reasoning for its resistance to committing to pre-commencement planting. Whilst it originally stated in response to ISH2 supplementary agenda additional question ISH2.022 [REP4-094] that ‘undertaking early planting in the pre-commencement phase of the Proposed Project would not be appropriate as this could prevent essential surveys or activity that the contractor will need to carry out prior to construction’, it has since stated in response to ExQ3 3LVIA1 [REP6-111] that it is the</p>	<p><i>(1) No works, including 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.</i></p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>criticality of the programme and the delays that would be created by an approval process that are the issue.</p> <p>If it is the former, ESC has previously stated that it considers that the caveat 'where planting areas do not conflict with construction compounds and activities' should provide adequate safeguards against any instances of pre-commencement planting interfering with works (noting that the Applicant failed to adequately address this point, in ESC's view, in response to ExQ3 3LVIA1 [REP6-111]). If it is the latter, ESC does not accept this as an adequate justification, noting that, for East Anglia ONE North and East Anglia TWO, 'early planting of landscape works' was included in the list of pre-commencement 'onshore preparation works' for which approval of an onshore preparation works management plan was required prior to those preparation works commencing.</p>		
D7.3.06	Impacts on woodland vegetation	The removal of the mature woodland vegetation along a section of the River Fromus would alter the vegetation network. There are significant concerns in the community – which are shared by ESC – about the potential loss of veteran trees and ancient woodland.	ESC raised concerns in response to ExQ2 2GEN14 [REP5-189] that Requirement 8 only applies to the construction phase and so would not provide any protections over the felling of veteran or ancient trees during pre-commencement. ESC understands that REAC [REP6-134] measure A05 commits the undertaker to retain all veteran and ancient trees within or immediately adjacent to the Order Limits except where works are required due to trees posing a safety risk (noting that REAC commitment A02 commits to details being agreed in advance with the relevant local planning	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>authority in such cases). Whilst ESC acknowledges these measures, for the avoidance of doubt, ESC would welcome changes to Article 51 of the draft DCO to make it clear that Article 51 powers do not apply to ancient and veteran trees.</p>	
D7.3.07	Design	<p>The need for the DCO to include an appropriate consenting mechanism to secure the most appropriate bridge design, including genuine engagement with key stakeholders.</p>	<p>As discussed in ESC’s response to Question 1GEN47 of ExQ1 [REP3-085], ESC requires that comprehensive and detailed provision is included within the DCO, via a Requirement, to ensure that the proposed Fromus Bridge design is submitted to and approved by ESC’s Design team (in consultation with relevant stakeholders such as the relevant Highways Authority) before any works on the bridge can commence.</p> <p>ESC, in collaboration with SCC, has proposed revised wording for Requirement 3 of the draft DCO which can be found in ESC’s response to ExQ3 3GEN8 [REP6-261]. ESC notes that the Applicant has amended Requirement 3(3) (Detailed Design, Bridge over the River Fromus) of the draft DCO at Deadline 6 [REP6-004] to read:</p> <p style="text-align: center;"><i>‘Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the design of the bridge have been submitted to and approved by the relevant planning authority, following consultation with the Environment Agency.’</i></p> <p>This has removed the requirement that details of the layout and scale of the bridge have to be submitted to</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>the relevant planning authority. Layout and scale should be reintroduced into Requirement 3(3).</p> <p>Given ESC's concerns (as set out in the first row of this table) that the 4m soffit height above the Q95 level is not secured as a maximum height in Requirement 3, and that ESC's control over layout and scale have been removed, whilst ESC acknowledges that the current drafting of Requirement 3 is a significant improvement on previous iterations, ESC is not wholly satisfied.</p>	
D7.3.08	Operational noise	<p>ESC has set out its position on operational noise at the converter station throughout the Examination, including in Section 6.3.7 of its LIR [REP1-128].</p> <p>ESC's detailed comments on the Applicant's Deadline 6 Operational Noise Levels – Technical Note [REP6-128] have been provided in its Deadline 7 submission titled 'East Suffolk Council's comments on the Applicant's Deadline 6 submissions'.</p> <p>ESC's stance with regards to operational noise is that a rating level of at least 5dB below the typical background should be the target. Any deviation from this level will require robust justification and the aim should still be to achieve the lowest possible sound level.</p> <p>Operational noise rating levels for noise sensitive receptors near the converter station site and an operational noise limit DCO requirement are required.</p>	<p>ESC requires appropriate noise rating levels to be agreed at representative noise sensitive receptors (NSRs), to form the basis of an operational noise limit requirement in the DCO. At least 5dB below background should be the target. If this is not possible then the Applicant needs to propose an operational noise rating level that is the lowest that can reasonably be achieved but with full justification as to why that is the case.</p> <p>ESC also requires demonstration that this limit satisfies relevant national policy in terms of significance of impact. For the avoidance of doubt, ESC considers NPS EN1 to be the relevant policy. With respect to significance of impact, a relevant LOAEL and SOAEL should be considered; all other currently consented and proposed comparable projects (EA1N, EA2, LionLink) have stated that LOAEL and SOAEL accord with BS4142 Significance criteria (>+5dB indicative of adverse effect and therefore the LOAEL, and >+10dB indicative of Significant Adverse and therefore the SOAEL). ESC</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>To date, the Applicant has only provided operational noise REAC measures, which are not adequate. It is worth noting that 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). This demonstrates that ESC’s request for the Sea Link Applicant to propose operational noise rating levels for noise sensitive receptors near the converter station site prior to the detailed design stage, and to secure these in a DCO Requirement, is precedented and not unreasonable.</p> <p>The Applicant is proposing a 34 dB operational noise limit at the converter station site (see REAC measure NV11 [REP6-134]), but has failed to justify that the proposed 34 dB operational noise rating level is the lowest noise level that can currently be reasonably achieved based on the current generic design, as has been continually requested by ESC. The Applicant has also failed to provide a satisfactory policy justification, relying in its Operational Noise Levels – Technical Note [REP6-128] on the Planning Practice Guidance – Noise (which has mostly been withdrawn), rather than the recently updated specific National Policy Statements.</p> <p>The ExA’s schedule of changes to the draft DCO [PD-024] appears to indicate that the ExA is not satisfied with 34dB as an operational noise limit. Based on the</p>	<p>considers this the appropriate test in this case, notwithstanding the aspiration for the -5dB rating level on background.</p> <p>Notwithstanding the above, ESC requires a firm and enforceable commitment to reduce the operational noise level further at detailed design stage if it is reasonably possible to do so. Furthermore, the project should demonstrate that this can or cannot be achieved with robust justification at the appropriate stage.</p> <p>All of the above should be provided in a suitable Operational Noise Requirement within the DCO which should also include a verification procedure and commitment to demonstrate upon operation that the operational noise limit is not being exceeded. ESC has provided its latest proposed wording for this DCO Requirement at Deadline 6 in response to ISH3 Action Point 1 [REP6-161].</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>BS4142 significance criteria which dictate that >+10dB is indicative of significant adverse effect and the fact that the worst affected receptor (R_5764) has been assessed to have a night-time background sound level of 22 dB (see Table 1.3 of [AS-119]), a 34 dB operational noise limit would be greater than the SOAEL.</p> <p>The co-location of the converter station site with LionLink and a possible third project makes it even more important that the lowest possible operational noise rating level is committed to. This will help to prevent unacceptable noise creep, ensuring that noise levels are not sequentially and cumulatively increased significantly whilst being accepted under policy due to the individually less significant increase, thus helping to protect the residents and acoustic character of the area.</p>		
D7.3.09	The use of Benhall Railway Bridge on the B1121 for access to the converter station site, including construction of an overbridge.	As set out in Paragraph 6.3.11.12 of ESC's LIR [REP1-128] , ESC has concerns regarding the proposed use of Benhall Railway Bridge for access to the converter station site. The bridge has a weight restriction of approximately 46 tonnes, and so the Applicant has proposed to construct an overbridge for Abnormal Indivisible Load (AIL) movements.	ESC defers to SCC as the Local Highway Authority but will expect to be fully consulted on this element of the project considering the current lack of certainty in relation to the disruption created for the community by the works.	ESC defers to SCC's judgement

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Land for mitigation				
D7.4.01	Reductions applied to the proposed order limits over the pre-application stage	<p>ESC has raised concerns about the size of the Order Limits to the north of the converter station site and whether they are sufficiently sized to accommodate the necessary mitigation planting along the B1119.</p> <p>The Applicant is now proposing a tree belt along the B1119 to shield views of the converter station site. ESC previously noted in Paragraph 6.3.8.9 of its LIR [REP1-128] that such tree belts need to be at least 15m, if not 20m, wide to be fully effective, but Figure 2 Saxmundham Converter Station Illustrative Cross Sections (Sheet 3 of 3) of the OLEMP submitted at Deadline 4 [REP4-065] shows that the tree belt along the B1119 is proposed to be only 8.5m wide. ESC considers this to be further evidence that the Applicant has missed an opportunity to expand the Order Limits in this area to accommodate enhanced tree planting.</p>	As discussed in D7.3.03 above, ESC considers that the 8.5m tree belt proposed is too narrow to be fully effective. ESC remains of the view that the Applicant has missed an opportunity to increase the Order Limits south of the B1119 via Change 5 of its Change Request 1 to accommodate a wider tree belt, being brought forward by the Applicant to achieve more effective screening. This is a point that has been raised on numerous occasions by ESC but has been ignored by the Applicant. This matter therefore remains as Not Agreed.	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Construction Working Hours				
