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# **SCOPING OPINION:**

## Proposed Sea Link

**Case Reference: EN020026**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**01 December 2022**



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**APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED**

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# 1. INTRODUCTION

- 1.0.1 On 24 October 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from National Grid Electricity Transmission plc (NGET) (the 'Applicant') under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') for the proposed Sea Link (the 'Proposed Development'). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report comprising seven parts and available from:
- Part 1 of 7 – Volume 1 – Introduction  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000042>
  - Part 2 of 7 – Volume 1 – Suffolk Onshore Scheme  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000043>
  - Part 3 of 7 – Volume 1 – Kent Onshore Scheme  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000044>
  - Part 4 of 7 – Volume 1 – Offshore Scheme  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000045>
  - Part 5 of 7 – Volume 1 – Project Wide Effects  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000046>
  - Part 6 of 7 – Volume 2 – Appendices  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000047>
  - Part 7 of 7 – Volume 3 – Figures  
<http://infrastructure.planninginspectorate.gov.uk/document/EN020026-000048>
- 1.0.3 This document is the Scoping Opinion (the 'Opinion') adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has/has not agreed to scope out certain aspects/matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from

subsequently agreeing with the relevant consultation bodies to scope such aspects/matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). Advice Note 7 (AN7) and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>
- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

## 2. OVERARCHING COMMENTS

### 2.1 Description of the Proposed Development

(Scoping Report Volume 1, Part 1, Section 1.4)

ID	Ref	Description	Inspectorate's comments
2.1.1	Volume 1, Part 1, Paragraphs 1.3.4.66 to 1.3.4.67	Co-ordination of projects – cumulative effects	The Inspectorate encourages the Applicant to make effort to coordinate the delivery of the Proposed Development with other relevant developments in the area. This may include sharing infrastructure requirements eg converter stations and/or cabling, where possible in effort to reduce the cumulative impacts and significant effects.
2.1.2	Volume 1, Part 1, Paragraph 1.4.2.5	Friston substation	The Scoping Report contains a limited description of the likely parameters for the works at Friston substation. The ES should clearly set out the worst-case parameters for the assessment, in particular in relation to landscape and visual impacts.
2.1.3	Volume 1, Part 1, Paragraph 1.4.2.23	Offshore High Voltage Direct Current (HVDC) cable	Noting the statement that the offshore cable system is still under development at this stage, the ES should clearly set out the parameters for the offshore HVDC cabling system that have been applied for the assessment.
2.1.4	Volume 1, Part 1, Paragraph 1.4.3.17	Construction programme - converter stations	The Scoping Report states construction of the converter stations would take ' <i>...between 27 months.</i> ' It is unclear if this is intended to be a range or an approximation. The construction programme for the Proposed Development is also not consistent between chapters of the Scoping Report. The ES should clearly state the anticipated construction programme used for the assessment and ensure aspect chapters are consistent in this regard.

ID	Ref	Description	Inspectorate's comments
2.15	Volume 1, Part 1, Paragraph 1.4.3.20	Overhead High Voltage Alternating Current (HVAC) Connection - pylon foundations	It is unclear whether the final choice of pylon foundation would be made prior to the Development Consent Order (DCO) application or whether flexibility is to be sought. The ES should clearly state the assumptions made with regards to foundation type.
2.16	Volume 1, Part 1, Paragraphs 1.4.3.29 to 1.4.3.30 and 1.4.3.42 to 1.4.3.44	Onshore cable installation – crossings	<p>As the landfall and onshore route is still being defined, it is not yet clear where any temporary or permanent crossings of watercourses, major roads and/or railways would be required. The ES should identify the locations and types of all such crossings.</p> <p>The Applicant should also seek to agree the depths of any trenchless crossings (such as Horizontal Directional Drilling (HDD)) to be undertaken below obstacles such as watercourses and flood defences with the relevant consultation bodies, including the Environment Agency (EA) and Internal Drainage Boards (IDBs), as appropriate. The ES should also provide detail of protocols/measures to be put in place to prevent break outs or frack-outs of bentonite from occurring or to minimise impacts should such events occur.</p>
2.17	Volume 1, Part 1, Paragraphs 1.4.3.64 and 1.4.3.81	Vessel movements	The ES should detail the type, number and frequency of vessel movements required to construct and operate the Proposed Development. If these are unknown, then the ES should explain the assumptions that have been made about vessel movements to inform the worst case assessment.
2.18	Volume 1, Part 1, Sections 1.4.4 and 1.4.5	Operation and maintenance	The ES should provide a full description of the nature and scope of operation and maintenance activities, including types of activity, frequency, and how works will be carried out for both offshore and onshore elements of the Proposed Development. This should include consideration of potential overlapping of activities with the co-ordinated projects (where applicable) and other consented projects

ID	Ref	Description	Inspectorate's comments
			such as the East Anglia Offshore Windfarms One North/Two and Sizewell C Nuclear Power Station, where possible.
2.1.9	Volume 1, Part 1, Paragraph 1.4.6.6	Decommissioning of marine cable	The Scoping Report states that marine cables may either be removed or left in-situ, in the event that the Proposed Development is decommissioned. The Inspectorate notes that a decommissioning plan will be prepared post-consent and updated across the lifetime of the development. However, in order to ensure that all likely significant effects associated with the Proposed Development are included in the ES, the ES should include an assessment of decommissioning effects based on a reasonable worst case scenario.
2.1.10	Volume 1, Part 2 Paragraph 2.8.5.3 and Volume 1, Part 3 Paragraph 3.8.1.3	Impacts to utilities	The Scoping Report states that trenchless methods will be used where utilities are required to be crossed by the Proposed Development. For clarity, the embedded measures/design should first consider avoidance of such infrastructure (where possible), then consider trenchless techniques. This should include potential impacts to wastewater infrastructure, which has not been identified as a utility consideration in the Scoping Report.



## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Volume 1, Part 1, Sections 1.5 and 1.6)

ID	Ref	Description	Inspectorate's comments
2.2.1	Volume 1, Part 1, Image 1.5.4	Intra-project assessment methodology	The Inspectorate queries whether the yes/no arrows in this flowchart image are correct. For example, where a receptor 'is impacted by more than one type of effect' at stage 1 pre-screening stage, whether it should be carried forward to the stage 2 screening stage. The ES should clarify the approach.
2.2.2	Volume 1, Part 1, Section 1.5	Definition of significance	Whilst it is noted that Section 1.5 sets out the overarching approach to be taken when determining the significance of effects, the phraseology used in Table 1.5.1 is not applied consistently throughout the Scoping Report. The ES should apply such phraseology consistently, where aspect assessments depart from this approach it should be clearly stated and provide reasons for the approach.
2.2.3	Volume 3: Figure 2.2.3; Figure 2.8.1; Figure 2.11.1; Figure 3.8.1 and Figure 2.4.1	Figures	There are a number of Figures where the legends/keys make it difficult to distinguish varying features. For example, Figure 2.2.3 contains two hatchings of very similar colour, thus making it difficult to distinguish between the regional Landscape Character Types 0 and 16. Figure 2.11.1 is missing the legend/key and the Conservation Areas of Aldeburgh, Thorpeness, Leiston, and Saxmundham are not apparent on Figure 2.4.1, despite being included in the legend/key. The ES should include clearly labelled figures with a clear legend/key to enable interpretation of the information.

### 3. ENVIRONMENTAL ASPECT COMMENTS – SUFFOLK ONSHORE SCHEME

#### 3.1 Landscape and Visual

(Scoping Report Volume 1, Part 2, Section 2.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Volume 1, Part 2, Table 2.2.6	Alteration to landscape character and visual amenity as a result of operational lighting at the converter station (operation)	<p>The Scoping Report states this is to be scoped out on the basis that <i>"any additional lighting will be limited to maintaining site security and safety and would be within the context [of]existing settlement."</i> It also acknowledges that should the approach to lighting change, this aspect will be scoped into the landscape and visual assessments.</p> <p>The Inspectorate does not agree that operational lighting of the converter station can be scoped out at this stage due to the uncertainties regarding chosen location and in the absence of information confirming the type and location of any such lighting in the context of its surrounds. The ES should include an assessment of operational lighting on sensitive landscape and visual receptors, where likely significant effects could occur.</p>
3.1.2	Volume 1, Part 2, Table 2.2.6	Alteration to landscape character and visual amenity as a result of operational lighting to the operational extension to the proposed Friston substation (operation)	<p>This potential operational effect is scoped out on the basis that the extension will be minimal and within the context of existing energy infrastructure. However, it is acknowledged that should the design of the proposals at the proposed Friston substation become more substantial operational effects will be scoped into the landscape and visual assessment.</p> <p>The Scoping Report contains limited detail with regards to proposed lighting at the substation. The ES should include a description of lighting and assess effects on landscape character and visual amenity as a result of lighting, where likely significant effects could occur.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.3	Volume 1, Part 2, Table 2.2.6	Alteration to landscape character and visual amenity as a result of the HVAC and HVDC underground cables (operation)	The Inspectorate agrees that in general the introduction of the underground HVAC and HVDC cables is unlikely to give rise to significant long-term effects on landscape character during operation of the Proposed Development. However, it is unclear whether any easement required would result in permanent landscape changes and the potential for such effects should be considered. The ES should assess the potential for significant short-term effects during the beginning of the operational phase, as proposed reinstatement measures mature along the cable route.
3.1.4	Volume 1, Part 2, Table 2.2.7, Table 2.2.8, Table 2.2.9, Table 2.2.10 and Table 2.2.11	<p>Permanent alteration to landscape character as a result of the operational converter station on the following receptors (operation): Suffolk Coastal Landscape Character Assessment (SCLCA) Local Character Area (LCA) 01 (Benhall Estate Sandlands) and Seascape Character Assessment of Suffolk, South Norfolk and North Essex (SCASNE) Seascape Character Type (SCT) 3 (Nearshore Waters) and for the following converter site options:</p> <ul style="list-style-type: none"> <li>• Suffolk Site 1 Emerging Preference</li> <li>• Suffolk Site 1 Alternative</li> <li>• Suffolk Site 3 Emerging Preference</li> </ul>	<p>The Scoping Report proposes to scope out these landscape character receptors from the assessment of the permanent alteration to landscape character as a result of the operational converter station (for all five converter site options) on the basis that the <i>"Suffolk Scoping Boundary does not lie within the LCA and SCT. Whilst there is the potential for indirect effects on the perceptual qualities of the LCA and SCT there is less potential that the effects would be significant."</i></p> <p>The Inspectorate considers that it would have been helpful to overlay the various site options with the landscape character areas and seascape types to aid interpretation of the scoping out of effects associated with the various sites. This similarly applies to the consideration of the Area of Outstanding Natural Beauty (AONB) below.</p> <p>The Inspectorate is of the view that both SCLCA LCA 01 and SCASNE SCT 3 can be scoped out of the landscape assessment for these converter site options on the basis that potential effects are likely to be of limited scale or extent due to the relative distance between these character areas/types and the converter sites.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		<ul style="list-style-type: none"> <li>• Suffolk Site 3 Alternative (Option 1)</li> <li>• Suffolk Site 3 Alternative (Option 2)</li> </ul>	
3.1.5	Volume 1, Part 2, Table 2.2.9, Table 2.2.10 and Table 2.2.11	<p>Permanent alteration to landscape character as a result of the operational converter station on the Suffolk Coast and Heaths AONB for the following converter site options:</p> <ul style="list-style-type: none"> <li>• Suffolk Site 3 Emerging Preference</li> <li>• Suffolk Site 3 Alternative (Option 1)</li> <li>• Suffolk Site 3 Alternative (Option 2)</li> </ul>	<p>The Scoping Report proposes to scope out operational effects on the AONB as a result of the site 3 converter station locations (emerging preference and alternatives) on the basis of proximity.</p> <p>The Inspectorate is of the view that operational effects on the AONB from the operation of converter site 3 (emerging preference or alternatives) can be scoped out of the landscape assessment on the basis that potential effects are likely to be of limited scale or extent due to the relative distance between these features and the AONB.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.1.6	Volume 1, Part 2, Section 2.2.3	Study area	The Inspectorate notes the current study area of 3km from the two emerging preferred converter station areas and 1km from the boundary for all other elements. It is unclear at this stage whether the Friston substation would be included in the Proposed Development and thus whether a 3km study area from this substation (if applicable) is also to be applied.

