

Our Ref: EN020026

To:

National Grid Electricity Transmission plc	Ebbsfleet Minster
Natural England	Edward Spanton
Marine Management Organisation	Erik and Karen Collins
Environment Agency	Gordon Young
Whitstable Fisherman's Association	Ian David Mather
The Crown Estate	Ian Rix
Suffolk County Council	James Henry Rogers
Kent County Council	James Bedford Pace and Alexandra
London Gateway Port Limited	Ruth Pace
Network Rail	Jean Veronica Spanton
Northumbrian Water Limited	Kent Wildlife Trust
SPR parties	Lindsay Peter Tomlinson
Dover District Council	Nicholas Jon Stuchfield and Jill
Thanet District Council	Stuchfield
Thanet Fisherman's Association	Struan Gordon Robertson
Kent and Essex Inshore Fisheries and	William Notcutt Estates Limited
Conservation Authority	East Suffolk Council
Aldeburgh Golf Club	The Highways Authority
Blackheath Farms Limited	

28 August 2026

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by National Grid Electricity Transmission plc ("the Applicant") for an Order granting Development Consent for the proposed Sea Link project ("the Proposed Development")

REQUEST FOR INFORMATION

1. Following the completion of the Examination on 5 May 2026, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State on 30 July 2026. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.

2. There are matters on which the Secretary of State would be grateful if the parties listed below could provide updates or information as appropriate.

Benthic Ecology

3. **The Applicant, MMO and NE** are invited to comment on proposed condition of Schedule 16 (Deemed Marine Licence):

Benthic Mitigation Plans

“Based on pre-construction surveys required in conditions 4(1)(I) and 15 and in agreement with MMO, the Undertaker must prepare a Benthic Mitigation Plan(s). Any necessary Benthic Mitigation Plans must be submitted to and approved in writing by the MMO in consultation with the statutory nature conservation body prior to offshore works commencing and should include a timetable for implementation of the mitigation and details of any necessary monitoring. Any agreed mitigation and/or monitoring must be implemented in accordance with the agreed timetable.”

4. **NE** is invited to confirm whether [REP7-258] provides sufficient information as to the nature of the impacts to intertidal benthic features of Sandwich Bay and Hacklinge Marshes SSSI. Noting Deadline 7 updates such as [REP7-099] and [REP7-258], **NE** is invited to confirm whether it considers this and any other outstanding issues in [REP7-364] to be resolved.
5. ES Part 4 Chapter 2 [REP7-099] assesses disturbance and permanent loss of a small amount of chalk habitat, noted to be an irreplaceable habitat with high sensitivity. **The Applicant** is invited to explain whether it considers 2024 NPS EN-1 paragraph 5.4.53 to be relevant in this instance.

Hovercraft

6. **NE** [REP7-274] raised concerns regarding effects on marine mammals, noise and visual disturbance due to the late addition of commitment in GG45 in the Register of Environmental Actions and Commitments (“REAC”) which stated that the hovercraft at Pegwell Bay would be on standby and only used for emergencies. The Secretary of State invites the **Applicant** to update GG45 in the REAC [REP7-359], outline Construction Environmental Management Plan (“oCEMP”) [REP7-129] and oOCEMP [REP7-127] to strengthen this commitment as follows:

“Hovercraft at Pegwell Bay will be on standby and used for emergencies only. It will not be used at any other time during any stage of the project’s **construction, operation, maintenance or decommissioning. The applicant will report all instances of emergency hovercraft use to Natural England and Thanet District Council TDC within 24 hours**”.

The Applicant is also requested to define ‘emergency use’.

7. **NE** is invited to advise whether this control is sufficient to avoid adverse effects on marine mammals and designated sites from the use of hovercraft.

Marine Physical Environment

8. East Suffolk Council ("ESC") suggested that paragraph 5.6.7 of National Policy Statement EN-1 ("NPS EN-1") supported the requirement for a deed of obligation with the Applicant in respect of coastal erosion monitoring [REP7-197], but due to the late nature of the submission, the Applicant was unable to respond. The **Applicant** is invited to provide a response to this submission.