D7.5.01	Core working hours	<p>ESC has been clear on its requirements with regards to working hours throughout the Examination, including in Section 7.4.2 of its LIR [REP1-128].</p> <p>ESC's position on core working hours remains unchanged and this matter is a redline for ESC. The proposed 7 days a week working are considered unacceptable by ESC. This is due to significant concerns regarding the lack of respite impacting local residents' mental health and wellbeing (particularly given the number of projects in the District), impacts on socio-economic activity and East Suffolk's tourism industry, and noise and vibration impacts in a noise sensitive area.</p> <p>ESC considers that the Applicant's core working hours, as currently proposed, fail to adequately 'mitigate and minimise' the adverse health and wellbeing effects of project construction in line with national policy (NPS EN-1). Reduced core working hours are an exceptionally important mitigation measure in helping to satisfy Paragraph 5.12.17 of NPS EN-1.</p> <p>In addition, operations allowed outside the core working hours as proposed in the draft Requirements of the DCO are too wide in scope as they effectively allow working to continue outside core working hours and could have impacts in terms of noise and vibration, dust, light and other environmental impacts.</p>	<p>Core Working Hours should be 0700-1900 Monday to Friday and 0700-1300 Saturday with no routine working Saturday afternoon, Sunday or any Bank Holiday. This aligns with other comparable projects in the District (including EA1N and EA2) and would provide respite for residents and visitors from works associated with Sea Link and the multiple other NSIPs.</p> <p>Additionally, the 'shoulder' start-up and close-down hours requested by the Applicant should only allow works that are inaudible at the nearest noise sensitive receptors.</p> <p>ESC has proposed, following discussions with the other Councils, revised wording for Requirement 7 in response to ISH3 Action Point 1 [REP6-161]. ESC has been consistently requesting further justification for each of the individual exceptions, and acknowledges that this has been provided by the Applicant at Deadline 6 in response to ISH3 Action Point 33 [REP6-110]. ESC is particularly concerned by Paragraph 1(g) of Requirement 7, which allows works to take place outside core working hours where there have been delays to those works caused by "severe weather". ESC has therefore proposed an amendment to this sub-paragraph in its suggested revised Requirement 7 wording in response to ISH3 Action Point 1 [REP6-161], which more closely aligns with the wording in the Bramford to Twinstead DCO, which the Applicant frequently uses as a precedent.</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>The Applicant suggests that the list of exceptions to working hours in the DCO is comparable to those for EA1N and EA2 [REP2-027]. ESC disagrees and maintains its view that the scope of exceptions to the core working hours is too broad in the Sea Link draft DCO. Emergency works and exclusions must represent true exceptions to the rule and must not provide sufficient scope to undertake broad categories of work.</p>	<p>Additionally, ESC would prefer that, in line with the Bramford to Twinstead and SPR DCOs, reference in Paragraph 1(d) of Requirement 7 is made only to safety, such that this sub-paragraph reads:</p> <p><i>'(d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused'</i></p> <p>Operations outside of core working hours must be restricted unless otherwise approved by ESC as responsible local planning authority. This can be part of the S.61 process but blanket outside consented hours works will not be granted under a S.61 and there should be a procedure to allow the flexibility required by the project and the control required by ESC.</p> <p>ESC notes that other NSIPs in East Suffolk have mechanisms to request working outside of permitted hours. ESC will support this where the need has been justified. ESC would suggest a similar mechanism be employed in the case of Sea Link. Justification of working in these circumstances is a vital step in determining Best Practicable Means, in that it should always be a case that intrusive works can only take place at that time and cannot reasonably be undertaken at a less sensitive time.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
D7.5.02	Working hours - coordination	<p>The Applicant suggests that longer working hours will, in theory, result in the Project's construction being completed sooner. Whilst ESC appreciates that there is a balance to be struck, considering the construction impacts of other projects and the extended duration of works at the co-location site at Saxmundham and convergence of projects at Friston, the duration of associated disturbance to the local communities is expected to be significant if all are consented. Therefore, respite in these extended durations must be given full consideration. Given that all other comparable projects provide this respite (including projects promoted by SPR), ESC considers it entirely inappropriate to now start including these periods and creating impact at times where ESC and other projects have deliberately prevented it, particularly given the spatial relationship between SPR's projects and the proposed Sea Link project.</p> <p>Furthermore, ESC queries the Applicant's assertion in response to ExQ1 Question 1GEN49. [REP3-069] that restricting core working hours to exclude Saturday afternoons, Sundays and Bank Holidays 'would result in a delay of between 21 and 33 weeks' and 'an additional cost would be borne by British energy bill payers of between £443m and £886m'. To ESC's knowledge, no justification or evidence has been provided to explain how these figures were reached. Certainly, as far as ESC is concerned, little, or in reality no, weight can be afforded to them.</p>	<p>As above, ESC requires the Applicant to remove Saturday afternoons, Sundays and Bank Holidays from the core working hours, thereby following the approach that was taken in SPR's EA1N/EA2 consents. ESC has proposed, following discussions with the other Councils, revised wording for Requirement 7 in response to ISH3 Action Point 1 [REP6-161].</p> <p>The ExA and the Secretary of State should be aware that the proposed core working hours are a fundamental source of disagreement between ESC and the Applicant.</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>The Applicant also states in its comments on ESC's LIR [REP2-027] that a shorter construction phase would allow for greater colocation and cooperation between projects. ESC would request further explanation of this assertion from the Applicant as it is unclear how this conclusion has been reached.</p>		
Friston substation				
D7.6.01	Legacy benefits associated with reduction in flood risk	<p>If the Project is consented, ESC strongly suggests that reducing existing and known flooding issues in the village of Friston presents a hugely beneficial legacy project opportunity.</p> <p>However, any such legacy benefit would need to be balanced against any other impacts introduced by the Project.</p>	<p>ESC requests that the Applicant assesses the possibility of a legacy project to improve flooding issues in the village of Friston. The existing watercourse in proximity to Friston Substation and the village experiences well known and regular problems due to silting and lack of maintenance. This presents an opportunity for the Applicant and other project promoters to plan and implement a solution benefiting the local community over and above the needs of the NSIPs within the area. ESC accepts that the wider watercourse maintenance issue extends beyond the order limits for the project. ESC has raised this matter more than once with the Applicant in project meetings (and with NGV regarding LionLink) as it presents a valuable opportunity for developers to implement a much-needed legacy benefit within the village of Friston.</p> <p>The Applicant had the opportunity to avail itself of this opportunity but has not done so and now relies on the Order Limits which it identified and selected. This of itself demonstrates the detached approach the</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			Applicant has adopted to the impact its proposal will have on the local community and its refusal to consider areas within which this impact could be mitigated. ESC does not consider this to be acceptable.	
D7.6.02	Operational noise	ESC notes that the Applicant has scoped operational noise of the proposed Friston Substation out from assessment in the ES. The Applicant states in Part 2 Suffolk Chapter 9 Noise and Vibration (Version B) [AS-109] that <i>'although potential operational noise from the Friston substation was originally proposed to be included in the scope of the ES...it has since transpired that there are no other potential sources of noise proposed during normal operation (i.e. there are no proposed transformers or similar plant)'</i> . ESC does not agree as this substation is subject to a site rating level imposed by East Anglia ONE North and East Anglia TWO DCOs, therefore NGET needs to be very confident that the introduction of further or different equipment will not impact that constraint.	ESC is content with the wording of REAC commitment NV12 [REP6-134] which commits to an operational noise rating level of 5 dB below background. ESC would, however, prefer an operational noise limit to be secured via a DCO Requirement. ESC provided suggested wording for an operational noise DCO Requirement in response to ISH3 Action Point 1 [REP6-161], and the ExA has since included this in its schedule of changes to the draft DCO [PD-024]. Therefore, whilst the proposed operational noise limit is agreed, the method of securing it remains 'not agreed'.	Not Agreed
Project-wide: Socio-economics, leisure and tourism				
D7.7.01	Baseline conditions and request for ongoing monitoring	See Section 7.8.3 of ESC's LIR [REP1-128] ESC is deeply concerned that the assessment of baseline conditions fails to account for an increasingly dynamic economic environment in East Suffolk.	ESC is firmly of the view that the desk-based methodology is insufficient for the conditions described, and has maintained throughout the Examination that it requires the Applicant to work with ESC and commit to the following:	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>East Suffolk is unusual, and perhaps unique, in the number and scale of energy NSIPs and other major developments either being constructed or planned for construction over the next decade. The impacts of these projects mean that it is difficult to predict future baseline conditions out to 2031 with any degree of accuracy. Equally, it is difficult to disaggregate certain impacts of the proposed Sea Link project from other significant infrastructure projects locally. Without ongoing monitoring and evaluation, changes in baseline conditions cannot be assessed and the effects on socioeconomic, leisure and tourism receptors cannot be determined.</p> <p>ESC considers it essential to understand the changing baseline conditions during the construction period of the Suffolk Onshore Scheme, especially the direct and indirect impacts, positive and negative, affecting employment and labour supply, supply chain activity, local accommodation facilities, impacts on PRoW and recreational routes, key sectors such as tourism, and individual receptors including businesses and local visitor and high street destinations.</p>	<ul style="list-style-type: none"> • To review and update their assessment of baseline conditions immediately prior to commencement of construction of the Suffolk Onshore Scheme, thereby ensuring that baseline conditions are current. • To discuss and agree the scope and frequency of ongoing monitoring and reporting of socioeconomic conditions and workforce projections during the construction phase of the project. This would also support proactive planning for worst-case scenarios, particularly those arising from the overlapping peak construction phases of Sea Link, Sizewell C, and other major developments that may collectively impact local socio-economic, recreational and tourism assets. <p>With regards to the first of ESC's requests, the Applicant has suggested this is not necessary in its comments on ESC's LIR [REP2-027], but ESC considers that the Applicant's future baseline cannot be relied upon given the number and scale of energy NSIPs and other major developments either being constructed or planned for construction in East Suffolk.</p> <p>With regards to the second of ESC's requests, ESC maintains that the monitoring and evaluation of prevailing socio-economic conditions throughout the construction period is essential if appropriate</p>	