ID	Ref	Description	Inspectorate's comments
			The ES should confirm this information and the Applicant should keep the preferred study area under review as the design and location of the Proposed Development evolves, so that the introduction of any additional visually intrusive elements, which may affect sensitive receptors can be properly taken account of in the assessment. The Applicant should make efforts to agree the study area with relevant consultation bodies. The study area in the ES must be defined sufficiently so that all potentially significant effects are assessed.
3.1.7	Volume 1, Part 2, Paragraph 2.2.4.11	Suffolk Heritage Coast	The ES should include an assessment of effects on the Heritage Coast, where significant effects are likely.
3.1.8	Volume 1, Part 2, Paragraphs 2.2.4.18 and 2.2.4.19 and Figure 2.2.5	Seascape Character	Figure 2.2.5 includes regional seascape character area SCT01: Inland Navigable Waters, which is not identified in the chapter text. The ES should include consideration of all relevant seascape character types.
3.1.9	Volume 1, Part 2, Paragraph 2.2.4.20	Receptors – England Coast Path National Trail	The Applicant's attention is directed to the comments of Suffolk County Council and Natural England at Appendix 2 to this Opinion with regards to the recent approval of the England Coast Path National Trail within Suffolk, which is located within the Suffolk Onshore Scoping Boundary. The ES should include an assessment of effects on this proposed National Trail, where likely significant effects could occur.

ID	Ref	Description	Inspectorate's comments
3.1.10	Volume 1, Part 2, Tables 2.2.1 to 2.2.4	Representative viewpoints	<p>The viewpoints to be used for assessment should be agreed with the relevant consultation bodies, including the Local Authorities and Natural England.</p> <p>It is unclear whether the works to the Friston substation (whether the extension or entire build) have been included in the consideration of viewpoints, which focuses on the converter stations. The ES should include an assessment of impacts resulting from the proposals at Friston substation.</p>
3.1.11	Volume 1, Part 2, Tables 2.2.1 to 2.2.4 and Chapter 2.4	Viewpoints and cultural heritage receptors	<p>The Applicant is advised to include heritage specific viewpoints, as appropriate, to support the heritage assessment. Suitable cross-referencing between the LVIA aspect chapter and Cultural Heritage aspect chapter should be included.</p>
3.1.12	Volume 1, Part 2, Tables 2.2.7 to 2.2.11, and Paragraph 2.2.1.3	Receptors	<p>The Inspectorate notes that impacts of alterations to Public Rights of Way (PRoW) and users of PRoW are not identified in the potential impact pathway tables. It is further noted that Paragraph 2.2.1.3 does not reference the other aspect chapters that should be read in conjunction with the Landscape and Visual chapter. The ES should include appropriate cross-references to other relevant aspect chapters, such as Cultural Heritage, Traffic and Transport, and Noise and Vibration aspect chapters.</p>
3.1.13	Volume 1, Part 2, Paragraph 2.2.4.32	Visualisations	<p>The Inspectorate notes the statement that no visualisations are proposed for the extension works to the proposed Friston substation as the works are considered to be minor. The ES should include visualisations where the DCO application includes for the construction of the Friston substation in full.</p>

## 3.2 Ecology and Biodiversity

(Scoping Report Volume 1, Part 2, Section 2.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Volume 1, Part 2, Table 2.3.4, Table 2.3.5, Table 2.3.6, Table 2.3.7, and Table 2.3.8	<p>Incidental mortality of protected or notable species of invertebrates (construction, operation and decommissioning) for the following converter site options:</p> <ul style="list-style-type: none"> <li>• Suffolk Site 1 Emerging Preference</li> <li>• Suffolk Site 1 Alternative</li> <li>• Suffolk Site 3 Emerging Preference</li> <li>• Suffolk Site 3 Alternative (Option 1)</li> <li>• Suffolk Site 3 Alternative (Option 2)</li> </ul>	<p>This matter is scoped out on the basis that it is unlikely that notable population assemblages will be significantly affected by direct mortality once mitigation measures are in place, as such populations will be linked to habitat.</p> <p>The Scoping Report notes the possible presence of notable invertebrate assemblages within designated sites potentially affected by the Proposed Development, including Leiston-Aldeburgh Site of Special Scientific Interest (SSSI). Furthermore, the Scoping Report states that the likely presence of notable invertebrate assemblages will be determined through the Phase 1 habitat surveys to be undertaken. Natural England in its response at Appendix 2 to this Opinion also identify that further SSSIs and the Sandlings Special Protection Area (SPA) support invertebrate assemblages and may require further invertebrate surveys.</p> <p>In the absence of baseline information on notable invertebrate assemblages, the Inspectorate is not in a position to agree to scope this matter from the assessment. The ES should include an assessment of this matters, or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Description	Inspectorate's comments
3.2.2	Volume 3, Figure 2.3.1	Figures	The location and extent of Sandlings SPA is not clear from Figure 2.3.1. Figures accompanying ES should clearly show and label the location and extent of designated sites.
3.2.3	Volume 1, Part 2, Table 2.3.1	Outer Thames Estuary SPA	The description of the Outer Thames Estuary SPA does not reference the little tern and common tern qualifying features. The ES should include reference to all relevant ecological receptors.
3.2.4	Volume 1, Part 2, Paragraph 2.3.3.3	Study area for designated sites	The ES should clearly define and justify the study area, based on the Zone of Influence (ZoI) from the Proposed Development and the potential effect pathways to designated sites, particularly the use of the 10km zone and in light of comments received by Natural England in this regard.
3.2.5	Volume 1, Part 2, Paragraph 2.3.4.30	Surveys for bird species	The Scoping Report does not at this stage provide an indication of the likely spatial extent of the potential suite of bird surveys. The ES should confirm the extent of bird surveys undertaken, supported by clear figures. The ES should also consider whether any areas of functionally linked land would be affected by the Proposed Development.
3.2.6	Volume 1, Part 2, Section 2.3.4	Baseline and effects on waterbodies, fish and freshwater species	Surveys are proposed for riparian mammals (otter and water vole); however, impacts to fish and other freshwater species have not been considered in the Biodiversity aspect chapter of the Scoping Report. The ES should state whether fish and other freshwater species are present as important ecological receptors and include an assessment of effects on fish and other freshwater species, where likely significant effects could occur. This should be supported by desk study information and surveys as necessary. Effort should be made to agree the methodology with the relevant consultation bodies.



ID	Ref	Description	Inspectorate's comments
3.2.7	Volume 1, Part 2, Table 2.3.1 and Volume 3, Figure 2.3.1	Snape Warren SSSI	The Scoping Report does not identify Snape Warren SSSI as a receptor although it is located within 10km of the red line boundary and also located on Figure 2.3.1. The ES should assess significant effects to this receptor where they are likely to occur.
3.2.8	n/a	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

### 3.3 Cultural Heritage

(Scoping Report Volume 1, Part 2, Section 2.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Volume 1, Part 2, Table 2.4.1	Physical impacts on non-designated assets (maintenance and decommissioning)	The ES should clearly state the approach to non-designated assets encountered during construction, such as whether preservation in-situ is proposed, and confirm where non-designated assets have been preserved in situ. The ES should consider the potential for effects on non-designated assets during the maintenance and decommissioning stage, where likely significant effects could occur.
3.3.2	Volume 1, Part 2, Table 2.4.1	Temporary impacts on the setting of heritage assets resulting from plant/machinery (maintenance and decommissioning)	The Inspectorate agrees that settings effects on heritage assets arising from the presence of plant and machinery during the maintenance phase can be scoped out of the assessment on the basis of the likely small scale and temporary nature of likely maintenance and decommissioning activities.
3.3.3	Volume 1, Part 2, Table 2.4.1	Temporary impacts on the setting of heritage assets from construction compounds introducing light and noise pollution (decommissioning)	The Inspectorate agrees that impacts on the setting of heritage assets from construction compounds introducing light and noise pollution during the decommissioning stage are likely to be small scale and of a temporary nature, and thus this matter can be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.3.4	Volume 1, Part 2, Section 2.4.3 and	Study area	Noting that the proposed study area is to be refined during the assessment process, the study area should be determined using the ZoI from the Proposed Development, to ensure that all heritage assets likely to be significantly affected by the Proposed Development

ID	Ref	Description	Inspectorate's comments
	paragraph 2.4.7.3		have been included in the assessment. This should include consideration of those assets that contribute to setting.
3.3.5	Volume 1, Part 2, Section 2.4.4 and Volume 2, Appendix 2.4A	Heritage receptors	The Applicant's attention is directed to the comments of East Suffolk Council and Friston Parish Council at Appendix 2 to this Opinion, which identify additional heritage assets to be considered in the assessment. The Applicant should seek to agree the heritage receptors to be included within the heritage assessment with relevant consultation bodies and include an assessment on these receptors, where significant effects are likely to occur.
3.3.6	Volume 1, Part 2, Paragraph 2.4.6.5	Sources of construction impacts - groundwater	The ES should consider and assess effects to archaeological receptors resulting from impacts to groundwater levels from the Proposed Development, where likely significant effects could occur. The ES should include suitable cross-references between the Cultural Heritage and the Geology and Hydrogeology aspect chapter.
3.3.7	Volume 1, Part 2, Section 2.4.7	Proposed assessment methodology	The Inspectorate notes that the need for any additional survey work will be determined following the desk-based assessment (DBA). Investigative works should be accompanied by a Written Scheme of Investigation (WSI), it is recommended that a draft WSI be provided with the ES. The Applicant is advised to seek to agree the scope of the site investigations and WSI with relevant consultation bodies, including the Local Authority and Historic England.
3.3.8	Volume 1, Part 2, Table 2.4.7 and 2.4.9	Assessment methodology – heritage value	Table 2.4.9 determining significance of effect includes for a heritage value of 'Very High'; however, Table 2.4.7 used to define heritage value only includes up to a value of 'high'. The ES should provide a clear explanation of the assessment methodology applied.

