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South East Anglia Link

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Dear Sir or Madam,

Re: Sea Link Development Consent Order (EN020026)

Interested Party Reference: [REDACTED]

I am responding to the Secretary of State's invitation of 22 September 2026 to comment on the responses to the Request for Information dated 28 August 2026.

My concern is whether the environmental commitments associated with Sea Link offer sufficient certainty that important habitats and wildlife will be protected, both during construction and throughout the development's operation.

Pegwell Bay, Minster Marshes and the Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest (SSSI) are places of considerable ecological importance. Their value lies not only in individual species or habitats, but in the relationships between them and the wider coastal environment.

I appreciate that major infrastructure projects require detailed planning. However, where the consequences of getting something wrong could include permanent habitat loss or disturbance to protected wildlife, essential decisions should not be postponed until after permission has been granted.

I would like to make the following comments on the matters raised in the Secretary of State's information request.

Protection of coastal and intertidal habitats – Paragraphs 4, 5 and 28

The concerns raised by Kent Wildlife Trust about the effects of the earlier Nemo Link development are particularly relevant when considering further construction in the same sensitive environment.

The Trust has questioned the extent to which affected habitats have recovered from previous disturbance. I believe those concerns must be addressed before conclusions are reached about the additional impacts of Sea Link.

Assessing each infrastructure project separately risks overlooking the combined pressures placed upon the SSSI over time. Previous damage, incomplete recovery and the possibility of further disturbance need to be considered together.

I am also concerned about the proposed loss of chalk habitat acknowledged by National Grid to be irreplaceable.

The word *irreplaceable* carries considerable significance. If a habitat cannot realistically be recreated, the possibility of compensating for its destruction cannot be treated as equivalent to preserving it.

I ask that the Secretary of State applies the requirements of paragraph 5.4.53 of the 2024 National Policy Statement EN-1, particularly the need to demonstrate wholly exceptional reasons and an appropriate compensation strategy.

The loss of irreplaceable habitat should never be treated as an acceptable consequence without satisfying the required policy tests.

Similar concerns arise in relation to the proposed construction access across mudflats and saltmarsh.

The width and precise position of an access route determine how much habitat may be physically affected. These are not minor construction details.

I therefore believe that the access arrangements must be sufficiently defined for their ecological consequences to be assessed before the decision on development consent is made.

The relevant conservation organisations should be involved in agreeing the routes and their dimensions, rather than being presented with decisions after consent has been granted.

Marine construction, mitigation and unexploded ordnance – Paragraphs 3, 26 and 33

The protection of seabed habitats requires more than a general commitment to minimise disturbance.

Any benthic mitigation plans should establish exactly what measures will be undertaken, when they will be implemented, how success will be measured and what happens if monitoring identifies unexpected harm.

These arrangements must be agreed and enforceable before the activities they are intended to safeguard begin.

Monitoring is important, but collecting information about damage is not the same as preventing it. There must be clear responsibilities and effective procedures for taking corrective action.

I have similar concerns about unexploded ordnance investigations and clearance.

Natural England has raised the possibility of habitat damage associated with detonations and the potential need for restoration. This should be dealt with explicitly in the project's environmental commitments.

The environmental consequences of such operations must be properly assessed, and responsibility for any necessary restoration should be established in advance.

Where further surveys identify previously unassessed risks, the Environmental Impact Assessment and Habitats Regulations Assessment should be reconsidered as necessary.

It would be unreasonable to leave uncertainty about these matters until operations have commenced, particularly where damage to protected habitats may already have occurred.

Breeding and overwintering birds – Paragraphs 16 and 32

I am particularly concerned about the reliance placed on pre-construction nest checks as a means of protecting breeding birds.

An inspection may establish whether a nest is occupied at a particular moment, but it cannot eliminate the broader effects of construction on birds attempting to breed.

Repeated disturbance, machinery, noise and movement can all disrupt normal behaviour, even without direct damage to a nest.

For that reason, I believe the protection afforded to the breeding bird assemblage within the Sandwich Bay to Hacklinge Marshes SSSI must be based on a meaningful seasonal restriction.

Construction within the SSSI should be prohibited from March through September, rather than permitted merely because a nest inspection has been undertaken.

Any provision allowing such inspections to override the seasonal restriction should be removed, and ecological supervision should remain effective throughout the year.

I am also concerned that National Grid has placed a site office next to a barn owl box at Minster Marshes which has previously been used by barn owls.

This seems difficult to reconcile with the intention of avoiding unnecessary disturbance to wildlife. The location should be reviewed, and appropriate action taken to ensure that the box and any birds using it are adequately protected.

Winter presents a different but equally important concern.

Pegwell Bay provides feeding and resting habitat for migratory and overwintering birds. These birds may be affected by disturbance from construction activity occurring beyond the immediate intertidal working area.

Restricting only those works taking place below mean high water springs does not necessarily protect birds from noise, lights, vehicles or other activities nearby.

I therefore support a complete restriction on construction work at Pegwell Bay between November and February.