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			<p>interventions that minimise the risks and maximise the benefits of the proposed project are to be developed and delivered.</p> <p>Whilst supportive of the broader commitment within REAC measure SE04 [REP6-134] to liaise with key tourism stakeholders, ESC remains concerned as to how this commitment will work in practice. Following a meeting with the Applicant, ESC needs reassurance that the Applicant will agree to and support the discussed mechanism by which the Applicant could engage with established stakeholder groups in East Suffolk. An integrated, collaborative approach would benefit all parties, ensuring a forward looking, quantitative assessment of risk and opportunity, coupled with co-developed mitigation and benefit interventions.</p> <p>REAC SE05 [REP6-134] commits the Applicant to monitor and mitigate the impacts of the proposed project on tourist accommodation locally. ESC provided comments on this commitment in Appendix A of its ISH3 post-hearing submission [REP6-160]. Whilst ESC welcomes the amendments made to this commitment at Deadline 6 in response to feedback provided by ESC, ESC maintains that the commitment should form part of a more detailed 'Workforce Accommodation Strategy'. ESC's suggested wording for a DCO Requirement in this regard is provided in response to ISH3 Action Point 1 [REP6-161].</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>Finally, ESC welcomes the Applicant's commitment to a Social Value Strategy in REAC measure SE06 [REP6-134]. However, there remains a continued lack of detail within the commitment. Notwithstanding ESC's concerns about the content of the Applicant's Skills, Supply Chain and Employment Plan (as set out in the 'Potential for beneficial socio-economic impacts' row below), ESC considers that, when approved, the Plan would be a useful addition in support of REAC commitment SE06.</p> <p>ESC is therefore not satisfied that the Applicant has adequately addressed its requests for an updated baseline assessment pre-commencement, and for ongoing monitoring of socio-economic receptors. These matters therefore remain 'not agreed'.</p>	
D7.7.02	Assessment methodology	<p>See Section 7.8.7 of ESC's LIR [REP1-128]</p> <p>ESC considers that the assessment methodology used is insufficient and fails to account for the complexities and interdependency of socioeconomic receptors in a successful visitor economy, and the evolving economic environment of East Suffolk. For example, limiting the Study Area to 500 m from the Onshore Scheme Boundary does not adequately assess the impacts of construction on a bed and breakfast receptor located beyond the Study Area, despite its dependence on its guests having unhindered access to local destinations.</p>	<p>ESC has been requesting that the Applicant re-considers its assessment and the conclusions drawn.</p> <p>In the case of the visitor economy, the impacts of the Suffolk Onshore Scheme on individual receptors should not be measured in isolation, and without consideration of the wider effects on the visitor economy. The receptors, or factors, are interdependent and collectively contribute towards a successful visitor economy. These include a mix of tangible assets such as local infrastructure, attractions, accommodation, and amenities; as well as intangible assets such as the perception and reputation of a destination; all of which</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>East Suffolk’s visitor economy needs to be recognised as a complex system, where the success of the whole is greater than the sum of its individual parts. Adverse impacts on one part of the system can adversely affect others, potentially causing detrimental system-wide effects on this important economic sector.</p>	<p>contribute to the overall visitor experience. Collectively, these factors are indicators of system health and should be measured and evaluated during the construction period, and into the operational period. ESC recommends a broader and more comprehensive approach to monitoring impacts on the visitor economy. One that extends research methodologies beyond desk-based assessments and draws on mixed methodologies such as surveys, interviews, and other primary data to understand the key strengths, vulnerabilities, and health of the visitor economy. ESC has demonstrated its willingness to work with the Applicant and develop appropriate assessment methodologies.</p> <p>ESC maintains its view that the Applicant has failed to recognise the visitor economy as a complex system, and ESC therefore remains concerned about the Applicant’s assessment.</p>	
D7.7.03	Potential for beneficial socio-economic impacts	<p>ESC is also mindful of the potential for beneficial socio-economic impacts and encourages the Applicant to support initiatives that support economic growth locally.</p>	<p>The potential for beneficial socio-economic impacts is recognised by ESC, but these benefits can only be maximised through the design and delivery of appropriate initiatives that support skills, employment, and supply chain opportunities.</p> <p>Throughout the Examination, ESC has been requesting that the Applicant prepares an Employment and Skills Plan to support outreach to schools, apprenticeships and local employment either directly or indirectly on the Suffolk Onshore Scheme, and a Supply Chain Plan to help local businesses identify opportunities for gaining</p>	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>contracts within the supply chain during the construction, operation, and decommissioning phases of the Suffolk Onshore Scheme.</p> <p>ESC notes that the Applicant has prepared a Skills, Supply Chain, and Employment Plan (SSCEP) [REP6-101]. ESC provided comments on the Applicant's draft SSCEP in response to ISH3 Action Point 27 [REP6-161]. From ESC's reading of the SSCEP submitted into the Examination at Deadline 6, it appears to be largely unchanged from the draft sent to ESC and SCC ('the Councils') on 19th March, despite the Councils providing feedback on 8th April. The SSCEP falls significantly short of the Councils' expectations. Unless the Plan is amended to the Councils' satisfaction such that it can be secured under the DCO as an outline plan, with a detailed plan to be approved post-consent through a requirement discharge, it is suggested that a Requirement such as that proposed by Suffolk County Council in its response to ExQ2 2CEInter1 (page 64 of [REP5-204]) should be added to the draft DCO.</p>	
D7.7.04	Impacts on the visitor economy, particularly for coastal communities at the landfall	<p>See Sections 7.8.4-7.8.7 of ESC's LIR [REP1-128] and Section 4 of ESC's comments on the Applicant's Deadline 3 submissions [REP4-184]</p> <p>ESC does not accept the Applicant's conclusion that the Suffolk Onshore Scheme is unlikely to result in significant adverse effects on visitors or tourism.</p>	ESC would expect to see that impacts on individual receptors across the District of East Suffolk, including holiday rentals, tourist accommodation, farms and businesses directly affected by the changes resulting from the cumulative impacts of the Project with other proposed/consented projects in the area, be appropriately mitigated and compensated. Impacts on the visitor economy are dynamic and likely to change throughout the construction period. This requires	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ESC considers that the combination of impacts resulting from the Suffolk Onshore Scheme and other developments in East Suffolk would have significant effects on visitor perception and experience, resulting in a reduction in repeat tourism, long-term reputational damage, and economic decline. ESC is concerned that the Applicant has failed to adequately recognise these cumulative impacts.</p> <p>ESC is also seriously concerned that the available visitor accommodation within a 60-minute drive of the Suffolk Onshore Scheme may not be sufficient to accommodate the non-home-based workforce without causing potential harm to the visitor economy. It is ESC's view that non-home-based workers could compete with visitors for accommodation, and in a worst-case scenario, there is a very strong potential for the in-combination cumulative demand effects of multiple NSIP developments to exceed the supply of visitor accommodation.</p> <p>There is a high degree of interdependency between visitor destinations, employment, and supply chains within East Suffolk. Visitors move from destination to destination, employees need to access their employment, and the potential for the displacement of visitors during construction should not be ignored. Should this project proceed, it is essential that this impact is appropriately considered, and appropriate</p>	<p>ongoing dialogue and engagement between local stakeholders and the Applicant to ensure that the impacts are understood and addressed. ESC therefore requests that these mitigation and compensation measures be developed in collaboration with ESC and the businesses themselves to maximise the effectiveness of the proposed strategies. ESC acknowledges and welcomes the Applicant's commitment SE04 [REP6-134] within the updated REAC in this regard and will work proactively with the Applicant to develop the means to understand and resolve impacts on both the visitor and wider economy. However, as previously noted, ESC does maintain concerns regarding how this REAC commitment will work in practice.</p> <p>Following review of the Applicant's submitted commentary on ESC's LIR [REP2-027], it is apparent that the Applicant and ESC will not be able to agree on the magnitude of anticipated impacts due to be introduced on the coastal communities at the landfall (Thorpeness and Aldeburgh). ESC's position remains unchanged. As explained in the LIR [REP1-128], the coastal communities in this region have limited access routes in and out and they rely on the visitor/tourism economy.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>mitigation and compensation is provided to support the continued success of the visitor economy.</p> <p>There is no doubt that there will be residual impacts felt on the tourism economy. The Applicant has stated in its comments on ESC's LIR [REP2-027] that there is 'limited robust evidence to suggest that negative visitor perception identified / observed in surveys prior to construction will result in material adverse effects on tourism'. ESC has previously stated that the number and scope of multiple NSIP developments in East Suffolk is without precedent, and to its knowledge, without compare. This unique circumstance means that reference to the methodologies and findings of other NSIP application documents cannot be viewed as being applicable or transferable to East Suffolk, despite the Applicant's attempts to demonstrate otherwise. ESC is concerned that the perception of the area is already changing as evidenced in the open floor hearings, and each successive NSIP consented in this region will add to this impact. Even before consent is granted, perception of a once popular tourist destination can be altered as visitors don't want to have their fond memories of these locations tainted. The findings of ESC's recently commissioned Visitor Perception Research can be found in Appendices E and F of ESC's comments on the Applicant's Deadline 3 submissions [REP4-184].</p>		

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		The Applicant’s view that there will be ‘no residual significant effects’ is therefore not supported by ESC or the local communities it represents.		
Project-wide: Ecology				
D7.8.01	Hazel dormice – survey coverage and pre-construction surveys	<p>See Section 7.2.2 of ESC’s LIR [REP1-128] and Agenda Item 3.4 of ESC’s ISH2 post-hearing submission [REP4-117].</p> <p>ESC is concerned with what it considers to be a lack of survey coverage in relation to Hazel Dormice, and the subsequent impacts.</p>	<p>ESC notes and welcomes the additional commitments to pre-construction surveys for hazel dormouse and potential construction mitigation measures included in sections 3.4, 7.1 and Appendix B of the OLEMP [REP6-078]. ESC welcomes the Applicant’s commitment to updated baseline surveys in Area D in 2026 using the survey methodology from the latest best practice guidance and also understand that the Applicant will slightly extend the survey radius in this area. However, the commitment to this being carried out “if possible, prior to vegetation clearance” is of significant concern. The survey methods rely on vegetation being present and therefore the updated baseline surveys must be undertaken before any vegetation clearance works are undertaken. Otherwise, accurate survey results will not be obtained, and it will not be possible to determine the full extent of the site clearance mitigation measures, including any need for a mitigation licence from Natural England. Following further correspondence with the Applicant, ESC understands that this part of the sentence will be removed from the version of the OLEMP to be submitted at Deadline 7. However, on the basis of the OLEMP as currently drafted, this matter remains outstanding. ESC requests that the ExA satisfy</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			themselves that this OLEMP amendment has been made at Deadline 7.	