### 3.4 Water Environment

(Scoping Report Volume 1, Part 2, Section 2.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Volume 1, Part 2, Table 2.5.1; Table 2.5.2; Table 2.5.3; Table 2.5.4; Table 2.5.5; Table 2.5.6 and Table 2.5.9	Various – Proposed scope of the assessment	<p>The list of potential effects by receptor as identified in Table 2.5.9 'Proposed Scope of the assessment' do not in all cases match with the earlier scope of the options in Tables 2.5.2 to 2.5.6, which makes it difficult to comment on the proposed scope of this aspect chapter. There are also discrepancies between the overarching Table 2.5.1: Sources and impacts and Tables 2.5.2 to 2.5.6. For example, Table 2.5.2 scopes in 'pollution of watercourses and physical disturbance' from maintenance activities; however, this matter is scoped out in Tables 2.5.3 to 2.5.6.</p> <p>Furthermore, it is not always clear which phase/stage of the Proposed Development a scoped out effect relates to in Tables 2.5.2 to 2.5.6, although this is more clearly stated in Table 2.5.9.</p> <p>The ES should include robust justification for scoping matters out of the assessment.</p>
3.4.2	Volume 1, Part 2, Paragraphs 2.5.6.12 to 2.5.6.16 and Table 2.5.1	Pollution of watercourses associated with operational discharges and runoff from above ground infrastructure (AGI) – water quality effects (operation)	<p>This matter is proposed to be scoped out on the basis of no impact pathway given treatment through Sustainable Drainage System (SuDS) provision.</p> <p>The Inspectorate agrees that, provided the measures to mitigate the risks of pollution of watercourses are clearly described in the ES and secured in the draft DCO (dDCO), this matter can be scoped out of further assessment.</p>
3.4.3	Volume 1, Part 2, Paragraphs	Increased flood risk from operational discharges and runoff	<p>This matter is proposed to be scoped out on the basis of no impact pathway given attenuation of runoff through SuDS provision.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	2.5.6.12 to 2.5.6.16 and Table 2.5.1	from AGI and loss of floodplain storage (operation)	The Inspectorate agrees that, provided the operational control measures in the form of SuDS are clearly described in the ES and secured through the dDCO, this would ensure no pathway of effect to result in increased flood risk from operational discharges and runoff from AGI or loss of floodplain storage.
3.4.4	Volume 1, Part 2, Paragraphs 2.5.6.12 to 2.5.6.16 and Table 2.5.1	Physical disturbance, impact to flow regimes (watercourse crossings) from operational infrastructure (AGI and watercourse crossings) (operation)	<p>This matter is proposed to be scoped out on the basis that there would be no impact pathway, as there would be no physical disturbance during operation.</p> <p>The Inspectorate agrees that following construction further physical disturbance or impact on flow regimes at watercourse crossings is unlikely and therefore this matter can be scoped out of the assessment.</p>
3.4.5	Volume 1, Part 2, Table 2.5.2; Table 2.5.3; Table 2.5.4; Table 2.5.5; Table 2.5.6 and Table 2.5.9	<p>Increased surface water runoff from converter station drainage during operation on receptors 'existing land uses and infrastructure' for the following converter site options:</p> <ul style="list-style-type: none"> <li>• Suffolk Site 1 Emerging Preference</li> <li>• Suffolk Site 1 Alternative</li> <li>• Suffolk Site 3 Emerging Preference</li> <li>• Suffolk Site 3 Alternative (Option 1)</li> </ul>	<p>This matter is proposed to be scoped out on the basis of no impact pathway, given the attenuation of runoff through the SuDS provision. Table 2.5.9 indicates this applies to the operation and maintenance stages.</p> <p>The Inspectorate agrees that SuDS provision would remove/reduce the likelihood of surface water runoff from the converter site during operation and thus ensure any such effects would be fully mitigated. The Inspectorate therefore agrees this matter can be scoped out of the assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>Suffolk Site 3 Alternative (Option 2)</li> </ul>	
3.4.6	Volume 1, Part 2, Table 2.5.2; Table 2.5.3; Table 2.5.4; Table 2.5.5; and Table 2.5.6	<p>Increased flood risk due to permanent loss of floodplain storage/impediment of floodplain flows on receptors 'Fluvial and coastal floodplain' for the following converter site options:</p> <ul style="list-style-type: none"> <li>Suffolk Site 1 Emerging Preference</li> <li>Suffolk Site 1 Alternative</li> <li>Suffolk Site 3 Emerging Preference</li> <li>Suffolk Site 3 Alternative (Option 1)</li> <li>Suffolk Site 3 Alternative (Option 2)</li> </ul>	<p>This matter is proposed to be scoped out on the basis that there would be no impact pathway, as there would be no permanent works in the floodplain.</p> <p>The Inspectorate considers it would have been helpful to overlay the converter site options with the flood mapping. The ES should include a clear plan showing the chosen converter site location (or options, where being pursued) and flood risk zones.</p> <p>At this stage of design and from the information provided, the Inspectorate understands that none of the converter site options are located within the floodplain and thus agrees that consideration of permanent loss of fluvial and coastal floodplain as a result of the converter site can be scoped out of the assessment. However, should this not be the case, the ES should include an assessment of any such likely significant effects.</p>
3.4.7	Volume 1, Part 2, Table 2.5.1, Table 2.5.2 and Table 2.5.9  Volume 1, Part 2, Table 2.5.3; Table 2.5.6	<p>Permanent physical disturbance and change to flow regime on the following receptors (operation and maintenance):</p> <ul style="list-style-type: none"> <li>'Unnamed ordinary watercourses' for the following converter site option: Suffolk Site 1 Emerging Preference</li> </ul>	<p>This matter is proposed to be scoped out on the basis that there would be no impact pathway as cables would be buried. Although not explicitly stated in Table 2.5.2, the Inspectorate assumes this is for the operational and maintenance stage only as per Tables 2.5.1 and 2.5.9. Although it is also noted that Table 2.5.1 scopes in "...physical disturbance" at the maintenance stage.</p> <p>The Scoping Report does not clearly identify the location of these watercourse receptors and their proximity to converter site options.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	<p>and Table 2.5.9</p> <p>Volume 1, Part 2, Table 2.5.4</p> <p>Volume 1, Part 2, Table 2.5.5 and Table 2.5.9</p>	<ul style="list-style-type: none"> <li>'Hundred River and ordinary watercourse tributaries' for the following converter site options: Suffolk Site 1 Alternative; and Suffolk Site 3 Alternative (Option 2)</li> <li>'Ordinary watercourses' (and 'land drains in River Fromus catchment' indicated by Table 2.5.9) for the converter site option: Suffolk Site 3 Emerging Preference</li> <li>'Hundred River, Leiston Beck and ordinary watercourse tributaries' (and 'land drains in Hundred River catchment' indicated by Table 2.5.9) for converter site option: Suffolk Site 3 Alternative (Option 1)</li> </ul>	<p>To aid the reader the ES should clearly identify these receptors on an accompanying figure.</p> <p>The Inspectorate agrees that following construction further physical disturbance or impact on flow regimes at watercourses during operation is unlikely and therefore permanent physical disturbance and change to flow regime effects during operation can be scoped out of the assessment.</p> <p>On the basis that the ES describes the maintenance activities and demonstrates how permanent physical disturbance and change to flow regime on these receptors for the identified converter site options will be avoided so that significant effects are not likely to occur, the Inspectorate agrees to scope this matter out.</p>
3.4.8	<p>Volume 1, Part 2, Table 2.5.1 and Table 2.5.2</p> <p>Volume 1, Part 2, Table 2.5.3 and Table 2.5.6</p>	<p>Pollution of watercourses and physical disturbance during maintenance on the following receptors (maintenance):</p> <ul style="list-style-type: none"> <li>'Unnamed ordinary watercourses, ditches, reservoir' for the following converter site option: Suffolk Site 1 Emerging Preference</li> </ul>	<p>This matter is proposed to be scoped out on the basis of no impact pathway for a significant effect given the likely nature and scale of maintenance activities.</p> <p>As noted at point 3.4.1 of the Opinion above, Table 2.5.1 scopes in 'pollution of watercourses and physical disturbance' from maintenance activities; however, this matter is scoped out in Table 2.5.2. Summary Table 2.5.9 does not reference pollution effects during maintenance at all. The ES should make clear whether maintenance activities have been scoped in/out of the assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	<p>Volume 1, Part 2, Table 2.5.4</p> <p>Volume 1, Part 2, Table 2.5.5</p>	<ul style="list-style-type: none"> <li>• 'Hundred River and ordinary watercourse tributaries' for the following converter site options: Suffolk Site 1 Alternative and Suffolk Site 3 Alternative (Option 2)</li> <li>• 'Unnamed ordinary watercourses' for the converter site option: Suffolk Site 3 Emerging Preference</li> <li>• 'Hundred River, Leiston Beck and ordinary watercourse tributaries' for converter site option: Suffolk Site 3 Alternative (Option 1)</li> </ul>	<p>The Scoping Report also does not identify the location of the reservoir, the unnamed ordinary watercourses, or ditches to be scoped out of an assessment of pollution effects for this converter site option. The ES should clearly identify these receptors on a figure.</p> <p>On the basis that the maintenance activities and measures to avoid pollution of, and physical disturbance to watercourses are clearly described in the ES and secured through the dDCO, the Inspectorate agrees this matter can be scoped out of the assessment.</p>
3.4.9	<p>Volume 1, Part 2, Table 2.5.3 and Table 2.5.6</p>	<p>Temporary loss of floodplain storage/impediment of floodplain flows due to spoil storage during construction and decommissioning on receptors 'Coastal and fluvial floodplain' for the following converter site options (construction and decommissioning):</p> <ul style="list-style-type: none"> <li>• Suffolk Site 1 Alternative</li> <li>• Suffolk Site 3 Alternative (Option 2)</li> </ul>	<p>This matter is proposed to be scoped out on the basis that areas of floodplain are very localised and could be avoided.</p> <p>Provided the ES, supported by the Flood Risk Assessment (FRA), demonstrates how the loss of floodplain/impediment of floodplain flows will be avoided during construction and decommissioning and mitigation measures are secured through the dDCO, the Inspectorate agrees to scope this matter out.</p>



<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.4.10	Volume 1, Part 2, Table 2.5.9	Reduced water availability to support abstractions and assimilate discharges ('existing water interests') for all stages and all options	This matter is referenced in the Summary Table 2.5.9, but no information is provided to explain why this matter is to be scoped out of the assessment, such as a description of the 'existing water interests' receptors, the need for the Proposed Development to abstract water and the likelihood (or otherwise) of reduced water availability as a result of the Proposed Development. In the absence of supporting information the Inspectorate cannot agree to scope out this matter at this stage. The ES should provide further justification to support scoping out of this matter or an assessment, where likely significant effects could occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.4.11	Volume 1, Part 2, Paragraph 2.5.3.1 and Figure 2.5.1	Study area	The Scoping Report identifies a 500m buffer around the Suffolk Onshore Scheme Scoping Boundary but does not give reasons for the choice of study area. The ES should clearly define the study area, based on the ZoI from the Proposed Development, together with a justification for the selection.
3.4.12	Volume 1, Part 2, Paragraph 2.5.5.5 to 2.5.5.6	Embedded measures/design – watercourse crossings	The Scoping Report does not currently identify the types of crossings to be applied, but states that 'suitable crossing designs would be selected with the aim of reducing impacts'. The Applicant's attention is directed to the comments of the EA at Appendix 2 to this Opinion with regards to the culverting of watercourses, which the EA would oppose.
3.4.13	Volume 1, Part 2, Table 2.5.6	Receptors	Examples in this table do not reference property, businesses or people. The ES should provide justification for the receptors identified for the assessment.

ID	Ref	Description	Inspectorate's comments
3.4.14	Volume 1, Part 2, Table 2.5.8	Assessment methodology – magnitude criteria	Examples within this table include reference to fishery value or designated nature conservation sites, although such receptor types are not explicitly mentioned in this aspect chapter. The Water Environment aspect chapter of the ES should include appropriate cross-references to other relevant aspect chapters such as Ecology and Biodiversity.