Commercial Fisheries and Fishing

9. Thanet Fisherman's Association [RR-5373], Kent and Essex Inshore Fisheries and Conservation Authority ("KEIFCA") [RR-2976] and Whitstable Fisherman's Association [RR-6041] raised concerns regarding the Applicant's ES, in particular that inadequate consideration has been given to the impacts of bottom drift fishing. However, the Secretary of State notes that at Deadline 4, an oFLCP ("outline Fisheries Liaison and Coexistence Plan") was submitted, and under the terms of the DML condition 4(1)(f) in the dDCO (submitted at deadline 7), the final FLCP must be substantially in accordance with it. In response to the ExA's second written questions ExQ2CF5 [PD-021] only the Eastern Inshore Fisheries Conservation Authority (EIFCA) responded [REP5-191]. The Secretary of State therefore requests that **Thanet Fisherman's Association, KEIFCA and Whitstable Fisherman's Association** confirm whether their concerns have been addressed.

Landscape and Visual

10. The Kent outline Landscape and Ecological Management Plan ("oLEMP") [REP7-141] omitted Annex A. For completeness, the Secretary of State requests that the **Applicant** provides a revised version of the Kent oLEMP containing all annexes.
11. The Unilateral Undertaking ("UU") in relation to national landscapes was submitted at the final Deadline [REP7-354] and as such, Suffolk County Council ("SCC") was not able to provide detailed comments. The Secretary of State invites **SCC** to provide its comments on this UU.

Agriculture and Soils

12. The Secretary of State notes that NE was unable to review the detailed agricultural land classification ("ALC") survey data due to its late submission in the examination period. **NE** is invited to provide comments on the ALC survey data.

Design

13. The Secretary of State notes that although the Applicant demonstrated how early stages of design for the Proposed Development evolved it did not narrow down the four design options to a favoured choice for the converter stations. The **Applicant** is therefore requested to provide an update on whether it has identified favoured choices for the converter stations and if it has, how those designs meet paragraphs 4.7.7, 4.7.11 and 4.7.12 of NPS EN-1, paragraphs 2.4.1-4 of NPS EN-5, paragraphs 2.5.1 and 2.5.2 of NPS EN 3, and paragraphs 2.9.18 and 2.9.19 of NPS EN-5.

14. The names of the tables in the contents page in document [REP7-346] do not align with the names of the corresponding tables in the body of the document. The Applicant is requested to review this and provide the Secretary of State with an updated document with the correct table names matching with those listed in the contents page.

Ecology, Biodiversity and Ornithology

15. Horizontal directional drilling (“HDD”) entry / exit pits at the Suffolk landfall are within the subtidal zone, whereas the pits at the Kent landfall are within the intertidal zone. With reference to Table 2.6 matter 5 of [REP2-034], **the Applicant** is invited to summarise or signpost to the reasons, technical or otherwise, to explain the different approaches at the two landfall locations.
16. The **Applicant** is invited to provide an updated oCEMP and REAC which amends references in commitment B45 to the breeding season from ‘March to August’ to ‘March to September’ and to require supervision by an ecological clerk of works and/ or qualified ornithologist during all months. **NE** is invited to advise whether it considers this commitment would avoid temporary adverse effects on Sandwich Bay and Hacklinge Marsh SSSI breeding bird assemblage from disturbance during construction.
17. The Secretary of State notes NE’s comments regarding water vole at Leiston-Aldeburgh SSSI and its advice that in order to avoid potential effects on water vole, commitment B62 [REP7-129] should be updated as follows “Prior to HDD works commencing, the Undertaker will carry out Phase 2 botanical surveys **and water vole surveys** within the area of the Proposed trenchless crossing route...”. The **Applicant** is invited to update the outline Offshore Construction Environmental Management Plan (“oOCEMP”) to reflect this.
18. The **Applicant** is invited to amend commitment B60 [REP7-129] to remove “as appropriate”.
19. The **Applicant** is invited to update Appendix B of the oLEMP [REP7-141] to secure two years of collision monitoring from commencement of operation of the new overhead line arrangement and to update REAC commitment B55 to secure that:
- “In the event that collision monitoring surveys in the oLEMP identify that collisions with existing lines are worse than predicted due to the new overhead line arrangement, the applicant will consult with the statutory nature conservation body regarding the need for additional diverters on existing lines. Where consultation with the statutory nature conservation body indicates that additional mitigation is required, diverters shall be fitted on the existing lines, or other appropriate measures agreed with the statutory nature conservation body.”**
20. The **Applicant** is invited to update ES Part 3 Chapter 2 [REP7-095] to consider worst-case effects on beaver due to the possible dismantling of the beaver lodge due to the temporary bridge over the River Stour.