D7.8.02	Hazel dormice – habitat creation	ESC maintains its position that the Applicant’s assertion at Paragraph 2.9.192 of the Ecology and Biodiversity ES Chapter [REP6-018] that there would be a moderate beneficial long-term (significant) impact on dormice due to habitat creation is contrary to their claim elsewhere that dormice are absent from the Order Limits. ESC considers that the proposed landscape planting cannot be of benefit to a species which is claimed by the Applicant to be absent. Additionally, the bulk of the proposed new planting is at the converter station location, whereas the potential dormouse nest was found during surveys for the project further east along the proposed cable route.	ESC considers that this benefit should be downgraded to 'negligible' (i.e. 'not significant') if the project maintains that the species is absent from these sites. The corresponding row of Table 2.11 of the ES Chapter [REP6-018] should also be updated to reflect this.	Not agreed
D7.8.03	Bats	See Section 7.2.5 of ESC’s LIR [REP1-128] and Agenda Item 3.4 of ESC’s ISH2 post-hearing submission [REP4-117], and Agenda Item 13.3 of ESC’s ISH3 post-hearing submission [REP6-160]. ESC is concerned that equipment failure during bat surveys has limited the results and resulted in the under-recording of bat species/activity, subsequently resulting in insufficient mitigation measures.	ESC notes that the Applicant has updated Section 7.1 and Appendix B of the OLEMP [REP6-078] at Deadline 6 such that it now provides further detail regarding the surveys that will be undertaken for bats pre-construction. ESC welcomes the commitment to bat activity surveys but maintains that pre-commencement bat activity surveys need to be carried out at all baseline static detector survey locations, not just at those locations that experienced equipment failure in the months that they failed. Only undertaking surveys at some locations during some months in 2026 and then	Not Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ESC maintains that, as set out in Paragraph 7.2.5.7 of its LIR [REP1-128], survey effort above the minimum requirement in one part of the Order Limits is not a proxy for understanding bat activity in another part of the Order Limits. All it does is add to the amount of bat activity recorded across the whole Order Limits when the results are pooled.</p> <p>The Applicant states in [REP2-027] that the redeployment of detectors in the same month that they failed was often not possible due to notice periods agreed with landowners, however if this was the case then additional months of survey to make up the deficit would have resolved the issue.</p> <p>ESC also maintains its concern set out in Paragraph 7.2.5.6 of its LIR [REP1-128] regarding the practicality and technical feasibility of mitigating every hedgerow crossing as though the hedgerow was important for bats. ESC has provided further detail of its concerns with the Applicant's proposed approach in its ISH2 post-hearing submission [REP4-117].</p> <p>ESC also notes the Applicant's comment in [REP2-027] Section 7.2.5.4 and at ISH3 in relation to consideration of the use of techniques other than open cut for crossing hedgerows. Whilst the rationale for the approach proposed is understood, ESC maintains that it is primarily programme rather than ecological</p>	<p>combining them with the DCO survey results will not give an accurate picture of bat activity through the year across the Order Limits.</p> <p>ESC notes and welcomes the inclusion of pre-construction tree roost surveys in the D6 OLEMP.</p> <p>ESC would welcome working further with the Applicant during the detailed design phase to further minimise hedgerow crossing widths wherever possible.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>considerations that have driven the choice of construction technique.</p>		
D7.8.04	Reptiles	<p>ESC considers that trapping and translocation of reptiles from the larger square/rectangular shape of the acid grassland area at the proposed Landfall HDD location (specifically Survey Area B- Land Parcel Reference 152 and 193) is likely to be necessary as “flushing” of animals through vegetation manipulation is likely to be considerably more difficult than in the longer, narrower sections of the cable route. In these larger areas, reptiles are more likely to double back or flee in unintended directions, potentially remaining within the cleared zone. Also, slow worm (which were recorded in this area) unlike other reptile species such as common lizard, grass snake, or adder, are harder to displace though vegetation manipulation alone due to their tendency to burrow deep into vegetation or loose soil when disturbed. Because slow worms tend to shelter in place rather than fleeing, standard vegetation manipulation (such as using a flail or hand strimmer) can be less effective as a mitigation strategy. This behaviour significantly increases the risk of accidental injury or mortality as the animals remain hidden during mechanical clearing operations. ESC therefore maintains the opinion that trapping and</p>	<p>ESC previously noted in its Deadline 5 PADSS that the Applicant has updated the OLEMP at Deadline 4 [REP4-065], such that Paragraph 3.3.4 provided additional description of vegetation clearance mitigation measures and stated that <i>‘the precise approach to dealing with reptiles will be agreed with the Local Planning Authority prior to vegetation clearance’</i>. Whilst this was welcomed, ESC noted that there is no reference to the potential use of trapping and translocation as a mitigation technique (which ESC maintains may be required where larger areas of suitable habitat require clearance), nor is there clarity on what the mechanism will be for agreeing the precise approach.</p> <p>ESC welcomes the amendments made to the OLEMP and REAC at Deadline 6 [REP6-078], including the recognition that reptile translocation may be required and that reptile mitigation measures will be agreed with ESC prior to vegetation clearance commencing.</p>	Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		translocation mitigation combined with displacement is likely to be required in areas which are either of a large area or have known slow worm populations.		
D7.8.05	Hedgehog	See Section 7.2.4 of ESC's LIR [REP1-128] . The ES concludes that subject to the implementation of the identified mitigation, the development will result in a negligible impact on hedgehog, a receptor of 'District' importance, resulting in a negligible effect that is not significant. Whilst ESC does not disagree with this conclusion, to ensure that it is accurate, measures to protect hedgehogs during construction vegetation clearance must be included in the REAC and OLEMP, with final details discharged as part of the LEMP.	ESC welcomes changes made to the OLEMP at Deadline 4 [REP4-065] , with Paragraph 3.3.4 now stating that ' <i>to protect hedgehogs during construction vegetation clearance, inspection of all suitable habitat will be undertaken by an Ecological Clerk of Works prior to any mechanical clearance, and hibernacula will be avoided during the hibernation period</i> '. ESC also welcomes this commitment to mitigation measures in relation to hedgehog and vegetation clearance being contained in REAC Action B72 [REP6-134] .	Agreed
D7.8.06	Red deer	See Section 7.2.3 of ESC's LIR [REP1-128] . The ES notes that there has been local feedback that large herds of red deer congregate in the field where the trenchless launch pit is proposed to be located. Red deer have been accorded 'Local' importance. As red deer have large ranges, and the field is considered to be a small part of a much wider area which is used by the deer and so therefore there will be considerable remaining habitat available to them, the ES concludes that the project will result in a negligible impact on a receptor of Local importance, resulting in a negligible effect that is not significant. Whilst ESC	ESC welcomes the Applicant's commitment in the Deadline 6 OLEMP [REP6-078] to include construction deer fencing as a matter for approval in the LEMP in response to ESC's concerns.	Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>does not disagree with the ES conclusion on this species, it should be ensured that the presence of red deer is considered as part of the design of any site fencing, including ensuring that fencing does not direct deer towards roads or other hazards or trap them within confined areas, and adequately protects new landscape planting from deer browsing.</p>		
D7.8.07	Biodiversity net gain (BNG)	<p>ESC is of the view that more information is needed on how the project is going to achieve its minimum 10% BNG commitment in Suffolk, and how that is going to be secured and monitored in line with National Grid's commitment to managing and maintaining BNG for at least 30 years. ESC also wishes to highlight that the project has committed to a <u>minimum</u> of 10% BNG, and would urge the Applicant to strive to deliver greater than 10% if possible.</p> <p>ESC remains concerned that whilst the proposed Section 106 unilateral undertaking would commit the Applicant to delivering BNG, it does not identify and secure BNG units, nor would it enable ESC to secure the necessary monitoring provisions for onsite BNG units or offsite units if these are not already secured under an existing legal agreement. Whilst the UU refers to monitoring of BNG being undertaken in accordance with the LEMP, there is no reference to this requirement in the D6 OLEMP [REP6-078] and therefore it is unclear how it will be picked up in the final version of the LEMP.</p>	<p>ESC maintains that further information on the Applicant's proposals for achieving BNG are required before it can be determined that they are likely to be successful.</p> <p>ESC also requires the Applicant to enter into a Section 106 <i>agreement</i> with ESC for BNG, rather than a unilateral undertaking. ESC has provided a detailed justification for its request for the Applicant to enter into a bilateral s.106 agreement in its response to Item 4.7 of the ExA's Rule 17 letter dated 21 April, which ESC has submitted into the Examination at Deadline 7.</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ESC fundamentally disagrees with the Applicant’s position that the commitment to BNG should be made via a one-sided unilateral undertaking. It should be a formal agreement to enable ESC to properly ensure delivery (at satisfactory locations), performance and monitoring. For this reason, and given ESC’s concerns regarding the lack of detail provided on the delivery of BNG, ESC considers this matter ‘not agreed’.</p>		
Project-wide: Environmental Protection				
D7.9.01	Construction noise Lowest Observable Adverse Effect Level (LOAEL)	<p>See Paragraph 7.4.4.2 of ESC’s LIR [REP1-128].</p> <p>ESC considers that the LOAEL has been set too high. The LOAEL is the point where the Applicant is required to “mitigate and minimise” noise and vibration, and this should be based on the baseline noise environment of the area. The project should be mitigating and minimising their impacts on any level above that which is currently experienced. The current LOAEL would suggest that there is no/low impact below this level that is not worthy of mitigation, and this is disingenuous.</p>	<p>ESC requires the LOAEL to be amended to accurately reflect the baseline noise environment of the area.</p> <p>In response to concerns raised by ESC in its LIR, the Applicant has stated in [REP2-027] that it agrees that ‘<i>construction noise may still be audible below this level and may therefore constitute an adverse effect</i>’, but that ‘<i>the contractor is required to employ best practicable means (BPM) to reduce construction noise and vibration levels for all works irrespective of this threshold</i>’. ESC does not consider that the requirement on contractors to implement BPM should be used as an alternative to determining a meaningful and realistic LOAEL. Setting an appropriate LOAEL is crucial for identifying the point where noise levels may start to have a detrimental impact on people’s quality of life. The use of BPM cannot be used as a substitute for setting the LOAEL, but is of course a welcomed</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			mechanism for reducing impacts as far as practicably possible.	