### 3.5 Geology and Hydrogeology

(Scoping Report Volume 1, Part 2, Section 2.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Volume 1, Part 2, Table 2.6.2	Connection of two aquifer units at trenchless crossings as a result of the excavation of trenchless crossings (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>Table 2.6.2 does not expand on the specific 'mitigation by design' proposed to ensure this does not occur. It is noted that Code of Construction Practice (CoCP) measure GH02 comprises "<i>Construction methods such as appropriate piling techniques (if required) to minimise the risk of mixing of aquifer bodies through the creation of new pathways...</i>" However, it is unclear whether this reference to piling methods would apply to trenchless crossings such that it would mitigate for effects.</p> <p>In the absence of supporting information on the location of crossings, proposed techniques including depths, and mitigation, the Inspectorate cannot agree to scope out this matter. The ES should include an assessment where likely significant effects could occur or provide further justification as to why this would not arise.</p>
3.5.2	Volume 1, Part 2, Table 2.6.2	Introduction of new potential contaminants to the environment from leaks, spills, fuels and oils from construction activities (construction, maintenance, and decommissioning)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>The Inspectorate is content to scope this matter out on the basis that such matters are capable of mitigation by standard measures. The ES must provide specific details regarding the mitigation measures to be adopted to demonstrate that such measures will be monitored and effective. However, as noted at point 2.1.6 above, there is some concern with regards to the potential for break outs or frack-outs of</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>bentonite during HDD activities. The ES should provide details of protocols/measures to be put in place to prevent break outs or frack-outs of bentonite from occurring or minimise impacts should such events occur.</p>
3.5.3	Volume 1, Part 2, Table 2.6.2	Physical and chemical changes to groundwater as a result of discharge of groundwater from dewatering (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>The Scoping Report does not expand on the specific mitigation that would address this potential impact. The Inspectorate notes measure GH07 of the CoCP relating to temporary dewatering in accordance with EA guidance, and an abstraction licence and Environmental Permit (EP) for the discharge (if required), and that dewatering activities during construction more generally are scoped into the assessment.</p> <p>The Inspectorate agrees that control measures applied would ensure no change to physical and chemical changes to groundwater and this matter can be scoped out of the assessment.</p>
3.5.4	Volume 1, Part 2, Table 2.6.2	Effects on construction activities and the built development (at the operational phase) from natural geological hazards (ie dissolution features/soft ground/landslides/aggressive ground conditions etc) (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>As previously, the Scoping Report does not expand on the specific measure to mitigate such effects, but it is assumed this relates to the inclusion of GH01, intrusive ground investigations and assessment will be undertaken prior to construction to inform appropriate geotechnical design in relation to the site/structure specific ground conditions including ground instability/adverse ground conditions. Alternatively, it may also relate to the initial project design and route/site selection.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>On the basis that natural hazards would be considered during the engineering design of the Proposed Development and avoided where possible, the Inspectorate is in agreement that this matter can be scoped out of the ES. The Applicant should clearly describe the consideration that has been given to avoiding natural geological hazards within the alternatives section of the ES.</p>
3.5.5	Volume 1, Part 2, Table 2.6.2 to Table 2.6.7	Human health exposure to existing contamination – site workers and neighbours – all convertor site options (operation and maintenance)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the nature of the project and the incorporation of the mitigation by design.</p> <p>The Inspectorate agrees, given the nature of the Proposed Development and existing legislation, that such effects are unlikely during the operation and maintenance stage and can be scoped out of the impact assessment.</p>
3.5.6	Volume 1, Part 2, Table 2.6.2	Introduction of new potential contaminants to the environment from leaks, spills, fuels and oils during the operational phase (operation and maintenance)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect given the nature of the project and in consideration of best practice measures and maintenance.</p> <p>The Inspectorate agrees that such effects are unlikely during the operation and maintenance stage and can be scoped out of the impact assessment.</p>
3.5.7	Volume 1, Part 2, Table 2.6.2	Changes to groundwater levels and/or recharge rates as a result of the introduction of impermeable surfaces (operation)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in significant effects due to the small surface area of the built parts of the Proposed Development. Any new areas of hardstanding would be designed to meet current drainage standards.</p> <p>The Scoping Report does not confirm the likely area of the convertor site that would comprise hardstanding. Similarly, it does not confirm likely run-off rates and measures controlling these. The Inspectorate therefore cannot agree to scope this matter out at this stage. Details</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			of the design of the convertor site and the location of drainage should be included in the ES, together with an assessment of their effectiveness at mitigating operational discharges and runoff. The ES should assess effects on groundwater levels and/or recharge rates as a result of impermeable surfaces, where significant effects are likely to occur.
3.5.8	Volume 1, Part 2, Table 2.6.3; Table 2.6.4; Table 2.6.5; Table 2.6.6; Table 2.6.7;	Mobilisation of existing contamination during general construction, impacting on land and/or groundwater quality on environmentally sensitive sites, groundwater, Groundwater Dependant Terrestrial Ecosystems (GWDTE), surface water, land quality for all converter site options (operation and maintenance)	No reasoning is provided within the Scoping Report for the scoping out of this matter. Despite this, the Inspectorate is of the view that provided a comprehensive construction stage assessment of this matter has been provided and mitigation/remedial measures are secured (as appropriate) that effects during the operation and maintenance stage can be scoped out of the assessment.
3.5.9	Volume 1, Part 2, Table 2.6.3; Table 2.6.4; Table 2.6.5; Table 2.6.6; Table 2.6.7;	Changes to groundwater levels, quality and groundwater flow direction caused by dewatering and discharge on environmentally sensitive sites, groundwater, GWDTE, and surface water for all converter site options (operation, decommissioning, and maintenance)	The Inspectorate agrees that such effects are unlikely during the operation, maintenance and decommissioning stages and can be scoped out of the impact assessment.
3.5.10	Volume 1, Part 2, Table 2.6.3; Table 2.6.4;	Damage to/destruction of designated sites of geological importance (operation, maintenance and	The Inspectorate notes that summary Table 2.6.12 (Proposed scope of the assessment) states that this matter is scoped out for all converter site options. However, this matter is only included in Table

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	Table 2.6.7; and Table 2.6.12	decommissioning) for all converter site options.	2.6.3, 2.6.4 and 2.6.7. The Inspectorate has considered scoping out for all converter site options.  On the basis that the nearest feature of any designated sites of geological importance is located approximately 9km from the Suffolk Scoping Boundary and there are no potential effect pathways, the Inspectorate agrees that this matter can be scoped out of the assessment for all converter site options.
3.5.11	Volume 1, Part 2, Table 2.6.3; Table 2.6.4; Table 2.6.5; Table 2.6.6; Table 2.6.7; and Table 2.6.12	Sterilisation of safeguarded minerals for all converter site options (maintenance and decommissioning)	The Scoping Report confirms mineral reserves are present within the study area which could be damaged and result in significant effects during construction and operation. This matter is however scoped out for maintenance and decommissioning.  Although no reason is provided as to why this matter is to be scoped out, the Inspectorate considers that mineral safeguarding will be considered at the construction stage and on the basis of the likely nature and scale of maintenance activities and on the basis that decommissioning does not further sterilise, undisturbed mineral resources, this matter can be excluded for the maintenance and decommissioning stages.

ID	Ref	Description	Inspectorate's comments
3.5.12	Volume 1, Part 2, Paragraph 2.6.7.6	Assessment methodology	The Inspectorate notes that a Tier 0 assessment will be undertaken as a first stage screening and that " <i>where a very low or low risk rating is assessed, these areas will not be taken forward for further assessment in the ES on the basis they have a low likelihood of significant effects.</i> " The Inspectorate notes that this approach diverges from the standard Land Contamination Risk Management

ID	Ref	Description	Inspectorate's comments
			<p>approach. The Applicant should seek to agree the methodology with relevant consultation bodies, including the EA.</p>
3.5.13	Volume 1, Part 2, Table 2.6.2 and Section 2.6.5	Mitigation by design and scoping out	<p>This aspect chapter relies on 'mitigation by design' to scope out various matters; however, what measures encompass mitigation by design is not clear in the chapter. 'Mitigation by Design' is defined in Chapter 2.11 (Socio-economics, Recreation and Tourism) , which states "<i>Mitigation measures will be included in the design (Mitigation by Design) where practicable to help avoid, prevent or reduce effects on the environment.</i>" However, in the case of the Geology and Hydrogeology chapter it appears to also relate to mitigation measures secured through the CoCP. The ES should make clear what measures are being relied upon to avoid/reduce impacts, and how these are to be delivered/secured through the dDCO.</p>



### 3.6 Agriculture and Soils

(Scoping Report Volume 1, Part 2, Section 2.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Volume 1, Part 2, Table 2.7.1	Temporary removal of land from agricultural production - construction, maintenance and decommissioning	<p>The Applicant proposes to scope out the temporary removal of land from agricultural production on the basis that all land required temporarily would be reinstated, the footprint of the permanent infrastructure is limited and impacts on agricultural operations will be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate considers that effects of temporary removal may be scoped out from further assessment; however, the ES should provide an estimate of the quantity of Best and Most Versatile (BMV) land to be affected by the temporary works, the duration of such works and any long term changes in land use introduced by associated easements.</p>
3.6.2	Volume 1, Part 2, Table 2.7.1	Permanent removal of land from agricultural production - operation	<p>The Applicant proposes to scope out the permanent removal of land from agricultural production on the basis that all land required temporarily would be reinstated, the footprint of the permanent infrastructure is limited and impacts on agricultural operations would be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate agrees this matter can be scoped out on the basis the ES confirms the amount of agricultural land to be permanently lost and explains why this is considered 'limited' and not likely to lead to significant effects. Reinstatement of land, and the proposed soil management and handling measures, should be clearly described in the ES and secured through the dDCO.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.3	Volume 1, Part 2, Table 2.7.1	Temporary disruption and disturbance to agricultural operations (from noise, fragmentation and disruption to water supplies and land drainage) - construction, maintenance and decommissioning	<p>The Applicant proposes to scope out these matters on the basis that they will be managed through mitigation measures set out within the outline CoCP, all land required temporarily would be reinstated and impacts on agricultural operations would be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate agrees to scope out this matter on this basis.</p>
3.6.4	Volume 1, Part 2, Paragraphs 2.7.6.13 – 2.7.6.14 and Table 2.7.1	Effects of Electromagnetic Fields (EMFs) on land use - operation	<p>The Applicant proposes to scope out the effects of EMFs on land use during operation of the Proposed Development on the basis that there is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences. The Applicant proposes to undertake a walkover survey of the indicative alignment to identify land use and activities that may require additional clearance of the conductors. The Applicant will also provide the relevant information on EMFs in a separate document submitted as part of the application for development consent which will demonstrate compliance in accordance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines and paragraph 2.10.9 of EN-5.</p> <p>On this basis, the Inspectorate agrees to scope out operational effects from EMFs on land use.</p>
3.6.5	Volume 1, Part 2, Paragraph 2.7.6.12	Economic effects on landowners – construction, operation, maintenance, and decommissioning	<p>Paragraph 2.7.6.12 of the Scoping Report proposes to scope out economic effects on individual landowners and farmers on the basis that most of the land will be reinstated by the end of the construction phase and any claims regarding compensation will be addressed outside of the EIA process.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			The Inspectorate agrees that significant effects are unlikely and is therefore content that this matter can be scoped out of further assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.6.6	Volume 1, Part 2, Paragraphs 2.7.6.5 - 2.7.6.6 and Table 2.7.1	Temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services – construction, maintenance, and decommissioning	Paragraph 2.7.6.6 of the Scoping Report states that until soil surveys have been undertaken to understand sensitivity of soils to handling, storage and reinstatement, construction effects on soils and Agricultural Land Classification (ALC) will be scoped into the ES.  The ES should include the necessary information to demonstrate impacts can be avoided or reduced to exclude significant effects or provide an assessment where likely significant effects could occur.
3.6.7	Volume 1, Part 2, Paragraph 2.7.6.7 and Table 2.7.1	Permanent loss of BMV land and permanent disturbance to soils and associated ecosystem services - operation	Paragraph 2.7.6.7 of the Scoping Report states that the land grades and soil types affected would be confirmed through the assessment process and as such, permanent impacts on soils and ALC system will initially be scoped into the assessment. It is further stated that if the site survey confirms that the permanent land affected is not BMV land or that the cumulative loss is below the magnitude threshold for a likely significant effect, then permanent loss of agricultural land during operation would be scoped out of the ES.  The Inspectorate is satisfied with this approach.
3.6.8	Volume 1, Part 2, Paragraph	Temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services – maintenance	Paragraph 2.7.6.8 of the Scoping Report states that any maintenance or repair works required which would result in disturbance to soils during operation of the project would be undertaken in accordance with good practice soil handling methods. It's further stated that no likely significant effects on soils or ALC during operational

