



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Sea Link Energy Cable

**Appendix B8 for Natural England's combined response to the Deadline 7 documents
and to the All Interested Parties – Invitation to Comment
Natural England's Advice for Kent Onshore**

For:

The construction and operation of the Sea Link Energy Cable.

Planning Inspectorate Reference EN020026

21 October 2026

Appendix B8 for Natural England's combined response to the Deadline 7 documents and to the All Interested Parties – Invitation to Comment

Kent Onshore Ecology

In formulating these comments, the following documents have been considered:

Sea Link Deadline 7 Submission Documents:

- [REP7-120] 6.6 (I) Habitats Regulations Assessment Report (Tracked)
- [REP7-130] 7.5.3 (E) Outline Onshore Construction Environmental Management Plan (Tracked Changes)
- [REP7-349] 7.12.2 (C) Design Principles – Kent (Tracked)
- [REP7-360] 9.84 (F) Register of Environmental Actions and Commitments (REAC) (Tracked)

Sea Link Deadline 6 Submission Documents – Natural England has previously provided comments at Deadline 7 in Appendix B7, however have reviewed these documents further and provided further comments in this Appendix.

- [REP6-069] 7.5.10.2 (B) Outline Soil Management Plan – Kent (Tracked Changes)

Sea Link All Interested Parties – Invitation to comment Documents:

- C1-190 - 6.2.3.2 (I) Part 3 Kent Chapter 2 Ecology and Biodiversity (Tracked)
- C1-216 9.84 (G) Register of Environmental Actions and Commitments (REAC) (Tracked)
- C1-202 - Responses to Secretary of State's consultation 1 - 7.5.7.2 (F) Outline Landscape and Ecological Management Plan - Kent - (Tracked)
- C1-197 - 7.5.3 (F) Outline Onshore Construction Environmental Management Plan (Tracked)

Natural England has also reviewed the following documents, and has no further comments:

- C1-189 - Responses to Secretary of State's consultation 1 - 6.2.3.2 (I) Part 3 Kent Chapter 2 Ecology and Biodiversity (Tracked)

Detailed Comments

Table 1: Natural England's advice on Kent Onshore

Document reviewed: C1-190 - 6.2.3.2 (I) Part 3 Kent Chapter 2 Ecology and Biodiversity (Tracked)		
Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
2.9.1.3.7.	We note that the tracked changes identify that in spring 2026 a potential beaver lodge was identified on the River Stour adjacent to the proposed works.	This has not been acknowledged in the REAC. Methodology for avoiding impacts to beavers and seeking necessary licenses from Natural England should be included In the REAC and LEMP.

Table 2: Natural England's advice on Kent Onshore

Document reviewed: C1-216 9.84 (G) Register of Environmental Actions and Commitments (REAC) (Tracked)			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	REAC Ref B55	Additional wording has been added to this REAC commitment for bird collision, around consulting Natural England following monitoring of collision risk, to see if further diverter installation would be appropriate.	Natural England welcomes this additional wording and refers back to our previous advice regarding retrofitting to existing overhead lines as part of the environmental legacy for the project.
2	REAC Ref B45	Additional wording has been added to clarify that the breeding bird season is March through September inclusive, that any works causing noise levels above 60dB Lamax at the boundary of the SSSI will take place outside March through August, and that where such	Natural England welcomes these changes and considers this issue (R&I Log Point 7) to be resolved.

		works are to be undertaken during September, an Ecological Clerk of Works will check the area to confirm the absence of qualifying nesting bird features of the SSSI.	
--	--	---	--

Table 3: Natural England's advice on Kent Onshore

Document reviewed: C1-202 - Responses to Secretary of State's consultation 1 - 7.5.7.2 (F) Outline Landscape and Ecological Management Plan - Kent - (Tracked)			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	Appendix B, Table 1	Ornithology row added to table regarding collision risk which states: <i>"Once the new overhead line connection is made to the existing Richborough to Canterbury overhead line, two years of collision monitoring will be undertaken of the new overhead line connection and the existing Richborough to Canterbury overhead line located within the Order Limits, to record any collisions."</i>	Natural England acknowledges the additional text provided; in addition to the monitoring, we refer back to our previous advice regarding retrofitting to existing overhead lines as part of the environmental legacy for the project

Table 4: Natural England's advice on Kent Onshore

Document reviewed: C1-197 - 7.5.3 (F) Outline Onshore Construction Environmental Management Plan (Tracked)			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1	REAC Ref B45	Additional Wording has been added to clarify that the breeding bird season is March through September inclusive, that any works causing noise levels above 60dB L _{max} at the boundary of the SSSI will take place outside March through August, and that where such works are to be undertaken during September, an Ecological Clerk of Works will check the area to confirm the absence of qualifying nesting bird features of the SSSI.	Natural England welcomes these changes and considers this issue (R&I Log Point 7) to be resolved.
2	Paragraph 18.1.13	Wording added regarding data sharing that states: <i>"Relevant survey and monitoring data will be shared in the appropriate formats with the relevant Local Environmental Records Centre(s) and / or relevant national and regional environmental recording schemes."</i>	Natural England welcomes this additional wording, and that survey and monitoring data will be shared with the relevant Local Environmental Records Centre(s).