D7.9.02	Temporal restrictions	<p>See Section 7.4.4 of ESC's LIR [REP1-128].</p> <p>The Applicant places a lot of emphasis on the use of "temporal restrictions" as a means to avoid predicted adverse and significant adverse effects. The BS5228-1 'ABC' methodology sets a clear basis for significance of impact and does not ascribe "temporal restrictions" as a basis for the determination of that significance. This methodology is the agreed methodology for the determination of significance and to introduce such a factor as a basis of significance could falsely dilute impact and obfuscate the need for real mitigation.</p> <p>The Applicant has attempted to clarify what it means by 'temporal restrictions' in its response to the ExA's Section 89(3) Letter of 5 September 2025 [AS-106], and states that these could include alternate weekend working, no more than two weekends of working in any consecutive three weekends etc.</p> <p>Whilst there are several standards, guidance documents and indeed some legislation that use temporal thresholds as a way to indicate significance, ESC does not accept temporal restrictions in the form presented as an adequate form of mitigation,</p>	<p>The BS5228-1 'ABC' methodology should be the only assessment of significance for construction noise that is practically used for the project. Notwithstanding the use of other guidance to give wider context at this stage, its use should be supported by the complete adoption of the wider principles of the BS5228-1 standard and Best Practicable Means, and supplemented by S.61 Control of Pollution Act applications where deviation is required to ensure that such deviation is necessary, justified and the smallest it can justifiably reasonably be.</p> <p>Whilst much of this discussion considers exceedance of the construction noise threshold and SOAEL in the extended core hours period, it must also be considered for any exceedance of the thresholds where temporal restrictions are used to mitigate a significant adverse effect.</p> <p>The Applicant must be very confident that significant adverse effects can be avoided. ESC currently does not think this has been demonstrated given the reliance on temporal restrictions, particularly given the lack of detail and wide scope of the definition of temporal restrictions provided by the Applicant in its response to the ExA's s89(3) letter of 5 September 2025 [AS-106].</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>especially given the reliance on it to remove predicted significant adverse and adverse effects. ESC considers that this is in direct conflict with the principles and spirit of the 'ABC' methodology and BS5228-1. Just because noise only happens so many days in so many days does not reduce the impact on the days it is happening, hence reliance on temporal restrictions as primary mitigation in this way is not acceptable.</p> <p>ESC notes that the Applicant refers to the Design Manual For Roads and Bridges in its comments on ESC's LIR [REP2-027]. Whilst accepting this may be potentially useful supplementary guidance in some cases, ESC questions its scope for a project of this sort which is remarkably short of roads and bridges. BS5228 is the relevant guidance and should be the one that informs the assessment and control of impact.</p> <p>ESC notes that the Applicant states in [REP2-027] that <i>'temporal restrictions are...a 'catch-all' for potential situations where, despite the use of best practicable means, noise levels may not be able to be kept below the noise level threshold'</i> and <i>'temporal restrictions would form part of [the] strategy' to 'mitigate and minimise'</i> the potential adverse effect. ESC acknowledges that temporal restrictions can help reduce impacts, however it should be noted that simply stating the noise will not occur all the time does not constitute robust mitigation as adverse</p>	<p>Paragraph 5.12.17 of NPS EN-1 must also therefore be considered in respect to the viability of granting consent for the project, as the Secretary of State must consider whether the proposals adequately "avoid significant adverse impacts on health and quality of life from noise".</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>impacts may still be encountered during phases of the construction. The temporal restriction argument should therefore not be relied upon to remove predicted significant adverse and adverse effects, as is currently the case in the Applicant's assessment. Temporal restriction is not a “catch all” to avoid significant adverse effects without the support of significant justification. It is noted that exceedance of the significant adverse effect level will be unavoidable at times and this should at least be quantified before being justified given the policy tests in NPS EN-1 regarding significant adverse effects.</p> <p>The Applicant’s response to Section 7.4.4.10 of ESC’s LIR [REP2-027] suggests that the application of the lower ‘ABC’ weekend thresholds will increase the likelihood of exceedances and therefore the potential for significant effects that the Applicant is then proposing to mitigate through temporal restrictions. Effectively this means the requested longer working hours will trigger the need for temporal restriction to avoid significant impact.</p> <p>ESC therefore finds the Applicant’s reliance on temporal restrictions puzzling. It appears that the Applicant wants to be able to work for the maximum amount of time, but to then restrict working time as their primary source of mitigation to avoid significant adverse effects. ESC considers that these two positions are in direct conflict with one another.</p>		

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>The Applicant may suggest that the increased core working hours allow for the inclusion of temporal restrictions, but given many of the predicted significant effects that occur are as a result of the extended working hours, ESC would consider such a justification inadequate.</p>		
D7.9.03	S.61 consents	<p>The Applicant stated at Paragraph 4.4.2 of the Outline Construction Noise and Vibration Management Plan (CNVMP) – Suffolk [AS-131]: “Where the results of the contractor’s assessment indicates the potential for significant effects at NSR, or for working outside of core hours, a Section 61 application may be required.” ESC has repeatedly stated throughout Examination that this statement should be clear and state that Section 61 ‘will’ be required, rather than ‘may’ be required.</p>	<p>ESC has reviewed the amended Outline Construction Noise and Vibration Management Plan – Suffolk [REP6-082] submitted at Deadline 6 and is content with the wording in Section 4.4 relating to applications for prior consent under Section 61 of the Control of Pollution Act 1974. This wording allows ESC to determine how it wishes S.61 to be applied to this project and also allows for changes to that application in future should it be necessary.</p> <p>For avoidance of doubt, ESC will require S.61 applications for all work associated with the project, as is the approach taken by SPR for its EA1N and EA2 projects, to ensure regular engagement with the project and to allow for regular review of Best Practicable Means. The appropriate application intervals will be determined at a later date and could be subject to change if influenced by matters such as substantiated complaints. S.61 for all works also covers the gap in the current suggested monitoring procedure for the project, which does not propose routine noise and vibration monitoring; this can be dealt with as part of the</p>	Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>relevant S.61 application to ensure that proposed noise levels are met.</p> <p>It should be noted by the project that ESC considers the general site noise thresholds should align with BS5228-1 'ABC' Methodology and that deviation from this in a S.61 will need to be robustly justified with all noise and vibration reduced to the lowest reasonable levels, regardless of threshold in line with the principles and requirements of Best Practicable Means and BS5228-1 and 2.</p>	
D7.9.04	Noise and vibration mitigation	<p>See Section 7.4.8 of ESC's LIR [REP1-128].</p> <p>Along with the selection and adoption of clear noise and vibration limits for construction, mitigation measures are key for the reduction and prevention of impact. BPM is the standard expected, and this has been committed to, which is welcomed. However, ESC notes that the Applicant has identified that a number of significant impacts are likely to arise without mitigation, but with the application of non-specific 'mitigation', all of these significant impacts are resolved. ESC will need to see robust evidence for this in all cases along with the specific details of what mitigation will be available, considered and used, and when delivered, to ensure that not only are significant adverse impacts avoided as required by policy, but that adverse impacts are mitigated and minimised as far as reasonably possible, or preferably avoided entirely.</p>	<p>ESC will need more detail in respect to mitigation including likely attenuation performance in order to be confident that works can be controlled so as to avoid significant adverse effects and minimise adverse effects.</p> <p>The Applicant has stated in [REP2-027] that it is '<i>confident that significant adverse effects can be avoided at these locations with the implantation of BPM</i>'. They go on to state that '<i>specific mitigation measures can only be determined by the contractor, informed by their detailed assessments</i>'. Whilst ESC acknowledges that greater detail would be provided by the contractor pre-construction should the project be consented, ESC has made clear its requests for further detail at this stage, and this has not been forthcoming over the course of the Examination. In any case, non-specific mitigation, and temporal restrictions, as discussed in D7.9.02 above, cannot be relied upon to remove predicted significant adverse effects.</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Project-wide: Lack of coordination				
D7.10.01	Lack of coordination and introduction of cumulative and/or in combination effects	<p>See concerns raised throughout ESC’s LIR [REP1-128], including in Sections 3.0, 5.3, 6.3.2, and 6.4.2.</p> <p>ESC is disappointed by the lack of meaningful engagement by the Applicant with other NSIP promoters locally. This has resulted in opportunities for coordination, including with the proposed LionLink project, being missed. This has resulted in different damaging landfall locations and onshore cable routes being selected by separate projects with little regard being paid to the consequential long-lasting damage that so much onshore infrastructure proposed within the East Suffolk District is causing and will continue to cause to its local communities and the environment. This demonstrates a serious lack of oversight and vision from Government and the commercial promoters of such schemes. No holistic planning has taken place, nor has any thought been given to mitigating the impacts of delivery of future energy infrastructure in this region. Instead, East Suffolk’s local communities are being faced with a sporadic succession of different projects, working primarily in isolation to one another whilst being in close proximity, and resulting in cumulative and in-combination impacts that are being forced upon the District. This is unsustainable.</p> <p>The Applicant dismisses ESC’s concerns in its response to ESC’s LIR [REP2-027], and asserts that coordination</p>	<p>ESC has had to face and deal with numerous nationally significant energy infrastructure projects in recent years, all delivered in a piecemeal fashion with little or no regard for the cumulative and in-combination impacts that these projects have forced upon the District. This cannot continue to occur at the expense of East Suffolk’s environment and communities. The succession of individual proposals impacting East Suffolk’s communities without visible strategic over-sight, or collaboration to minimise impacts, creates a very challenging, unsustainable and unacceptable situation that is now susceptible to challenge.</p> <p>It is imperative, given the pressures this area of East Suffolk is facing from these projects, that the cumulative and in-combination effects of the Project with other proposed and consented projects are fully taken into account, considered and all opportunities for coordination identified and maximised. This is necessary and essential so as to reduce the adverse impacts of the developments on East Suffolk’s sensitive and valued environments and the local communities, who have been hit by a constant barrage of energy infrastructure projects and will be subject to years of disruption from associated construction works, if they are consented and implemented.</p> <p>ESC requires the Applicant to include the ability within their DCO to provide the ducting for the LionLink</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>has indeed taken place and has <i>'had a profound influence'</i> on the development of the Sea Link project. This is simply incorrect. ESC maintains the points previously raised on this matter. There is virtually no real coordination being proposed between Sea Link and the proposed LionLink project other than colocation at Saxmundham (which in itself is not coordination).</p> <p>This is evident by the missed opportunity for NGET to install cable ducts for LionLink's proposed HVAC links to Friston Kiln Lane. This means that each project, if consented, will need to install its own HVAC cables in isolation, successively, and in the same area. This unnecessarily elongates the construction works period for host and neighbouring local communities and the environment.</p>	<p>project, as this would meaningfully reduce the significant environmental impacts of both projects. Leaving space within the same area of land (i.e. HVAC routing options) is not sufficient and does not amount to meaningful coordination between projects as it still requires two consents and two lots of cable installation disruption in the same area. The benefits of coordination, to significantly reduce environmental impacts, have therefore been missed. Given the likely close alignment of the two projects' HVAC cable swathes in this area, coordination has not been built into the project, and this demonstrates that opportunities for real coordination have been missed.</p>	