ID	Ref	Description	Inspectorate's comments
	2.7.6.8 and Table 2.7.1		<p>maintenance or repair activities are therefore concluded and this aspect is scoped out of the ES.</p> <p>This is in contradiction to the information contained within Table 2.7.1, which proposes to scope in the temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services from maintenance activities (to be reviewed once soil surveys are complete).</p> <p>The ES should clearly define the scope for the aspect and the Inspectorate considers that an assessment of the effects arising from the temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services should be included within the ES, where significant effects are likely to occur.</p>

### 3.7 Traffic and Transport

(Scoping Report Volume 1, Part 2, Section 2.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Volume 1, Part 2, Paragraph 2.8.6.6	Traffic and Transport effects – operational and maintenance phase	<p>The Applicant proposes to scope out transport effects on roads and users associated with the operational phase and maintenance activities on the basis that vehicle movements associated with the operation of the site and maintenance requirements are anticipated to be infrequent and low.</p> <p>The Inspectorate agrees that on this basis, this matter can be scoped out from further assessment. The ES should provide a description of the likely number and type of vehicles required during all phases of development to support this conclusion.</p>
3.7.2	Paragraph 2.8.6.8 and Table 2.8.1	Hazardous loads – operational and maintenance phase	<p>The Applicant proposes to scope out impacts from hazardous and dangerous loads during the operational and maintenance phase on the basis that few hazardous loads are anticipated.</p> <p>The Inspectorate agrees to scope this matter out but would expect the ES to provide a reasoned justification as to why such loads are likely to be infrequent during the operation and maintenance phase.</p>
3.7.3	Volume 1, Part 2, Table 2.8.2 to 2.8.6 and Table 2.8.11	Driver delay on PRow and National/regional walking and cycling routes for all converter site options – construction and decommissioning	The Inspectorate agrees to scope these matters out on the basis that PRow and national and regional walking and cycling routes are not utilised by drivers limiting the impact pathway.
3.7.4		Decline in road safety on PRow and national/regional walking and cycling routes for all converter site	

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		options – construction and decommissioning	
3.7.5		Additional hazardous loads on PRow and national/regional walking and cycling routes for all converter site options – construction and decommissioning	
3.7.6	Volume 1, Part 2, Table 2.8.2 and Table 2.8.11	PRow diversions or closures impacts to road links, road junctions and national/regional walking and cycling routes for all converter site options – construction and decommissioning	The Inspectorate agrees that significant effects on road links, road junctions and national/regional walking and cycling routes as a result of closures or diversions of PRow during construction and decommissioning are unlikely and this matter can be scoped out.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.7.7	Volume 1, Part 2, Section 2.8.3	Study area	Whilst it is acknowledged that the study area is yet to be confirmed, this should be informed by the extent of the affected road network.
3.7.8	Volume 1, Part 2, Section 2.8.4	Receptors – 'England Coast Path' National Trail	The Applicant's attention is directed to the comments of Suffolk County Council and Natural England at Appendix 2 to this Opinion with regards to the recent approval of the England Coast Path National Trail within Suffolk, which is located within the Suffolk Onshore Scoping Boundary. The ES should include an assessment of effects on this proposed National Trail, where likely significant effects could occur.

### 3.8 Air Quality

(Scoping Report Volume 1, Part 2, Section 2.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Volume 1, Part 2, Table 2.9.1 and Table 2.9.6	Air quality impacts from an increase in vehicle emissions - construction, operation, maintenance, and decommissioning	<p>The Scoping Report proposes to scope out these matters on the basis that it is not considered that construction, operational, maintenance and decommissioning traffic flows associated with the Proposed Development would exceed the Institute of Air Quality Management (IAQM) criteria for a detailed air quality assessment.</p> <p>The Inspectorate would expect the ES to provide a detailed explanation of the likely traffic flows during all phases of the Proposed Development to justify not undertaking further assessment. Cross-reference should be made to the assessments of effects on Ecology and Biodiversity and on Human Health.</p>
3.8.2	Volume 1, Part 2, Table 2.9.1 and Table 2.9.6	Emissions from Non-Road Mobile Machinery (NRMM) - construction and decommissioning	<p>The Scoping Report proposes to scope out this matter on the basis that emissions would not be significant due to the temporary and transient nature of construction activity and incorporation of best practice measures included within the CoCP.</p> <p>Whilst the Inspectorate considers that emissions from NRMM are unlikely to be significant in most cases, in the absence of detail regarding the location of construction works with respect to receptors and the type and duration of NRMM to be deployed, the Inspectorate does not consider that this matter may be scoped out based on current evidence. The ES should include an assessment of emissions from NRMM on sensitive receptors where significant effects are likely.</p>

ID	Ref	Description	Inspectorate's comments
3.8.3	n/a	n/a	n/a



### 3.9 Noise and Vibration

(Scoping Report Volume 1, Part 2, Section 2.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	Volume 1, Part 2, Table 2.10.4 and Table 2.10.11	Operational vibration – all options	<p>The Inspectorate does not agree to scope this matter out given the uncertainties regarding the chosen location of the converter station and the proximity to sensitive receptors. The Scoping Report provides limited information regarding anticipated operational vibration levels.</p> <p>The ES should provide an assessment of operational vibration or the information demonstrating agreement with relevant stakeholders and the absence of likely significant effects.</p>
39.2	Volume 1, Part 2, Table 2.10.11, Table 2.10.3 and Table 2.10.4	Operational road traffic noise and vibration – all options	<p>The Inspectorate agrees to scope this matter out on the basis that operational traffic movements are likely to be infrequent and unlikely to give rise to likely significant effects.</p>
39.3	Volume 1, Part 2, Table 2.10.3 and Table 2.10.4	Construction traffic vibration	<p>Construction vehicle routes are currently unknown and therefore so is the distance to sensitive receptors. In addition, the number and type of vehicles have not yet been confirmed. In the absence of this detail, the Inspectorate does not agree to scope out construction traffic vibration for the construction phase at this time.</p>
39.4	Volume 1, Part 2, Table 2.10.3 and Table 2.10.4	Switchgear operational noise	<p>This matter is proposed to be scoped out on the basis that switchgear noise emissions would be impulsive in character and operation would be infrequent. It is further stated that auxiliary plant comprising standby generators and air compressors would contribute to the</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			<p>broadband noise; however, these would not run continuously and would be housed and used as emergency back-up only.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment. The ES should contain relevant engineering specifications to demonstrate that switchgear operation is unlikely to result in significant effects and should demonstrate that consultation has been undertaken with the relevant consultation bodies.</p>
3.9.5	Volume 1, Part 2, Table 2.10.3	Operational noise and vibration from underground cables - operation	The Inspectorate agrees that operational noise and vibration from underground cables is unlikely to result in significant effects and agrees that this matter can be scoped out of the ES.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.9.6	Volume 1, Part 2, Paragraph 2.10.5.2	Mitigation measures	The Scoping Report refers to noise mitigation measures which include screening and enclosures. The ES should address the potential adverse effects of mitigation measures in the relevant aspect chapters of the ES (eg Landscape and Visual) where significant effects are likely to occur.

### 3.10 Socio-economic Recreation and Tourism

(Scoping Report Volume 1, Part 2, Section 2.11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Volume 1, Part 2, Table 2.11.3; Table 2.11.4; Table 2.11.5; Table 2.11.6; Table 2.11.7; and Table 2.11.8	Creation of permanent operational phase employment, training and apprenticeship opportunities, both directly at work sites and indirectly in East Suffolk (operation)	<p>The matter is to be scoped out on the basis that the scale of operational employment generated is likely to be very limited.</p> <p>The Inspectorate agrees that this matter can be scoped out of the assessment for the operational stage on this basis. The ES description of the Proposed Development should, however, explain the level of employment generation in operation.</p>
3.10.2	Volume 1, Part 2, Table 2.11.3; Table 2.11.4; Table 2.11.5; Table 2.11.6; Table 2.11.7; and Table 2.11.8	Generation of Gross value added (GVA) in East Suffolk during the operational phase (operation)	<p>This matter is to be scoped out on the basis that the scale of operational employment generated is likely to be very limited and therefore any effect on GVA will be small.</p> <p>The Inspectorate is content for this matter to be scoped out on this basis.</p>

ID	Ref	Description	Inspectorate's comments
3.10.3	Volume 1, Part 2, Paragraph 2.11.3	Study area	The study area for local communities identified as being impacted only accounts for those connected by recreational routes and public rights of way, however, the Inspectorate considers this should also include routes connected via the road network and the study area for landscape and visual impacts and traffic and transport.

ID	Ref	Description	Inspectorate's comments
			The study area identified in the ES should include the extent of potential impacts on receptors from changes in the road network from the Proposed Development. Effort should be made to agree the study area with relevant consultation bodies.

### 3.11 Health and Wellbeing

(Scoping Report Volume 1, Part 2, Section 2.12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Volume 1, Part 2, Paragraph 2.12.5.2 and Tables 2.12.2 and 2.12.9	All phases – EMF	The Inspectorate agrees this matter can be scoped out on the basis that the ES demonstrates the design is compliant with the International Commission on Non-Ionizing Radiation Protection guidelines (1998) in ensuring that the threshold for impacts to humans is not met/exceeded.

ID	Ref	Description	Inspectorate's comments
3.11.2	Volume 1, Part 2, Paragraph 3.12.4.2	Census data	Where new census data from 2021 is available, this should be used to inform baseline data and the ES assessment.
3.11.3	Volume 1, Part 2, Tables 2.12.2, 2.12.3 and 2.12.4	Study area	<p>The study area for impacts from severance vary between 1km and 500m however, the Inspectorate considers severance can be caused by changes in traffic movements and type.</p> <p>The assessment of potential severance impacts on receptors from changes in the road network from the Proposed Development should consider the entirety of the affected road network rather than an arbitrary buffer zone.</p>

ID	Ref	Description	Inspectorate's comments
3.11.4	Volume 1, Part 2, Paragraph 2.12.7.12 and Table 2.12.8	Judgement of significance	<p>Scoping Report paragraph 2.12.7.12 states that the proposed guidance does not provide a methodology for assessing the significance of effects.</p> <p>The ES should describe the methodology for determining the significance of effects and report the significance of effects on human health. The Applicants attention is directed to the response of UK Health Security Agency at Appendix 2 to this Opinion with regards to this matter.</p>

### 3.12 Cumulative Effects

(Scoping Report Volume 1, Part 2, Section 2.13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.12.2	Volume 1, Part 2, Table 2.13.1 and Volume 1, Part 2, Table 3.13.1	Intra-cumulative/intra-project effects on ecological, notable habitats, and non-designated heritage assets	<p>Table 2.13.1 omits potential intra-cumulative/intra-project effects on receptors arising from multiple impacts. For example, impacts from traffic and transport and noise on ecological receptors and landscape and visual impacts on non-designated heritage assets. This table is also inconsistent with the pre-screening Table 3.13.1 for the Kent Onshore Scheme without explanation why. For example, landscape and visual impacts on designated heritage assets are included in Table 3.13.1 (Kent Onshore Scheme) but not present in Table 2.13.1 (Suffolk Onshore Scheme).</p> <p>The ES should appropriately justify where impacts are omitted from the intra-cumulative assessment or else include them in the assessment.</p>
3.12.3	Volume 1, Part 2, Table 2.13.3 and Appendix 1.5A	Projects to be included in the assessment	Table 2.13.3 is inconsistent with Appendix 1.5A in terms of projects taken to Stage 2 for assessment. The ES should ensure that these lists are consistent and effort is made to agree them with relevant statutory consultees.