21. The **Applicant** is invited to set out how the dormice survey methodology [APP-108, APP-228, APP-159, APP-259] is in line with the Dormouse Conservation Handbook (second addition). **NE** is invited to comment on the Applicants survey methodology.
22. With regards to paragraph 1.4.1, Table 1.15, Table 1.18, paragraph 1.5.5, and 1.5.7 of [APP-108] and paragraph 2.7.31 of [REP7-094] the **Applicant** is invited to further justify how they have concluded likely absence of Hazel Dormice for the Suffolk Onshore Scheme [paragraph 2.9.89 REP7-094]. With regards to paragraph 1.4.8, Table 1.9, Table 1.11, Table 1.12, paragraph 1.4.12, Table 1.14, Table 1.15, and paragraph 1.5.5 of [APP-159] the **Applicant** is invited to justify its conclusion within the oLEMP [REP7-141] paragraph 3.5.5 and [REP7-095] paragraph 2.9.105, of likely absence of Hazel Dormice for the Kent Onshore Scheme. **NE** is invited to comment on the Applicants survey conclusion.
23. The Secretary of State notes the Applicant's commitment to update the 2025 [APP-108, APP-159] dormouse survey reports using up to date survey methodology (third edition Hazel Dormouse Conservation and Mitigation Handbook). As set out in the Suffolk oLEMP Table 1 [REP7-140] the **Applicant** is invited to extend the dormouse survey area to zone E or provide further justification as to why it should not be resurveyed following the inconclusive identification of young in a green leaf nest set out in the 2025 survey report. The **Applicant** is invited to remove 'if possible' from Table 1 [REP7-141].
24. Commitment B59 in the oCEMP [REP7-129] and oOCEMP [REP7-127] makes provision for trenchless landfall works but then refers to provision of an HDD landfall method statement. Commitment B62 [REP7-129] also references the HDD crossing route. The **Applicant** is invited to review and update the REAC, oCEMP, OCEMP and any other relevant control document to identify and replace references to 'HDD' with 'trenchless crossings', to ensure controls would apply to any method of trenchless crossings regardless of the eventual method employed.
25. With regard to [REP7-277], the **Applicant** is invited to update REAC [REP7-359] Commitment B23 to include lighting mitigation commitments for disturbance impacts to ecological receptors during construction.
26. NE identified unexploded ordnance as a red risk in its issues log but did not have an opportunity to comment on the measures referenced in the final REAC [REP7-359]. The Secretary of State invites **NE** to provide an updated position on the final mitigation proposals.
27. There was a late replacement of the term Ecological Clerk of Works ("ECoW") with Environmental Clerk of Works ("EnVCoW") which has created uncertainty regarding the ecological management works. The **Applicant** is requested to clarify the circumstances in which an EnvCoW or an ECoW would be used and their relevant powers to ensure that best practice in ecological management would be followed and that relevant ecological mitigation in control documents would be implemented appropriately. The **Applicant** is invited to explain why the Kent

oLEMP [REP7-141] suggests that the ECoW has the power to stop works if required, but the Suffolk oLEMP [REP7-140] does not include a similar provision.

28. **The Applicant** is invited to update measure B67 of the REAC [REP7-359] to ensure that the scope of the saltmarsh survey covers the proposed trenchless crossing route as well as the access and egress, as follows:

“The survey will also cover the final trenchless crossing alignment”.

The **Applicant** is further invited to update measure B67 to the wording below to remove the words “as appropriate” when referring to the need to consult with statutory bodies:

“The locations and widths of access routes across the mudflats will be defined post consent in consultation with Natural England, Kent Wildlife Trust and the National Trust”.

29. Paragraph 1.2.7 of the Suffolk oLEMP [REP7-140] relating to biodiversity net gain (“BNG”) reporting includes track changes that make the final BNG provisions ambiguous. The **Applicant** is invited to provide an updated oLEMP including the final text.
30. The **Applicant** is invited to provide a copy of the Impact Assessment and Conservation Payment Certificate for great-crested newt district level licencing.
31. The **Applicant** is invited to revise the Suffolk and Kent oLEMPs and onshore and offshore oCEMPs to provide that relevant survey and monitoring data is shared in the appropriate formats with the relevant Local Environmental Records Centre(s) and / or relevant national and regional environmental recording schemes.
32. The **Applicant** is invited to update the oCEMP [REP7-129] commitment B59 to explicitly exclude works in the winter period:

“The landfall method statement must ensure that works in Pegwell Bay are programmed to avoid the wintering period (November to February)”.