D7.10.02	Construction Compounds	<p>See Paragraph 6.6.1.2 of ESC's LIR [REP1-128].</p> <p>ESC requests that the Applicant seeks to coordinate construction compounds with NGV's LionLink project (assuming both are consented) during construction (where timeframes sufficiently overlap), particularly in reference to the co-located converter station site.</p>	<p>ESC requests that the Applicant engages with NGV to consult and agree coordination of construction compounds during construction to reduce otherwise unnecessary and entirely avoidable impacts.</p> <p>ESC notes and supports the Applicant's commitment at 6.6.1.2 within [REP2-027]: <i>'The Applicant will continue to liaise with NGV and should both projects gain consent, opportunities for cooperation throughout construction will be identified and enacted where practicable.'</i> ESC requires this to be included as a commitment in the REAC [REP4-235].</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>On the basis of information available at Deadline 7, this matter currently remains 'not agreed'. However, ESC expects the Applicant to engage in discussions, including with ESC and the promoters of other projects in East Suffolk, beyond the Examination, and subject to the progress of these discussions, there is potential for agreement to be reached on this matter.</p>	
D7.10.03	Masterplan for Saxmundham Converter Station site	<p>See Section 6.3.3 of ESC's LIR [REP1-128].</p> <p>Good design can help to lessen the visual impacts of the development which is vital given the scale of infrastructure proposed for the Sea Link project alone, and in a coordinated scenario. The visual impact of the development will be hard to mitigate during construction or in the early years after construction, due to the open nature of the landscape. In order to ensure the delivery of good design in tandem with appropriate mitigation, it is imperative that the converter station site is genuinely master planned. Without the strategic oversight of a master plan, it will be impossible to understand whether the site can accommodate multiple projects and still achieve long-term good design. The masterplan should be developed collaboratively with not only the other affected NSIP promoters, but also with statutory consultees, which includes the relevant town and parish councils.</p>	<p>ESC notes and supports the Applicant's commitments set out at 6.3.3.4 within [REP2-027].</p> <p>ESC requests that the Applicant continues to work in collaboration with other NSIP promoters and other stakeholders to ensure the converter station site continues to be genuinely master-planned in order to achieve long-term good design.</p> <p>ESC welcomes the update noting that <i>'The Sea Link project team has been consulted by the LionLink team on the updated version of the masterplan which will form part of the LionLink Statutory Consultation. This will demonstrate that coordination is ongoing and there will be further consultation on the masterplan via the LionLink project.'</i></p> <p>On the basis of information available at Deadline 7, this matter currently remains 'not agreed'. However, ESC expects the Applicant to engage in discussions, including with ESC and the promoters of other projects</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			in East Suffolk, beyond the Examination, and subject to the progress of these discussions, there is potential for agreement to be reached on this matter.	
D7.10.04	Friston Substation – impact on landscape planting	<p>See Section 6.4.3 of ESC’s LIR [REP1-128].</p> <p>There is a risk that the HVAC cable corridor entering the proposed Friston Kiln Lane substation site will reduce the effectiveness of the landscape mitigation consented under East Anglia ONE North and East Anglia TWO’s consents if open cut trenching methods of installation are used by Sea Link (and future projects looking to connect at this location). ESC considers it unacceptable for multiple successive projects to come forward which have the potential to diminish and damage that mitigation planting - this situation would be made worse by the project promoters not coordinating cable installation/routes between projects requiring multiple routes into the Friston Kiln Lane substation site.</p> <p>ESC notes the Applicant’s comments within [REP2-027] in response to its LIR submitted at Deadline 1. Section 6.4.3.5 also highlights that <i>‘subject to the delivery programme of the LionLink project, the powers in a future LionLink DCO, and other procurement, regulatory, and business interface challenges, there remains the possibility (albeit unlikely) that the ducts may be delivered together.’</i> This is a welcome addition from the Applicant, and one which ESC will continue to monitor closely.</p>	<p>ESC maintains a strong preference for the Applicant to use Horizontal Directional Drilling (HDD) to minimise adverse impacts on this landscape mitigation. ESC understands, however, that NGET are reluctant to use HDD for this purpose. ESC is also concerned that this would subsequently restrict NGV’s ability to use HDD methods for the LionLink project in the future, with Sea Link’s open cut installation effectively setting a precedent for future works given the current lack of HVAC coordination. This is unacceptable given the damage that could be caused through open cut trenching installation methods, if HDD is not used in these areas.</p> <p>ESC does however acknowledge the positive engagement efforts between NGET, NGV and SPR undertaken to date on early discussions related to how HVAC cables will transit consented SPR mitigation areas at Friston Kiln Lane.</p> <p>ESC acknowledges and strongly supports the Applicant’s comments at 6.4.3.1 within [REP2-027], confirming that <i>‘ongoing collaboration between the various developers, so that the evolving designs can be developed in compatible ways which retain the functionality of the original SPR mitigation planting, while allowing other projects to progress’</i> and at 6.4.3.2 <i>‘The Applicant is</i></p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>The NGV Lionlink project launched the statutory consultation on 13th January 2026 for eight weeks, concluding on 10th March 2026. In extension to the above point raised by NGET at Deadline 2, ESC notes that NGV are exploring two routing options for their HVAC cable corridor between the proposed co-located converter stations site on land east of Saxmundham and the Kiln Lane substation in Friston. ESC advocated for NGV to select the southern HVAC routing option noting this option facilitates co-location with the proposed Sea Link HVAC and HVDC cable corridors. This option would allow for the LionLink HVAC cables to be laid along a similar route to those being delivered by the Sea Link project, although ESC understands that a need for further review and coordination would be required between the parties. ESC is therefore pushing both parties to continue exploration of coordination efforts in this regard.</p>	<p><i>confident that detailed landscaping designs that accord with the EA1N/EA2 outline masterplan can be developed which retain the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables.'</i></p> <p>ESC also notes the Applicant's commitments in 6.4.3.4 which state <i>'it is not considered to be necessary to install using HDD, as the Applicant is confident that detailed landscaping designs that accord with the EA1N/EA2 outline masterplan can be developed which retain the effectiveness of the EA1N and EA2 mitigation, while accommodating the Proposed Project cables.'</i></p> <p>At Deadline 3, ESC was encouraged by recent efforts by the project promoters in order to avoid future disruption to consented landscape mitigation at Friston Kiln Lane. This is a positive step. Whichever method of HVAC installation is taken forwards on the advice of the ExA should consent be granted for the Sea Link project, ESC's primary concern remains the effectiveness of the consented SPR mitigation at Friston Kiln Lane.</p> <p>ESC notes the Applicant's comments at Deadline 3 to the first Written Questions [REP3-069] and [REP3-070] regarding the proposed project's HVAC interaction with the SPR EA1N and EA2 projects' landscaping proposals at the substations site in Friston. ESC can advise the ExA that the SPR EA1N and EA2 discharges for the Landscape Management Plan (LMP) relating to the</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>Friston substations site (SPR DCOs Requirement 14(1)) have now been discharged (ESC reference DC/25/4821/DRR for EA1N and DC/25/4826/DRR for EA2).</p> <p>In summary, advanced discussions were held between SPR and NGET pre-submission of the substations stage LMPs for EA1N and EA2 in connection with the discharge of R14(1) for the SPR projects' substations stage of works. The discussions focussed on how the landscaping proposals consented under the SPR DCOs might interact with the proposed Sea Link project should consent be granted by the Secretary of State later. SPR delayed the submission of the EA1N and EA2 LMPs with a view to agreeing sections of text to be included within their submission materials in light of ESC's expressed wish that all parties genuinely endeavour to co-ordinate their respective schemes at all stages of the process so as to avoid or minimise detrimental impacts that would otherwise be imposed on local communities set to host or neighbour the onshore infrastructure. At the time of the LMP materials being submitted by SPR to ESC for consideration in order to discharge R14(1), ESC understood that the approach to future coordination between SPR and NGET had been agreed prior to the submission of R14(1) for discharge, which had been reflected within the submitted documents.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>However, subsequently, NGET submitted an objection to the discharges which elaborated upon the points NGET had raised in [REP3-069] and [REP3-070] at Deadline 3. NGET's objection was therefore in stark contrast to their agreed pre-submission position with SPR which had been reflected in the agreed text within SPR's submitted LMP's. Given the conflicting nature of the objection received from NGET, ESC sought legal advice on the issues introduced by NGET. This concluded with the LMPs being discharged as originally submitted within the 56 day timeframe.</p> <p>In addition, NGET advised ESC that they are of the view that the identified issues are easily rectifiable given that only minor changes to the submitted SPR plan (affecting vegetation types and phasing in discrete areas) would be required to address them, being very minor alterations to vegetation species and phasing. NGET advised that 'These adjustments are primarily related to which species of vegetation are planted where, in discrete areas of a wider masterplan that would remain largely unchanged, and how advanced planting in these areas is phased'. NGET acknowledged that 'the changes required would not be material or conflict with the landscaping principles shared and discussed with ESC or neighbours to date'</p> <p>Should Sea Link gain consent from the Secretary of State, given the minor non-material nature of any such changes to SPR's proposed landscaping, ESC concluded</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p>that Requirement 40 of the SPR EA1N and EA2 DCOs would appear to provide the correct mechanism to address any such changes that may be brought forward by SPR to accommodate future projects, such as Sea Link.</p> <p>ESC understands that SPR is prepared to continue to engage with NGET in relation to Sea Link and NGV in relation to the LionLink project. ESC fully endorses and encourages proactive collaborative working to avoid and or minimize any associated impacts on local communities.</p> <p>ESC did not however accept NGET's R14(1) objection statement that if ESC were to discharge R14(1) in its current form, that this 'would involve ESC frustrating the coordinated approach which ESC itself has specifically advocated for.' ESC made it clear to NGET that such a statement is both patently incorrect and in the context of ESC's wish that the parties adopt a co-ordinated and collaborative approach, extremely unhelpful.</p> <p>On the basis of information available at Deadline 7, this matter currently remains 'not agreed'. However, ESC expects the Applicant to engage in discussions, including with ESC and the promoters of other projects in East Suffolk, beyond the Examination, and subject to the progress of these discussions, there is potential for agreement to be reached on this matter.</p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Health and Wellbeing				