## 4. ENVIRONMENTAL ASPECT COMMENTS – KENT ONSHORE SCHEME

### 4.1 Landscape and Visual

(Scoping Report Volume 1, Part 3, Section 3.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	Volume 1, Part 3, Table 3.2.2	Alteration to landscape character and visual amenity as a result of operational lighting for the convertor station (operation)	<p>This matter is to be scoped out on the basis that there is less potential that significant effects will result on landscape character or visual amenity as any additional lighting will be limited to maintaining site security and safety and would be within the context of existing lighting at Richborough Energy Park and adjacent development. The Scoping Report also acknowledges that should the approach to lighting change, this aspect will be scoped into the landscape and visual assessments. Reference to this effect is not included in Table 3.2.9 (Proposed scope of the assessment).</p> <p>The Inspectorate does not agree that operational lighting of the convertor station can be scoped out at this stage in the absence of information confirming the type and location of any such lighting, and in the context of the existing environment. The ES should include an assessment of operational lighting on sensitive landscape and visual receptors, where likely significant effects could occur.</p>
4.1.2	Volume 1, Part 3, Table 3.2.2 and Table 3.2.9	Alteration to visual amenity from the Operational HVAC overhead line (to be decided) (operation)	<p>The Scoping Report states that this matter is to be scoped out on the basis that "<i>The introduction of an overhead line HVAC connection has less potential to result in significant effects on visual amenity at operation given the existing context of vertical structures, including a wind turbine, communication masts and numerous overhead lines terminating at Richborough substation.</i>" However, it also states that "<i>in order to ensure that potential effects on the additional wirescape are adequately covered, it will be scoped into the visual assessment.</i>"</p>



ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Table 3.2.9 states that this matter is scoped in for receptors including: settlement, isolated dwellings, recreational facilities, recreational routes and access land, employees, occupiers of vehicles and railway line passengers.</p> <p>For the avoidance of doubt, the Inspectorate considers this matter should be scoped in to the assessment, where likely significant effects on sensitive visual receptors could occur.</p>
4.1.3	Volume 1, Part 3, Table 3.2.2	Alteration to landscape character and visual amenity from operational HVDC underground cable (and HVAC if underground)	<p>This matter is proposed to be scoped out on the basis of there being less potential to have significant effects on landscape character and visual amenity at operation. It is stated that the landscape will be returned to previous land use and landscape components lost at construction will be reinstated as soon as reasonably practical after construction.</p> <p>The Inspectorate considers that the ES should address the potential for permanent landscape character effects due to any planting restrictions introduced for any easement required.</p>
4.1.4	Volume 1, Part 3, Table 3.2.3	Permanent alteration to landscape character and perceptual qualities as a result of the operational converter station on the following receptors: Thanet District Council Landscape Character Assessment (TDLCA) LCA A1: Manston Chalk Plateau, and Dover District Council Landscape Character Assessment (DDLCA) LCAs B1: Great Stour Sandwich Corridor, D1: Preston,	<p>This matter is proposed to be scoped out on the basis that the Kent Scoping Boundary does not lie within these LCAs. Whilst there is the potential for indirect effects on the perceptual qualities of these LCAs there is less potential that the effects would be significant.</p> <p>The Inspectorate is of the view that these LCAs can be scoped out of the landscape assessment for the operational converter site on the basis of the likely nature of potential effects relative to the distance between these LCAs.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		and H1: Richborough Bluff (operation)	
4.1.5	Volume 1, Part 3, Table 3.2.3	Temporary and permanent alteration to landscape character and perceptual qualities as a result of the construction and operation of the converter station, HVDC and HVAC on the following receptors: TDLCA Local Character Areas C1: St Nicholas at Wade Undulating Chalk Farmland and LCA C2: Central Thanet Undulating Chalk Farmland (all stages)	<p>Scoped out on the basis of there being no theoretical visibility between any aspect of the Kent Scoping Boundary during construction and operation and consequently there are not considered to be any effects on these LCAs.</p> <p>The Inspectorate is of the view that these LCAs can be scoped out of the landscape assessment on the basis of no pathway of effect between the Proposed Development and these LCAs.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.1.6	Volume 1, Part 3, Table 3.2.1 and Volume 3, Figure 3.2.6	Representative viewpoints	The viewpoints to be used for assessment should be agreed with the relevant consultation bodies, including the Local Authorities. The Applicant's attention is directed to the comments of Thanet District Council at Appendix 2 of this Opinion with regards to requested additional viewpoints.
4.1.7	Volume 1, Part 3, Table 3.2.1 and Chapter 3.4	Viewpoints and cultural heritage receptors	The Applicant is advised to consider, and include as appropriate, heritage specific viewpoints to support the heritage assessment. Suitable cross-referencing between the LVIA aspect chapter and Cultural Heritage aspect chapter should be included.

## 4.2 Ecology and Biodiversity

(Scoping Report Volume 1, Part 3, Section 3.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	Volume 1, Part 3, Table 3.3.3	Permanent habitat loss (intertidal) as a result of construction of converter station and underground cables/overhead line, construction of any temporary works areas, potential pollution from maintenance crews, and traffic movements during maintenance works (construction and maintenance)	<p>This matter is to be scoped out on the basis that no permanent infrastructure is to be installed above ground level within the intertidal zone. Similarly, no day-to-day maintenance of underground cables would be required in the intertidal zone.</p> <p>In the absence of information on the likely activities in the intertidal area and the habitats present, the Inspectorate cannot agree to scope out this potential effect at this stage. The ES should include an assessment of permanent habitat loss in the intertidal area, where likely significant effects could occur.</p>
4.2.2	Volume 1, Part 3, Table 3.3.3	Temporary habitat loss/disturbance (terrestrial and intertidal) from temporary works areas and traffic movements during maintenance works (operation)	<p>These matters are scoped out on the basis that it is considered unlikely that significant additional habitat loss would occur through operation.</p> <p>The Inspectorate agrees that the operation of the Proposed Development would not give rise to further temporary habitat loss/disturbance and can be scoped out of the assessment.</p> <p>The Inspectorate notes that 'traffic movements during maintenance works' during the construction and maintenance stages is scoped in (Table 3.3.3) but the same activity is stated to be scoped out for operation. For clarity, 'traffic movements during maintenance works' should be scoped in to the assessment.</p>
4.2.3	Volume 1, Part 3, Table 3.3.4	Permanent habitat loss to Margate and Long Sands Special Area of	<p>These designated sites are stated to be scoped out of this assessment as they are marine sites with qualifying features that are considered likely to be not affected by the onshore activities associated with the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Conservation (SAC) and Outer Thames Estuary SPA (all stages)	<p>Proposed Development due to the absence of a potential effect pathway from onshore activities. They will however be considered for the offshore activities.</p> <p>The Inspectorate agrees that permanent habitat loss to Margate and Long Sands SAC (designated for 'Sandbanks which are slightly covered by sea water all the time') and the Outer Thames Estuary SPA (designated for wintering red-throated diver and foraging breeding little tern and common tern) can be scoped out of the assessment of the Kent Onshore Scheme for all stages due to a likely absence of potential effect pathway from the onshore activities and on the understanding that effects on these designated sites from the Offshore Scheme activities will be considered in the relevant aspect chapters, namely Benthic Ecology and Marine Ornithology.</p>
4.2.4	Volume 1, Part 3, Table 3.3.4	Permanent habitat loss to Stodmarsh SAC and Thanet Coast SAC (all stages)	<p>Stodmarsh SAC and Thanet Coast SAC are stated to be screened out due to an absence of impact pathway. Stodmarsh SAC is described as being upstream of the Kent Onshore Scheme (at a distance of 5.8km from the Kent Onshore Scheme) and is designated for Desmoulin's whorl snail. Thanet Coast SAC (2.1km from the Kent Onshore Scheme) is designated for reefs and sea caves, which are stated as being outside of the Kent Onshore Scheme boundary and therefore no impact pathway exists.</p> <p>The ES should include evidence to demonstrate that activities during construction, operation and decommissioning would have no potential to affect these sites or their features. If this information is provided the Inspectorate agrees to scope out the assessment of permanent habitat loss to these designated sites from the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.5	Volume 1, Part 3, Table 3.3.4	Permanent habitat loss of Notable Habitats (all stages)	<p>The Scoping Report states that "<i>hedgerows, arable field margins and other notable habitats could be impacted by cable installation. However, a combination of routeing, HDD where possible and habitat re-instatement and replacement will be employed as mitigation and reduce these impacts to temporary. These impacts will therefore be assessed as temporary rather than permanent. The converter station would be located within an arable field so will not result in permanent loss of notable habitats.</i>"</p> <p>At this stage and in the absence of information regarding location of notable habitats, routing and installation techniques, and mitigation, the Inspectorate cannot agree to scope out permanent loss of notable habitats at this stage. The ES should include an assessment of this matter, where likely significant effects could occur.</p>
4.2.6	Volume 1, Part 3, Table 3.3.4	Incidental mortality of protected or notable invertebrate species (all stages)	<p>This matter is scoped out on the basis that it is unlikely that notable population assemblages will be significantly affected by direct mortality once mitigation measures are in place, as such populations will be linked to habitat.</p> <p>The Scoping Report states that the likely presence of notable invertebrate assemblages will be determined through the Phase 1 habitat surveys to be undertaken and there are habitats present that may support notable invertebrates, such as grazing marsh, semi-improved grassland, hedgerows and coastal habitats.</p> <p>In the absence of baseline information on notable invertebrate assemblages, the Inspectorate is not in a position to agree to scope these matters from the assessment. The ES should include an assessment of these matters, or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
4.2.7	Volume 1, Part 3, Tables 3.3.4 and 3.3.7	Incidental mortality of protected or notable intertidal and terrestrial non-breeding bird species (all stages)	This matter is identified as being scoped in for non-breeding birds during operation due to the potential for bird strike on new overhead line in Table 3.3.4, but it is stated to be scoped out for all stages in Table 3.3.7. Without reasoning as to why this matter is proposed to be scoped out and considering the potential for bird strike on new overhead lines, the Inspectorate cannot agree to scope this matter out at this stage. The ES should include an assessment of incidental mortality on non-breeding birds (terrestrial and intertidal) for all stages, where likely significant effects could occur.
4.2.8	Volume 1, Part 3, Table 3.3.7	Incidental mortality of protected or notable riparian mammal species (otter, water vole and beaver) (all stages)	This matter was not described in Table 3.3.4 but is noted to be included in Table 3.3.7. No reasoning is provided to scope this matter out. The Inspectorate considers there is potential for impacts during construction and decommissioning in particular and therefore, the Inspectorate does not agree to scope this matter out. The ES should assess incidental mortality of protected or notable riparian mammal species where significant effects are likely to occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.2.9	Volume 1, Part 3, Chapter 3.3	Study area, surveys for bird species, and confidential annexes	See comments 3.2.4, 3.2.5, 3.2.8 for Suffolk Onshore Scheme above, which are equally applicable to the Kent Onshore Scheme.
4.2.10	Volume 1, Part 3, Paragraph 3.3.4.40	Beaver	The Applicant should note that from 1 October 2022, Eurasian beavers in England became a European Protected Species, being listed in Schedule 2 of the Conservation of Habitats and Species Regulations.