Habitats Regulations Assessment

33. The Report to Inform HRA [REP7-119] states that a detailed UXO survey was planned to be carried out in 2025 to better detect and define potential UXOs that may require clearance. The **Applicant** is invited to confirm if this survey has been carried out and, with reference to [REP7-364], to explain whether it considers the results of the survey should be used to inform the EIA and HRA undertaken for the Proposed Development at this stage.
34. The **Applicant** is requested to update the outline Red-Throated Diver Protocol [REP7-142] to remove the commitment to discuss compensation requirements post-emergency repair with the MMO as this mechanism does not appear consistent with derogation requirements under the Habitats Regulations.

35. **NE** is invited to confirm that the revised Marine Chapter 1, Physical Environment [REP7-097] and Marine Chapter 2, Benthic Ecology [REP7-099] address its concerns [REP6-244] that some landfall construction activities were not included, and that clarification was needed about sequential or overlapping cable installation activities.

Water Environment

36. The Environment Agency (“EA”) requested that the DCO (Part 2 Principle Powers) should be updated to specify that finished levels should be no lower than stipulated in the FRA [REP7-362]. **The Applicant** is invited to propose wording to secure this, or if not, explain why. The **EA** is invited to advise whether the Applicant’s responses in [REP7-174] resolve its outstanding concerns.
37. The **Applicant** is invited to comment on the outstanding issues of the EA [REP7-362], including whether there is a REAC commitment for remediation of cables if there is a risk of exposure or they become exposed.
38. **SCC** is invited to confirm whether it agrees with the Deadline 7 drainage design change to replace the temporary drainage basin that was situated in Flood Zone 3 with a linear drainage feature which avoids works in Flood Zone 3 [reference 6 of REP7-173 and REP7-148] and to confirm whether this change resolves its outstanding concerns regard the sequential and exception tests [Chapter 8 of REP7-367] and suggestion for an additional requirement [REP7-368].

Traffic and Transport

39. The Applicant plans to use the Benhall Railway bridge to transport heavy goods and abnormal indivisible loads (“AILs”). The **Applicant** is invited to provide an update on whether a structural survey has been completed for the bridge and if so, to submit it to the Secretary of State.

Climate Change

40. ES Part 5 Chapter 1 – Climate Change [APP-085] assumes that no SF₆ will be used in the Proposed Development. Other representations by the Applicant [REP4-094, REP5-135, REP5-131, REP6-111] state that SF₆ equipment may be used at locations other than Friston substation. **The Applicant** is invited to explain why potential fugitive emissions of SF₆ has been scoped out of the ES.

Noise and Vibration

41. At Deadline 7, ESC suggested that paragraph 4.2.14 of NPS EN-1 supported the requirement for a deed of obligation with the Applicant in respect of support received from an environmental health officer, but due to the late nature of the submission, the Applicant was unable to respond. The Secretary of State requests the **Applicant** to provide an update in response to this submission.

Human Health and Wellbeing

42. The ES Health and Wellbeing chapters did not conclude that there would be significant adverse effects but the Applicant has committed to a process of recording and responding to potential welfare concerns raised in HW03 of the REAC [REP7-359]. The **Applicant** and **relevant councils** are requested to comment on the following wording that may be added in to the REAC should the Proposed Development be consented:

"HW03 - "The undertaker has an established process of recording and responding to potential welfare concerns raised with the undertaker. This information shall be shared with the relevant district and county councils when concerns are recorded. Where consent is given by the individual, and the potential concern is also relevant to ScottishPower Renewables ("SPR"), the undertaker will share the minimum level of detail necessary with SPR, to allow both developers to respond accordingly. This process also applies in reverse."

Socio-economics and Tourism

43. The Skills, Supply Chain and Employment Plan ("SSCEP") [REP6-101] was included in the dDCO requirement 5 but SCC found that it was lacking in substantive detail. The **Applicant** is requested to provide justification for the lack of detail in the SSCEP and to provide an update if it has been developed further to address SCC's concerns.
44. The **Applicant** is requested to provide further details on how it plans to minimise the impacts on tourism within Suffolk and Kent, how those benefits could be maximised, the plan for its implementation and the role of the relevant councils and other parties to achieve this.