D7.11.01	Mental health and wellbeing	<p>ESC cannot agree with the Applicant’s findings of ‘no likely significant adverse effects’ on health and wellbeing as a result of the Proposed Project, and when considered cumulatively with other projects in the locality. East Suffolk’s residents are experiencing significant disruption from other major infrastructure projects in the District, including those currently under construction, such as Sizewell C and SPR’s EA1N and EA2 projects, and those at earlier stages of the consenting process, including LionLink. Sea Link is exacerbating, and will continue to exacerbate, these effects. ESC already has concerns for the mental health and wellbeing of its local communities, and therefore rejects the Applicant’s conclusion that the cumulative effects of Sea Link in combination with other projects in the area will not have significant adverse effects on mental health and wellbeing.</p> <p>The Applicant states, at Paragraph 11.8.1 of the Health and Wellbeing ES Chapter [APP-058] that ‘the Proposed Project has been designed, as far as possible, following the mitigation hierarchy’. ESC does not accept this assertion and considers that the Applicant has not ‘as far as possible’ avoided or reduced the mental health and wellbeing impacts of the Proposed Project. Most notably, as discussed in rows D7.5.01 and D7.5.02 above, the Applicant has failed to propose reasonable core working hours to provide the local community with respite from</p>	<p>Managing appropriate working hours is a critically important element of safeguarding residents’ mental health and wellbeing. Saturdays, particularly Saturday afternoons, Sundays, and bank holidays are expected to be reprieves from construction working. Residents require respite from these works, especially given the number of projects in the district. Significant adverse effects on mental health and wellbeing can arise during construction periods, particularly where multiple projects are being the subject of consultation, then consented, and then constructed across the same communities. As noted in rows D7.5.01 and D7.5.02 above, ESC has proposed, following discussions with the other Councils, revised wording for Requirement 7 in response to ISH3 Action Point 1 [REP6-161] in order to secure more reasonable working hours.</p> <p>ESC is also supportive of SCC’s request for a Mental Health and Wellbeing Monitoring Plan [REP5-178].</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>construction activity. This is an extremely important mitigation measure that the Applicant has failed to implement for the sake of its own project programme and costs. This is unacceptable to ESC and the local communities it represents.</p> <p>ESC is therefore concerned that the proposed Sea Link project has the potential to give rise to an unacceptable risk to human health, and ESC does not consider that the Applicant has made a genuine attempt to propose adequate measures to avoid and mitigate mental health and wellbeing effects in particular. Given ESC's significant concerns regarding the mental health and wellbeing impacts of the project, ESC noted in response to ExQ3 3GEN2 [REP6-261] its view that the presumption for consent for this 'Critical National Priority' infrastructure may not apply.</p>		
Draft Development Consent Order				
D7.12.01	Schedule 3 Requirement 6 (Management Plans to be Approved)	ESC has previously raised concerns that the list of management plans does not include a lighting management plan, which ESC considers necessary. This would ensure that the operational lighting is able to respond to any site-specific technical requirements and reflect the most up-to-date best practice. Such requirements are commonplace. For example, Requirement 25 ('Control of artificial light emissions during operational phase') of The East Anglia ONE	ESC welcomes the amendments made to Requirement 3 of the draft DCO at Deadline 6 [REP6-004] such that no operational lighting may be installed as part of Work No. 1B (if constructed under the Sea Link DCO), 3B, 9B, or 11 until an Operational Lighting Management Plan for that stage of the works has been submitted and approved by the relevant planning authority.	Agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		North Offshore Wind Farm Order 2022 and The East Anglia TWO Offshore Wind Farm Order 2022 allows the relevant planning authority to approve details of artificial light emissions, including measures to minimise lighting pollution and the hours of lighting.		
D7.12.02	Schedule 3 Requirement 9 (Reinstatement schemes) and Article 27 (Temporary use of land for carrying out the authorised project)	<p>See Paragraph 7.1.3 of ESC's LIR [REP1-128].</p> <p>ESC previously raised concerns that the 10m exception to the reinstatement of land in Requirement 9(2) within the draft DCO (Version E) [CR1-027] would leave large gaps in hedgerows where in proximity to buried cables, causing habitat fragmentation. ESC therefore welcomes amendments made to Requirement 9(2) to exclude this 10m exception.</p> <p>Article 27 was amended to include this exclusion for reinstatement of land where the undertaker would otherwise need to replant 'trees, shrubs, shrubberies or any other deep-rooted organism' above or within 10 metres of underground cables. ESC considered that this did not alleviate its concerns and suggested that Article 27 should only refer to 'trees' in this respect.</p>	ESC therefore welcomes the removal of 'shrubs', 'shrubberies' and 'any other deep-rooted organism' from Article 27(5).	Agreed
D7.12.03	Schedule 4, para 1(1)	See ESC's response to ExQ1 1GEN28. [REP3-085] , and agenda item 21.2 of its ISH2 post-hearing submission [REP4-117] for the full detail and justification for ESC's position.	ESC requests that Paragraph 1(1) of Schedule 4 of the draft DCO [REP4-217] is amended to prescribe a period of 56 days, following the approach taken in the EA1N and EA2 consents and affording discharging authorities the ability to conduct a thorough and robust consideration of discharge of requirement applications,	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ESC strongly objects to the proposed 35-day determination period for the discharge of requirements. The EA1N and EA2 DCOs prescribe a 56-day determination period, and the Sizewell C DCO prescribes a 56-day determination period where the discharging authority must consult with any other body (excluding SCC/ESC), and a 42-day determination period where there is no such requirement to consult. 35 days is therefore an unacceptably short determination period for ESC (as the discharging authority for the majority of the DCO requirements for the Suffolk Onshore Scheme) to rigorously scrutinise any discharge of requirement applications, which are a vital part of the DCO process.</p>	<p>many of which may be received by ESC simultaneously or in quick succession.</p>	
D7.12.04	Schedule 4, para 1(2)	<p>See ESC's response to ExQ1 1GEN28. [REP3-085].</p> <p>ESC strongly objects to the deeming provisions in Paragraph 1(2) of Schedule 4, particularly given the short timescale of 35 days for determination. DCO Requirements are a key mechanism for controlling the development, and deeming provisions for the discharge of requirements are not included in other DCOs within the East Suffolk District, with an appeals process prescribed instead for instances of non-determination within the decision period.</p> <p>ESC also notes that the Applicant has stated on numerous occasions, including in its comments on ESC's response to Question 1GEN28. of ExQ1 [REP4-083], that 'the deemed approvals provisions will only</p>	<p>ESC requests that the provision for deemed consent in Paragraph 1(2) of Schedule 4 of the draft DCO [REP4-217] is removed and that Paragraph 4(1) is amended to extend the appeals process to instances of non-determination of discharge of requirement applications within the time periods prescribed in Paragraph 1(1) of Schedule 4.</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>have effect where the application for consent, agreement and/or approval includes a clear statement that consent etc. must be provided within 35 days or else the consenting authority is deemed to have granted consent'. ESC cannot see how the draft DCO [REPG-004], as currently worded, allows for this implied 'waiving' of the deeming provisions at the Applicant's discretion. Schedule 4(1) clearly applies deemed approval provisions to all consents, agreements or approvals required by a Requirement (subject to sub paragraph (3) of Schedule 4(1)), with no requirement for this to be identified in the application itself. ESC rejects the Applicant's assertion that this provides any reassurance, noting that there is nothing to stop the Applicant applying deemed approval provisions to all applications for consents, agreements or approvals required by a Requirement, ESC does not consider that the draft DCO in its current form provides for such a procedure.</p>		
D7.12.05	Schedule 4, para 2	<p>ESC considers that Paragraph 2(2) prescribes an unreasonably short timeframe (7 days) for requesting further information.</p> <p>Paragraph 2(3) requires that the relevant authority notifies the undertaker where further information requested by a Requirement consultee '<i>within 5 days of receipt of such a request and in any event within 21 days of receipt of the application</i>'. Standard consultations are 21 days, and so if a consultee requests further information on the 21st day of</p>	<p>In order to allow ESC to thoroughly scrutinise any discharge of requirement application it receives and ensure a robust determination process is conducted, ESC consults internal technical specialist officers on these applications. They are afforded the same 21-day consultation period as an external consultee, and this is essential to allow them sufficient time to scrutinise the proposals. This is particularly important given the number of NSIPs for which ESC is likely to be discharging requirements at the same time as Sea Link. ESC therefore suggests that Paragraph 2 of Schedule 4</p>	Not agreed

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>consultations, for example, the discharging authority should be able to notify the undertaker of this request later than 21 days after receipt of the application (noting also that it is not practicable for consultations to be sent out on the day of receipt of an application in all cases).</p>	<p>should not differentiate between applications for which there is a requirement for external bodies to be consulted and those for which there is not. In either case, the relevant authority should be able to request further information up to 5 days after the close of the 21-day consultation period.</p> <p>Part (5) should be deleted. The Consultee does not consider it acceptable that where further information is requested in relation to part only of an application that it should be treated as separate from the remainder of the application. This is not practicable or feasible for the Consultee.</p> <p>ESC therefore suggests that Paragraph 2 of Schedule 4 is amended as follows:</p> <p><i>2.—(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.</i></p> <p><i>(2) If the Requirement specifies that consultation with a Requirement consultee is required, the relevant authority must issue the consultation to the Requirement consultee within 5 business days of receipt of the application</i></p> <p><i>(3) If the relevant authority, or a Requirement consultee, considers further information is necessary, the relevant authority must, within 26 days of consultations being</i></p>	

Ref	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
			<p><i>issued where applicable, notify the undertaker in writing specifying the further information required.</i></p> <p><i>(4) If the relevant authority does not give the notification mentioned in sub-paragraph (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.</i></p>	

Annex 1 – Matters closed

Matters that were marked as resolved in the Deadline 3 version of ESC’s PADSS [\[REP3-080\]](#) are included in the table below. No further matters were marked as resolved in the Deadline 5 version of ESC’s PADSS [\[REP5-184\]](#).