Table 5: Natural England's advice on Kent Onshore

Document reviewed: [REP6-069] 7.5.10.1 (B) Outline Soil Management Plan			
NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue
1		The revised Outline Soil Management Plans represent a substantial improvement and now provide a credible framework for soil protection, handling, reinstatement and aftercare. They broadly reflect the principles of the Defra <i>Construction Code of Practice for the Sustainable Use of Soils on Construction Sites</i>, particularly through the proposed soil-resource planning, segregation of horizons, moisture-based handling controls, stockpile management, specialist supervision and monitoring. The Code remains relevant government guidance, although it dates from 2009 and has not subsequently been reviewed or updated. However, the documents remain <u>outline plans</u> and defer a considerable amount of essential site-specific information to final SMPs prepared by the works contractors. Consequently, their effectiveness depends on the deferred measures being clearly secured, completed before any soil-disturbing work and subject to appropriate technical review and enforcement. Natural England welcomes the strengthened commitments in the clean oSMPs, including, completion of outstanding ALC and Soil Resources Surveys before construction; preparation of mapped soil-handling units; calculation and tracking of topsoil and subsoil volumes;	The following matters should be addressed or clarified in the final SMPs. 1. Final SMPs should be secured as operational documents. The final SMPs should be completed, reviewed by a suitably qualified Soil Scientist and approved through the relevant DCO requirement before any activity capable of disturbing or compacting soil begins, not merely before formal soil stripping. This should include enabling works, archaeological investigation, ecological mitigation, fencing, drainage installation, haul-road formation and compound establishment. The current oSMPs state that their controls apply to early works but also describe the final SMP as being required before soil stripping. This creates a possible gap during which soils could be trafficked, compacted or otherwise disturbed before the detailed controls are in place. Approval should not rely solely on contractor preparation and acceptance by National Grid. The secured process should provide for appropriate consultation or independent technical scrutiny where the final SMP materially changes the outline controls. 2. Survey gaps and soil-resource characterisation The commitments to complete outstanding ALC surveys and undertake Soil Resources Surveys are supported. However, the

	separate handling and storage of soil horizons and soil types; appointment of a suitably qualified Soil Scientist; field assessment of soil plasticity before handling; defined responsibilities, inspections, reporting and corrective action; and preparation of parcel-specific aftercare arrangements, potentially extending for up to five years. These provisions go some way towards addressing the principal concern identified in our previous SoS, namely that the ALC surveys provided baseline information but did not previously demonstrate how it would be translated into secured soil handling, reinstatement, supervision and monitoring requirements. Nevertheless, there are a number of key matters which should be addressed or clarified in the final SMPs.	wording “as far as necessary and practicable” should not allow survey gaps to remain within land that will be temporarily or permanently disturbed. The final SMPs should demonstrate that: • all land subject to stripping, excavation, trafficking, compounds, haul roads, drainage works or permanent development has sufficient soil information; • each principal soil type has been characterised through representative soil profiles, not only composite chemical sampling; • topsoil, upper subsoil and lower subsoil depths are mapped; • structural condition, drainage characteristics, texture, stone content and relevant chemical properties are recorded; and • each mapped soil unit is linked to a defined stripping, storage and restoration prescription. In Kent, land previously scoped out of the ALC survey should be surveyed if the final design introduces any disturbance into those areas. 3. A clear Soil Resource Plan is required The Defra Code places strong emphasis on understanding the soil resource and preparing a Soil Resource Plan before construction. The final SMPs should therefore include an integrated plan showing:
--	---	---