Compulsory Acquisition and Temporary Possession

45. Several Affected Parties ("APs") who objected to the compulsory acquisition or temporary possession of land had not signed an agreement with the Applicant by the close of the Examination. The **Applicant** and **APs** are therefore requested to provide an update on the outstanding agreements and to submit them if they have been agreed and signed.
46. At the close of the Examination, Crown Consent for the Proposed Development had not yet been received from The Crown Estate. **The Applicant** and **The Crown Estate** are therefore requested to provide further updates.
47. The Secretary of State requests that the **Applicant** reviews and updates the details in the book of reference ("BoR"), including for plots 2/11, 2/11a and 2/39.
48. At the close of Examination, objections from the following statutory undertakers remained outstanding: the highway authorities, London Gateway Port Limited ("LGPL"), Network Rail, Northumbrian Water Limited and the SPR parties (parent company of East Anglia ONE North Limited and East Anglia TWO Limited). The **Applicant, LGPL, Network Rail, Northumbrian Water Limited, the Highways**

Authority and the SPR parties are requested to provide updates on these protective provisions.

49. The **Applicant** is requested to update the Secretary of State on whether a side agreement is in place for SPR.
50. The **Applicant** is requested to provide the document reference numbers for the Environmental Statement (together with any supplemental or additional environmental information), in the event that the DCO is consented and these documents need to be certified.
51. The Deadline 7 SoCG with KCC [REP7-021] remained unsigned, as KCC sought seeking legal advice in relation to the protective provisions for highway works. The **Applicant** and **KCC** are requested to provide an update on the status of the SoCG.

Cumulative Impacts

52. The Applicant offered in the unilateral undertaking (“UU”) to make a payment to the Furthering the Purposes (“FTP”) compensation fund in order to comply with the section 85 duty. As the UU was submitted at the final Deadline, SCC has not had the opportunity to provide detailed comments on it. **SCC** is therefore requested to provide its comments on the UU.
53. **ESC** is also invited to provide its comments on the UU in relation to BNG.

Development Consent Order

54. **The Applicant** is invited to comment on SCC’s suggested drafting for Schedule 4 [REP7-366] regarding the procedure for the discharge of requirements by DESNZ.
55. The Secretary of State invites the **Applicant** and **relevant IPs** to comment on the proposed insertion of the final wording in Requirement 18 (Control of operational noise) of the DCO, should the DCO be made, which is shown in italics below:

18 –(1) No part of Work Nos. 1B, 3B, 9B and 11 shall come into operation until an operational noise assessment has been submitted to and approved in writing by the relevant planning authority. The assessment shall—

- (a) be based on the final specification and layout of plant and equipment;
 - (b) demonstrate compliance with the rating levels set out in sub paragraph (3);
- and

- (c) identify any mitigation measures required to achieve compliance.

(2) The development shall be operated in accordance with the approved assessment and any mitigation measures therein, which shall be implemented prior to operation and maintained for the lifetime of the development.

(3) The rating level (L_{Ar}) of noise from the normal operation of the authorised development shall not exceed—

- (a) 34 dB L_{Ar} for any fifteen-minute period between 23:00 and 07:00; and

- (b) (b) 34 dB L_Ar for any one-hour period between 07:00 and 23:00, determined one metre free field external to any window or door of any existing permanent residential premises using the definitions and methods described in BS4142:2014+A1:2019.

Other matters

56. **The Applicant** is invited to comment on ESC's Submission on Community Mitigation Payments at Deadline 7 [REP7-197].
57. The Statement of Common Ground ("SoCG") between the Applicant and KCC remained unsigned at the close of Examination. **KCC** is invited to confirm whether the final SoCG is an accurate summary of its final position on matters and **the Applicant and KCC** are invited to provide a final signed SoCG if possible.
58. The **Applicant** is requested to provide an update on any other outstanding or relevant matters to the Proposed Development.

DEADLINE FOR RESPONSE

59. The deadline for response is **23:59 on 18 September 2026**.
60. Responses should be submitted **by email only** to SouthEastAngliaLink@planninginspectorate.gov.uk.
61. Responses will be published on the Sea Link project page of the National Infrastructure Planning website **as soon as possible after 18 September 2026**: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026>
62. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the Proposed Development or any part of the project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

John Wheadon

John Wheadon

Head of Energy Infrastructure Planning Delivery & Innovation

Department of Energy Security & Net Zero