## 4.3 Cultural Heritage

(Scoping Report Volume 1, Part 3, Section 3.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Volume 1, Part 3, Table 3.4.1	Physical impacts on non-designated assets (maintenance and decommissioning)	The ES should clearly state the approach to non-designated assets encountered during construction, such as whether preservation in-situ is proposed, and confirm where non-designated assets have been preserved in situ. The ES should consider the potential for effects on non-designated assets during the maintenance and decommissioning stage, where likely significant effects could occur.
4.3.2	Volume 1, Part 3, Table 3.4.1	Temporary impacts on the setting of heritage assets resulting from plant/machinery (maintenance and decommissioning)	The Inspectorate agrees that significant setting effects on heritage assets arising from the presence of plant and machinery during the maintenance phase are unlikely.  The ES should explain the likely number of machinery/plant required for decommissioning or the likely duration of decommissioning activities to demonstrate why such effects would not be significant.
4.3.3	Volume 1, Part 3, Table 3.4.1	Temporary impacts on the setting of heritage assets from construction compounds introducing light and noise pollution (decommissioning)	The Inspectorate agrees that significant setting effects on heritage assets arising from light and noise are unlikely.  The ES should outline the mitigation measures required for decommissioning and the likely duration of decommissioning activities to demonstrate why such effects would not be significant.

ID	Ref	Description	Inspectorate's comments
4.3.4	Volume 1, Part 3, Chapter 3.4	Sources of construction impacts - groundwater, and assessment methodology	See also comments 3.3.6 and 3.3.7 above made in respect to the Suffolk Onshore Scheme, which equally apply to the Kent Onshore Scheme.

ID	Ref	Description	Inspectorate's comments
4.3.5	Volume 1, Part 3, Paragraph 3.4.4.3 and 3.4.7.3	Heritage receptors – schedule monument	The ES should consider likely effects on the setting of the scheduled monument 'A Saxon Shore fort, Roman port and associated remains at Richborough' (1014642), where likely significant effects could occur. Although this scheduled monument is located beyond the 2km study area, the Inspectorate notes the settings assessment will be informed by the ZTV and the statement that some assets beyond the ZTV and 2km study area may also be considered. Cross-referencing to relevant information in the LVIA aspect chapter and/or supporting appendices should be included.
4.3.6	Volume 1, Part 3, Table 3.4.1, 3.4.2 and 3.4.6	Impacts scoped in	Table 3.4.6 does not include all of the impacts identified as scoped in within Tables 3.4.1, namely temporary impacts on the settings of designated assets during construction. For the avoidance of doubt, the ES should include an assessment of these effects.
4.3.7	Volume 1, Part 3, Chapter 3.4 and Volume 2, Appendix 3.4.A	Wantsum Sea Channel	Kent County Council (at Appendix 2 to this Opinion) have identified Wantsum Sea Channel as a heritage asset that should be included in the assessment but is not identified in Scoping Report Chapter 3.4 or in Appendix 3.4.A. The Applicant should seek to agree the heritage receptors to be included within the heritage assessment with relevant consultation bodies and include an assessment on this receptor where significant effects are likely to occur.



## 4.4 Water Environment

(Scoping Report Volume 1, Part 3, Section 3.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	Volume 1, Part 3, Table 3.5.1	Pollution of watercourses associated with operational discharges and runoff from above ground infrastructure (AGI) – water quality effects (operation)	<p>This matter is scoped out on the basis of no impact pathway given treatment through SUDs provision.</p> <p>The Inspectorate agrees that, provided the measures to mitigate the risks of pollution of watercourses are clearly described in the ES and secured in the dDCO, this matter can be scoped out of further assessment.</p>
4.4.2	Volume 1, Part 3, Table 3.5.1	Increased flood risk from operational discharges and runoff from AGI and loss of floodplain storage (operation)	<p>This matter is proposed to be scoped out on the basis of no impact pathway given attenuation of runoff through SuDS provision.</p> <p>The Inspectorate agrees that, provided the operational control measures in the form of SuDS are clearly described in the ES and secured through the dDCO, this would ensure no pathway of effect to result in increased flood risk from operational discharges and runoff from AGI or loss of floodplain storage.</p>
4.4.3	Volume 1, Part 3, Table 3.5.1	Physical disturbance, impact to flow regimes (watercourse crossings) from operational infrastructure (AGI and watercourse crossings) (operation)	<p>This matter is proposed to be scoped out on the basis that there would be no impact pathway, as there would be no physical disturbance during operation.</p> <p>The Inspectorate agrees that following construction there would be no further physical disturbance or impact on flow regimes at watercourse crossings and therefore this matter can be scoped out of the assessment.</p>
4.4.4	Volume 1, Part 3, Table 3.5.1	Effects from maintenance activities (maintenance)	<p>This matter is proposed to be scoped out on the basis of the nature of the proposed maintenance activities which would not provide an impact pathway. However, the activities associated with maintenance</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	and Paragraph 3.5.6.1.8		as listed in Scoping Report paragraph 3.5.6.1.8 suggest multiple impact pathways. The ES should either assess impacts from maintenance activities where significant effects are likely to occur or explain why there are no impact pathways. It is also noted that maintenance activities are scoped in for the Suffolk Onshore Scheme at Table 2.5.1. This matter should be clarified in the ES.
4.4.5	Volume 1, Part 3, Table 3.5.2	Increased surface water runoff from converter station drainage during operation on receptors 'existing land uses and infrastructure' (operation)	This matter is scoped out on the basis of no impact pathway given attenuation of runoff through SuDS provision.  The Inspectorate agrees that SuDS provision would remove/reduce the likelihood of surface water runoff from the converter site during operation and thus ensure any such effects would be fully mitigated. The Inspectorate therefore agrees this matter can be scoped out of the assessment.
4.4.6	Volume 1, Part 3, Table 3.5.2 and Table 3.5.5	Increased flood risk due to permanent loss of floodplain storage/impediment of floodplain flows on floodplains, landowners and infrastructure (operation)	Scoped out on the basis that there would be no impact pathway as there would be no above ground operational infrastructure in the floodplain and therefore no construction works required in the flood plain. Provided this is demonstrated in the ES, supported by the FRA, the Inspectorate agrees to scope this matter out.
4.4.7	Volume 1, Part 3, Table 3.5.2 and Paragraph 3.5.6.15	Permanent impacts on land drainage regimes of ordinary watercourses, land drains and existing land uses (operation)	This is scoped out on the basis that there are no impact pathways, as land drainage routes would be reinstated or re-provided. The ES should demonstrate how land drainage routes would be reinstated/re-provided and secured through the dDCO. On the basis of this being evidence in the ES, the Inspectorate agrees to scope this matter out.

ID	Ref	Description	Inspectorate's comments
4.4.8	Volume 1, Part 3, Paragraph 3.5.4.7	Impacts to water abstractions/interests	The existence, location and number of abstraction sites in the Kent Onshore Scheme scoping boundary are currently unknown and are proposed to be determined through review of the EA's register. The Suffolk Onshore Scheme at Table 2.5.9 requested to scope out 'Reduced water availability to support abstractions and assimilate discharges' on 'existing water interests', although this does not feature in the scoping in/out tables for the Kent Onshore Scheme. The ES should provide information on the water abstractions/interests that may be affected by the Proposed Development and include an assessment on these receptors, where likely significant effects could occur.
4.4.9	Volume 1, Part 3, Chapter 3.5	Study area, embedded measures, and assessment methodology	See comments 3.4.11, 3.4.12, and 3.4.14 for the Suffolk Onshore Scheme above, which are also applicable to the Kent Onshore Scheme.

## 4.5 Geology and Hydrogeology

(Scoping Report Volume 1, Part 3, Section 3.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	Volume 1, Part 3, Table 3.6.2	Connection of two aquifer units at trenchless crossings as a result of the excavation of trenchless crossings (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>Table 3.6.2 does not expand on the specific 'mitigation by design' proposed to ensure this does not occur. It is noted that CoCP measure GH02 comprises "<i>Construction methods such as appropriate piling techniques (if required) to minimise the risk of mixing of aquifer bodies through the creation of new pathways...</i>" However, it is unclear whether this reference to piling methods would apply to trenchless crossings such that it would mitigate for effects.</p> <p>In the absence of supporting information on the location of crossings, proposed techniques including depths, and mitigation, the Inspectorate cannot agree to scope out this matter. The ES should include an assessment where likely significant effects could occur or provide further justification as to why this would not arise.</p>
4.5.2	Volume 1, Part 3, Table 3.6.2	Introduction of new potential contaminants to the environment from leaks, spills, fuels and oils from construction activities (construction, maintenance, and decommissioning)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>The Inspectorate is content to scope this matter out on the basis that such matters are capable of mitigation by standard measures. The ES must provide specific details regarding the mitigation measures to be adopted to demonstrate that such measures will be monitored and effective. However, as noted at point 2.1.6 above, there is some concern with regards to the potential for break outs or frack-outs of bentonite during HDD activities. The ES should provide details of</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>protocols/measures to be put in place to prevent break outs or frack-outs of bentonite from occurring or minimise impacts should such events occur.</p>
4.5.3	Volume 1, Part 3, Table 3.6.2	Physical and chemical changes to groundwater as a result of discharge of groundwater from dewatering (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>The Scoping Report does not expand on the specific mitigation that would address this potential impact. The Inspectorate notes measure GH07 of the CoCP relating to temporary dewatering in accordance with EA guidance and an abstraction licence and EP (if required) and that dewatering activities during construction more generally are scoped into the assessment.</p> <p>The Inspectorate agrees that control measures applied would ensure no change to physical and chemical changes to groundwater and this matter can be scoped out of the assessment.</p>
4.5.4	Volume 1, Part 3, Table 3.6.2	Effects on construction activities and the built development (at the operational phase) from natural geological hazards (ie dissolution features/soft ground/landslides/aggressive ground conditions etc) (construction)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the incorporation of the mitigation by design.</p> <p>As previously, the Scoping Report does not expand on the specific measure to mitigate such effects, but it is assumed this relates to the inclusion of GH01, intrusive ground investigations and assessment will be undertaken prior to construction to inform appropriate geotechnical design in relation to the site/structure specific ground conditions including ground instability/adverse ground conditions.</p> <p>On the basis that natural hazards would be considered during the engineering design of the Proposed Development and avoided where</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			possible, the Inspectorate is in agreement that this matter can be scoped out of the ES."
4.5.5	Volume 1, Part 3, Table 3.6.2 and Paragraphs 3.6.4.14 to 3.6.4.15	Sterilisation of safeguarded minerals (construction and operation)	On the basis that no safeguarded minerals have been identified in the scoping study area through a desk-based assessment, the Inspectorate agrees to scope this matter out.
4.5.6	Volume 1, Part 3, Table 3.6.2 and Paragraph 3.6.3	Human health exposure to existing contamination – site workers and neighbours (operation and maintenance)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect due to the nature of the project and the incorporation of the mitigation by design.</p> <p>The Inspectorate agrees, given the nature of the Proposed Development and existing legislation, that such effects are unlikely during the operation and maintenance stage and can be scoped out of the impact assessment.</p>
4.5.7	Volume 1, Part 3, Table 3.6.2	Introduction of new potential contaminants to the environment from leaks, spills, fuels and oils during the operational phase (operation and maintenance)	<p>This matter is proposed to be scoped out on the basis that it is not likely to result in a significant effect given the nature of the project and in consideration of best practice measures and maintenance.</p> <p>The Inspectorate agrees that such effects are unlikely during the operation and maintenance stage and can be scoped out of the impact assessment.</p>
4.5.8	Volume 1, Part 3, Table 3.6.2	Changes to groundwater levels and/or recharge rates as a result of the introduction of impermeable surfaces (operation)	This matter is proposed to be scoped out on the basis that it is not likely to result in significant effects due to the small surface area of the built parts of the Proposed Development. Any new areas of hardstanding would be designed to meet current drainage standards.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The Scoping Report does not confirm the likely area of the convertor site that would comprise hardstanding. Similarly, it does not confirm likely run-off rates and measures controlling these. The Inspectorate therefore cannot agree to scope this matter out at this stage. Details of the design of the convertor site and the location of drainage should be included in the ES, together with an assessment of their effectiveness at mitigating operational discharges and runoff. The ES should assess effects on groundwater levels and/or recharge rates as a result of impermeable surfaces, where significant effects are likely to occur.</p>
4.5.9	Volume 1, Part 3, Table 3.6.2	All phases - ground instability effects relating to historical coal mining	<p>The historical coal mining located within the scoping boundary is at 'significant depth' and is relatively thin and it is not located in a high risk area (Scoping Report paragraphs 3.6.4.11 and 3.6.4.12). Provided the ES demonstrates that construction would not interact with the historical coal mining measures, the Inspectorate agrees to scope this matter out.</p>
4.5.10	Volume 1, Part 3, Table 3.6.3	Mobilisation of existing contamination during general construction, impacting on land and/or groundwater quality on environmentally sensitive sites, groundwater, GWDTE, surface water, land quality (operation and maintenance)	<p>No reasoning is provided within the Scoping Report for the scoping out of this matter. Despite this, the Inspectorate is of the view that provided a comprehensive construction stage assessment of this matter has been provided and mitigation/remedial measures are secured (as appropriate) that effects during the operation and maintenance stage can be scoped out of the assessment.</p>
4.5.11	Volume 1, Part 3, Table 3.6.3	Changes to groundwater levels, quality and groundwater flow direction caused by dewatering and discharge on environmentally sensitive sites, groundwater,	<p>The Inspectorate agrees that such effects are unlikely during the operation, maintenance and decommissioning stages and can be scoped out of the impact assessment.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		GWDTE, and surface water (operation, decommissioning, and maintenance)	
4.5.12	Volume 1, Part 3, Table 3.6.3	Damage to/destruction of designated sites of geological importance (operation, maintenance and decommissioning)	Scoping Report paragraph 3.6.4.13 identifies that the Sandwich Bay to Hacklinge Marshes SSSI is designated as a geological conservation review site. The Scoping Report has not explained why there would be no impact pathway to this site during the operation, maintenance and decommissioning of the Proposed Development, therefore the Inspectorate does not agree to scope this matter out. The ES should explain what impact pathways there are to any geologically designated sites and assess significant effects where they are likely to occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.5.13	Volume 1, Part 3, Paragraph 3.6.7.6	Assessment methodology	See comment 3.5.12 in respect of Suffolk Onshore Scheme, which is also applicable to the Kent Offshore Scheme.