			• soil and ALC units; • areas to remain undisturbed; • stripping depths for each horizon; • soil volumes and anticipated balance; • stockpile locations and identifiers; • haul routes and plant movement; • intended soil destination and end use; • proposed restoration profiles; and • areas where ecological soil specifications differ from agricultural restoration requirements. The oSMPs list many of these elements, but they should form a single auditable system linking each soil unit from its original location through stripping, storage and reinstatement. 4. Wet and plastic soil handling The default requirement to handle soils when dry and friable, together with field plasticity testing and rainfall cessation criteria, is appropriate and consistent with the Code. However, paragraph 6.1.6 in both documents allows soils to be handled in a plastic condition for programme or engineering reasons. This exception should be substantially tightened. Programme pressure should not, by itself, justify knowingly damaging a finite soil resource. Handling plastic soil can cause compaction, smearing, loss of structure and impaired drainage that may not be fully corrected through subsequent reconditioning. The final controls should require:
--	--	--	--

			• handling of plastic soils only where essential for safety or an overriding engineering necessity; • written justification and approval by the Soil Scientist before work begins; • identification of alternatives considered; • a location-specific method statement; • separate storage and traceability of affected soil; • defined reconditioning and verification measures; and • formal recording as a departure or non-conformance. Where soils cannot be handled without unacceptable damage, the appropriate response should normally be cessation and rescheduling rather than reliance on later remediation. 5. Machinery selection should respond to soil conditions The oSMPs permit hydraulic excavators or tracked dozers and include generic stripping and replacement methodologies. The final SMPs should avoid prescribing machinery solely by operation type. Machinery and working methods should instead be selected according to soil texture, moisture condition, bearing capacity, horizon thickness and site constraints. This is especially important for Kent's fine silty and seasonally wet clayey soils. The Defra Code promotes dry-condition working, appropriate tracked equipment and confinement of trafficking to designated routes. The final SMPs should therefore specify: • acceptable machinery for each soil-handling unit;
--	--	--	--

			• limits on dozer to reinstating the topsoil only; subsoils should be loose tipped in accordance sheet K (Soils Guidance) • plant operating surfaces; • maximum trafficking and turning restrictions; • measures to avoid travel over restored soil; and • alternative low-ground-pressure or excavator-based methods where necessary. 6. Stockpile specifications The principles of separate, labelled and protected stockpiles close to their source are appropriate. However, the stated topsoil height of 3 to 4 m, with the possibility of greater heights where space is constrained, should be treated cautiously. Natural England advises that final SMPs should establish maximum heights and construction methods according to: 1. Topsoils, subsoils and subsoil substitutes shall be stored separately. 2. Where continuous bunds are used dissimilar soils shall be separated by a third material, previously agreed in writing with the MPA. 3. Topsoil bunds shall not exceed 3 m in height and subsoil (or subsoil substitute) bunds shall not exceed 5 m in height. 4. Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.
--	--	--	--

			All storage bunds intended to remain in situ for more than 6 months or over the winter period are to be grassed over and weed control and other necessary maintenance carried out to the satisfaction of the appointed soil scientist. An unrestricted ability to exceed the stated height because storage space is limited would not provide sufficient protection. Any departure should require written justification from the Soil Scientist, with corresponding monitoring and remedial provisions. Long-term stockpiles should be seeded, inspected and managed for erosion, weeds, ponding, contamination and unauthorised trafficking. 7. Restoration criteria should be measurable The commitment to return agricultural land to its pre-construction ALC grade is welcomed. 8. Aftercare should continue until performance criteria are achieved The proposed period of up to five years is appropriate as an outline commitment, but early completion should occur only where all agreed success criteria have been met. Conversely, provision should be made to extend remedial monitoring where drainage, compaction or crop-performance problems remain unresolved. For agricultural land, sign-off should normally require evidence over more than one season and should include landowner or occupier input. The oSMPs currently indicate that ALC verification may occur after a minimum of one to three seasons. That should be supplemented by annual soil-condition and agricultural-
--	--	--	---

			performance monitoring, rather than relying solely on a single final ALC survey. Location-specific emphasis Kent Particular emphasis should be placed on: 1. protecting the identified Grade 1 land through micro-siting and minimisation of avoidable temporary disturbance; 2. surveying any previously scoped-out area where disturbance is later introduced; 3. applying stringent wet-weather controls to the fine silty, groundwater-affected and seasonally wet clayey soils; 4. ensuring restoration specifications address drainage and seasonal wetness, not only soil horizon depth. Natural England position: <i>Subject to the matters above, the Kent oSMP can be accepted as suitable outline frameworks. They now contain the principal components expected by the Defra Construction Code of Practice and respond positively to the earlier request for clearer soil handling, supervision, monitoring and aftercare provisions. However, they should not be treated as demonstrating successful soil protection or restoration in themselves. Their acceptability depends on securing comprehensive, site-specific final SMPs, completing the outstanding soil-resource information and establishing measurable restoration and aftercare criteria before soil-disturbing works commence.</i>
--	--	--	---