Seasonal protection must reflect how birds actually use the bay, rather than being determined solely by the physical boundaries of the construction site.

Overhead power lines and hovercraft disturbance – Paragraphs 19, 6 and 7

I believe a preventative approach is essential when considering the potential for bird collisions with the proposed overhead electricity lines.

Suitable bird diverters should be fitted before the lines become operational. Waiting for collision monitoring to demonstrate a problem would mean accepting avoidable bird deaths before protective measures were introduced.

I also question whether two years of monitoring would be sufficient.

Bird movements can differ significantly between seasons and from one year to another. A longer period would provide a better opportunity to identify patterns that might otherwise be missed.

The monitoring period should be extended to five years, with results available to the relevant conservation bodies and a requirement for further mitigation where necessary.

I am also concerned about the possible use of hovercraft at Pegwell Bay.

The potential impact upon seals, birds and other wildlife needs to be considered using a credible worst-case assessment, even where the proposed use is described as exceptional.

Hovercraft operations should be restricted to genuine emergencies, with a clear definition preventing their use for ordinary operational convenience.

Kent Wildlife Trust should be notified in advance wherever possible, and each operation should be recorded, including any observed wildlife disturbance.

Where an immediate emergency makes advance notification impracticable, the circumstances should be documented and reported afterwards.

These controls should be legally secured, rather than dependent upon informal assurances about how infrequently hovercraft might be used.

Hazel dormice and the reliability of survey evidence – Paragraphs 21 and 22

I am concerned about National Grid's reliance on survey findings to suggest that hazel dormice are unlikely to be present in the affected areas.

An absence of recorded animals is not necessarily evidence that the habitat is unoccupied.

Dormice are elusive, and their detection depends on suitable survey methods, appropriate timing and sufficient coverage of potentially suitable habitat.

The consequences of an incorrect conclusion could be substantial. Removing hedgerows, scrub or woodland connections could affect animals that were simply not detected during the original surveys.

This is why Natural England's questions concerning the survey methodology and the interpretation of the findings deserve particular attention.

I believe National Grid should be required to demonstrate that its conclusions are supported by sufficiently comprehensive evidence, including further surveys where the existing information is inadequate.

Appropriately timed surveys of all potentially affected suitable habitat should be completed before development consent is granted, with their findings subject to independent scrutiny.

Where uncertainty remains, it should not be resolved by assuming that dormice are absent.

No habitat clearance or fragmentation affecting potentially suitable dormouse habitat should be authorised until the necessary assessments and enforceable protection measures are in place.

A precautionary approach is especially important when the consequences of habitat removal could be irreversible.

Local tourism and community impacts – Paragraph 44

The natural character of Sandwich Bay, Pegwell Bay and the surrounding coastline contributes significantly to the area's appeal.

People visit these places for their open landscapes, wildlife and opportunities to enjoy the coast. These qualities also support local businesses and wildlife-related tourism.

I am concerned by National Grid's reported position that tourism in Thanet would not be adversely affected.

Such a conclusion needs convincing evidence, particularly when the proposed works could affect access, tranquillity, landscape character and the experience of visitors.

The assessment should consider the potential effects on both Kent and Suffolk communities, including the cumulative disruption associated with construction.

I am also concerned that proposed community compensation may not adequately reflect the impacts experienced locally.

The amount and purpose of any funding should be transparent and informed by meaningful consultation with affected businesses and communities.

Financial compensation should never be regarded as an alternative to avoiding or reducing environmental harm.

Operational noise and long-term accountability – Paragraph 55

The effects of Sea Link will not end when construction finishes.

Noise from the converter stations must remain within the agreed limits throughout their operational life.

I recognise that the proposed arrangements provide for noise assessment and approval against the final equipment design. However, compliance must also be demonstrated once the equipment is operating under real conditions.

Independent monitoring after commissioning should be required, with transparent reporting and clear procedures for investigating any exceedance.

Where limits are breached, effective mitigation should be introduced promptly and its success verified.

These requirements should remain enforceable for as long as the development operates.

Conclusion

I understand that electricity infrastructure is necessary and that decisions about major projects involve balancing different considerations.

Nevertheless, the importance of a project should not reduce the level of environmental protection expected of it.

What concerns me most is the possibility that consent could be granted while significant details affecting protected habitats and wildlife remain unresolved.

Natural England and Kent Wildlife Trust have raised matters which deserve careful examination, and I ask the Secretary of State to ensure that the responses provided demonstrate how those concerns will be satisfactorily addressed.

Where evidence is incomplete, further investigation should take place before decisions are made that could result in permanent environmental harm.

Where mitigation is necessary, it must be specific, effective and legally enforceable. Any further surveys or approvals required before potentially damaging works commence must be expressly secured.

I ask that development consent is not granted unless the environmental risks have been properly assessed, significant uncertainties resolved and adequate safeguards established.

Protecting these habitats should be an essential condition of proceeding with Sea Link, not a responsibility left to be addressed after construction has begun.

Yours faithfully,

Chris Smith

Interested Party Reference: [REDACTED]