Ref in [REP3-080] .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
3.03	Landscape and visual impacts	<p>See Paragraph 6.3.11.7 of ESC’s LIR [REP1-128].</p> <p>The removal of vegetation to facilitate the construction of the bridge will open up views toward the converter station site and increase the focus towards this activity. These impacts have been exacerbated by the increase in scale of the bridge proposed in response to concerns from the Environment Agency regarding impacts on aquatic invertebrates and compliance with the Water Framework Directive. This construction activity would be within a parkland landscape, which is of a special quality and a feature of the Fromus Valley Landscape Character Area.</p>	<p>ESC is now satisfied that the removal of the willow trees along the Fromus will not open up views to the converter station to any significant extent. ESC therefore no longer wishes to pursue this point.</p>	Matter closed
3.05	Assessment of trees and hedgerows near the River Fromus Crossing	<p>A new edition of BS 5837 Trees in Relation to Design, Demolition and Construction is due to be published in the near future (at the time of writing (January 2026) the new BS has not been published – this is expected in 2025 following the earlier consultation which closed in October 2024). This has significantly greater protection recommendations for Veteran and Ancient trees, and could create a potentially unsurmountable constraint for the Crossing. Category A and veteran trees may need to be re-assessed a</p>	<p>Previously, ESC advised the ExA that it expects the Applicant to re-submit all tree survey information in compliance with the new BS 5837 guidance once it has been published. This was expected within the examination period; however ESC now understands that this revised guidance will be published in November 2026 as set out within 6.2.2.2 of [REP2-027].</p> <p>ESC understands that any revised assessment will not be possible within the examination period as this closes prior</p>	Matter closed

Ref in [REP3-080].	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		<p>ording to the anticipated new guidance covering what are expected to be uncapped root protection areas (compared to the existing current capped RPAs) for such trees. This will be particularly relevant to the Veteran Horse Chestnut (T871S) which stands close to the Fromus crossing point and which the Council considers may have been under assessed in terms of its cumulative stem diameter, given its multi-stemmed layered form.</p> <p>ESC will expect all tree survey information to be re-submitted according to the new guidance.</p> <p>It should be noted that prior to submission, ESC had not seen any detailed tree survey and Arboricultural Impact Assessment information, including what other important trees could be lost as a result of efforts to avoid the Horse Chestnut.</p>	<p>to the revised guidance being published. This matter is therefore closed.</p>	
3.10	Surface water drainage and flood risk	<p>It is essential that surface water drainage and flood risk at the site is comprehensively and appropriately assessed and managed given the contours and potential poor infiltration properties at the site due to the Ancient Estate Claylands landscape type. The Order Limits must be sized appropriately to accommodate the drainage solution for the site during both construction and operation, and the ExA should satisfy themselves that this is indeed the case.</p>	<p>Whilst supporting their concerns, ESC defers to SCC as Lead Local Flood Authority and so does not consider it necessary for this matter to be included in ESC's PADSS moving forward.</p>	<p>Matter closed – ESC defers to SCC's judgement regarding the likelihood of resolution</p>

Ref in [REP3-080] .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
3.11	Assessment of alternative access options for the converter station site	<p>See Paragraph 6.3.11.3 of ESC's LIR [REP1-128].</p> <p>The proposed Fromus crossing on the currently proposed western access route remains a concern for ESC as it will require significant intrusive engineering and design work.</p> <p>ESC considers that robust justification is required for ruling out the alternative accesses.</p>	<p>ESC previously requested that the Applicant provide an options appraisal report detailing the alternative options for access to the converter station site that were considered, and justification for selection of the western River Fromus Crossing as the preferred access into the co-located converter station site.</p> <p>ESC has reviewed the Applicant's comments on its LIR [REP2-027] together with the Applicant's access assessment summary for the Main Alternatives Considered within Part 1 Introduction Chapter 3 [APP-044]. Noting ESC's concerns, it is acknowledged that the Western Access represents the 'least-worst' option assessed, noting that none of the Applicant's proposed access options were free of constraints. Given the current stage of the DCO examination, the dialogue undertaken to date between ESC and the Applicant on this matter, and noting the works already undertaken which now focus on the western access option, ESC considers it holds little merit pursuing the issue any further given the many other pressing areas of disagreement which require a resolution as set out in this PADSS. This matter is therefore closed as no desirable alternative for converter station site access is available.</p>	Matter closed
4.02	Discrepancies in the order limits with those of SPR	<p>See Section 6.5.5 of ESC's LIR [REP1-128].</p> <p>There are discrepancies between the Project's Order Limits around Friston when compared to the Order Limits consented by SPR, including the exclusion of areas of landscape mitigation and land required for the diversion</p>	<p>ESC previously requested that the Applicant provides evidence that the proposed Order Limits around Friston substation are adequate for the necessary mitigation measures for Sea Link, in light of the mitigations already secured for SPR as part of their own DCOs for EA1N and EA2. The Applicant should be using the SPR consents as</p>	Matter closed – ESC defers to SCC LLFA regarding the adequacy of the areas identified for drainage on the

Ref in [REP3-080] .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
		of existing public rights of way. This needs to be urgently reviewed should Sea Link deliver Friston substation under the project alone Scenario 2.	<p>the starting point for their own proposed embedded mitigation under a Scenario 2 connection, especially given the sensitivity of the location and its local communities.</p> <p>ESC welcomes the Applicant updating the Works Plans [CR1-007] so that they clearly identify where drainage works are proposed. Given that the requested further detail has been provided, ESC defers to SCC as the LLFA regarding the adequacy of the proposed drainage areas, and considers this matter between ESC and the Applicant closed.</p>	updated Works Plans
6.01	Historic Surface Water Flooding	<p>See Section 6.5.5 of ESC's LIR [REP1-128].</p> <p>Friston has been subject to surface water flooding on multiple occasions, and so it is important that there is sufficient space on site to accommodate a suitable and acceptable construction drainage design. Understanding the implications of the operational drainage design for the Project and its interaction with the drainage proposals consented under the East Anglia ONE North and East Anglia TWO projects is also extremely important. ESC defers to the LLFA and Environment Agency (EA) on flood matters.</p>	ESC defers to SCC as the LLFA and the EA, and supports their concerns. ESC therefore does not consider it necessary for this matter to be retained in future versions of its PADSS.	Matter closed – ESC defers to SCC and the EA for their judgement regarding the likelihood of resolution.
8.01	Survey coverage	ESC has previously raised concerns about a lack of survey coverage in relation to Breeding and Wintering Birds.	ESC no longer wishes to pursue its concerns around survey coverage for breeding and wintering birds. Whilst it maintains that the survey effort was inadequate, it is not considered that further surveys would change the outcome of the assessment of significance presented in the Environmental Statement Chapter 2 (Suffolk) Ecology and Biodiversity [REP6-018] .	Matter closed

Ref in [REP3-080] .	Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
10.02	Interaction with offshore wind energy generation	ESC previously raised concerns about the possibility of Sea Link providing the North Falls Offshore Wind Farm project with an offshore electrical connection requiring additional onshore infrastructure at Friston Kiln Lane, within East Suffolk.	<p>The Applicant highlights within [REP2-027] that <i>'if the Proposed Project was re-purposed as an offshore wind farm connection point, it would lose capacity to serve its original primary purpose as network reinforcement, likely creating the need for additional network infrastructure including potential onshore infrastructure. It would also have led to up to a five year delay to the overall programme for RWE Five Estuaries and RWE North Falls.'</i></p> <p>In light of the points raised within the Applicant's response summarised above, ESC is no longer pursuing this matter as neither the North Falls or Sea Link projects currently include any provision for an offshore interface between the projects (as of the time of writing).</p>	Matter closed
10.06	Friston Substation - Embedded mitigation in Scenario 2	<p>See Section 6.4.3 of ESC's LIR [REP1-128].</p> <p>ESC considers that, should the substation at Friston Kiln Lane be delivered by the Sea Link project rather than under SPR's existing consents, the level of mitigation surrounding the substation site should not be watered down given the existing sensitivities of the local communities in that area. ESC wishes to emphasise that the agreed mitigation across the projects were found to only just be sufficient. This reinforces ESC's view that the Applicant should be using the SPR consent as the starting point for their own proposed embedded mitigation, especially in extremely sensitive locations such as the village of Friston.</p>	<p>ESC now understands that the Applicant has embedded all of SPR's approved landscape mitigation as the starting point for their own proposed embedded mitigation which is strongly supported. ESC therefore considers this matter to be closed.</p> <p>ESC does however wish to reiterate that it maintains concerns raised above in 10.05 that if open cut is selected for HVAC installation over HDD methods (if the project is consented), this would introduce gaps in planting which should be given sufficient consideration by the ExA.</p>	Matter closed