## 4.6 Agriculture and Soils

(Scoping Report Volume 1, Part 3, Section 3.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Volume 1, Part 3, Table 3.7.1	Temporary removal of land from agricultural production (construction, maintenance and decommissioning)	<p>The Applicant proposes to scope out the temporary removal of land from agricultural production on the basis that all land required temporarily would be reinstated, the footprint of the permanent infrastructure is limited and impacts on agricultural operations will be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate considers that effects of temporary removal may be scoped out from further assessment, however the ES should provide an estimate of the quantity of BMV land to be affected by the temporary works, the duration of such works and any long term changes in land use introduced by associated easements.</p>
4.6.2	Volume 1, Part 3, Table 3.7.1	Permanent removal of land from agricultural production (operation)	<p>The Applicant proposes to scope out the permanent removal of land from agricultural production on the basis that all land required temporarily would be reinstated, the footprint of the permanent infrastructure is limited and impacts on agricultural operations would be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate agrees this matter can be scoped out on the basis the ES confirms the amount of agricultural land to be permanently lost and explains why this is considered 'limited' and not likely to lead to significant effects. Reinstatement of land, and the proposed soil management and handling measures, should be clearly described in the ES and secured through the dDCO.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.3	Volume 1, Part 3, Table 3.7.1	Temporary disruption and disturbance to agricultural operations from noise, fragmentation and disruption to water supplies and land drainage (construction, maintenance and decommissioning)	<p>The Applicant proposes to scope out these matters on the basis that they will be managed through mitigation measures set out within the outline CoCP, all land required temporarily would be reinstated and impacts on agricultural operations would be dealt with through compensation agreements which lie outside of the ES process.</p> <p>The Inspectorate agrees to scope out this matter on this basis.</p>
4.6.4	Volume 1, Part 3, Paragraphs 3.7.6.13 to 3.7.6.14 and Table 3.7.1	EMFs on land use - operation	<p>The Applicant proposes to scope out the effects of EMFs on land use during operation of the Proposed Development on the basis that there is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences. The Applicant proposes to undertake a walkover survey of the indicative alignment to identify land use and activities that may require additional clearance of the conductors. The Applicant will also provide the relevant information on EMFs in a separate document submitted as part of the application for development consent which will demonstrate compliance in accordance with the ICNIRP guidelines and paragraph 2.10.9 of EN-5.</p> <p>On this basis, the Inspectorate agrees to scope out operational effects from EMFs on land use.</p>
4.6.5	Volume 1, Part 3, Paragraph 3.7.6.12	Economic effects on landowners (construction, operation, maintenance, and decommissioning)	<p>Paragraph 3.7.6.12 of the Scoping Report proposes to scope out economic effects on individual landowners and farmers on the basis that most of the land will be reinstated by the end of the construction phase and any claims regarding compensation will be addressed outside of the EIA process.</p> <p>The Inspectorate agrees that significant effects are unlikely and is therefore content that this matter can be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
4.6.6	Volume 1, Part 3, Paragraph 3.7.6.5 to 3.7.6.6 and Table 3.7.1	Temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services (construction, maintenance, and decommissioning)	<p>Paragraph 3.7.6.6 of the Scoping Report states that until soil surveys have been undertaken to understand sensitivity of soils to handling, storage and reinstatement, construction effects on soils and ALC will be scoped into the ES.</p> <p>The ES should include the necessary information to demonstrate impacts can be avoided or reduced to exclude significant effects or provide an assessment where likely significant effects could occur.</p>
4.6.7	Volume 1, Part 3, Paragraph 3.7.6.7 and Table 3.7.1	Permanent loss of BMV land and permanent disturbance to soils and associated ecosystem services (operation)	<p>Paragraph 3.7.6.7 of the Scoping Report states that the land grades and soil types affected would be confirmed through the assessment process and as such, permanent impacts on soils and ALC will initially be scoped into the assessment. It's further stated that if the site survey confirms that the permanent land affected is not BMV land or that the cumulative loss is below the magnitude threshold for a likely significant effect, then permanent loss of agricultural land during operation would be scoped out of the ES.</p> <p>The Inspectorate agrees with this approach and considers that an assessment of the effects arising from the loss of BMV land during operation should be included within the ES, where significant effects are likely to occur.</p>
4.6.8	Volume 1, Part 3, Paragraph 3.7.6.8 and Table 3.7.1	Temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services (maintenance)	<p>Paragraph 3.7.6.8 of the Scoping Report states that any maintenance or repair works required which would result in disturbance to soils during operation of the project would be undertaken in accordance with good practice soil handling methods. It's further stated that no likely significant effects on soils or ALC during operational maintenance or repair activities are therefore concluded and this aspect is scoped out of the ES.</p> <p>This is in contradiction to the information contained within Table 3.7.1 which proposes to scope in the temporary loss of BMV land and</p>

ID	Ref	Description	Inspectorate's comments
			<p>temporary disturbance to soils and associated ecosystem services from maintenance activities (to be reviewed once soil surveys are complete).</p> <p>The ES should clearly define the scope for the aspect and the Inspectorate considers that an assessment of the effects arising from the temporary loss of BMV land and temporary disturbance to soils and associated ecosystem services should be included within the ES, where significant effects are likely to occur.</p>

## 4.7 Traffic and Transport

(Scoping Report Volume 1, Part 3, Section 3.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	Volume 1, Part 3, Paragraph 3.8.2.6	Traffic and Transport effects – operational and maintenance phase	<p>The Applicant proposes to scope out transport effects on roads and users associated with the operational phase and maintenance activities on the basis that vehicle movements associated with the operation of the site and maintenance requirements are anticipated to be infrequent and low.</p> <p>The Inspectorate agrees that on this basis, this matter can be scoped out from further assessment. The ES should provide a description of the likely number and type of vehicles required during all phases of development to support this conclusion.</p>
4.7.2	Volume 1, Part 3, Paragraph 3.8.2.8 and Table 3.8.1	Hazardous loads – operational and maintenance phase	<p>The Applicant proposes to scope out impacts from hazardous and dangerous loads during the operational and maintenance phase on the basis that few hazardous loads are anticipated.</p> <p>The Inspectorate agrees to scope this matter out but would expect the ES to provide a reasoned justification as to why such loads are likely to be infrequent during the operation and maintenance phase.</p>
4.7.3	Volume 1, Part 3, Table 3.8.2 and Table 3.8.7	Driver delay on PRow and National/regional walking and cycling routes – construction and decommissioning	<p>The Inspectorate agrees to scope this matter out on the basis that PRow and national and regional walking and cycling routes are not utilised by drivers limiting the impact pathway.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
4.7.4		Decline in road safety on PRow and national/regional walking and cycling routes – construction and decommissioning	
4.7.5		Additional hazardous loads on PRow and national/regional walking and cycling routes – construction and decommissioning	
4.7.6	Volume 1, Part 3, Table 3.8.2 and Table 3.8.7	PRow diversions or closures on road links, road junctions and national/regional walking and cycling routes – construction and decommissioning	

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.7.7	Volume 1, Part 3, Section 3.8.3	Study area	Whilst it is acknowledged that the study area is yet to be confirmed, this should be informed by the extent of the affected road network.

## 4.8 Air Quality

(Scoping Report Volume 1, Part 3, Section 3.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	Volume 1, Part 3, Table 3.9.1 and Table 3.9.6	Air quality impacts from an increase in vehicle emissions - construction, operation maintenance, and decommissioning	<p>The Scoping Report proposes to scope out these matters on the basis that it is not considered that construction, operational, maintenance and decommissioning traffic flows associated with the Proposed Development would exceed the Institute of Air Quality Management (IAQM) criteria for a detailed air quality assessment.</p> <p>The Inspectorate would expect the ES to provide a detailed explanation of the likely traffic flows during all phases of the Proposed Development to justify not undertaking further assessment. Cross-reference should be made to the assessments of effects on Ecology and Biodiversity and on Human Health.</p>
4.8.2	Volume 1, Part 3, Table 3.9.1 and Table 3.9.6	Emissions from NRMM - construction and decommissioning	<p>The Scoping Report proposes to scope out this matter on the basis that emissions would not be significant due to the temporary and transient nature of construction activity and incorporation of best practice measures included within the CoCP.</p> <p>Whilst the Inspectorate considers that emissions from NRMM are unlikely to be significant in most cases, in the absence of detail regarding the location of construction works with respect to receptors and the type and duration of NRMM to be deployed, the Inspectorate does not consider that this matter may be scoped out based on current evidence. The ES should include an assessment of emissions from NRMM on sensitive receptors where significant effects are likely.</p>

ID	Ref	Description	Inspectorate's comments
4.8.3	n/a	n/a	n/a



## 4.9 Noise and Vibration

(Scoping Report Volume 1, Part 3, Section 3.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	Volume 1, Part 3, Table 3.10.4 and Table 3.10.11	Operational vibration	<p>The Inspectorate does not agree to scope this matter out given the uncertainties regarding the chosen location of the converter station and the proximity to sensitive receptors. The Scoping Report provides limited information regarding anticipated operational vibration levels.</p> <p>The ES should provide an assessment of operational vibration or the information demonstrating agreement with relevant stakeholders and the absence of likely significant effects.</p>
4.9.2	Volume 1, Part 3, Table 3.10.11, Table 3.10.3 and Table 3.10.4	Operational road traffic noise and vibration – all options	<p>The Inspectorate agrees to scope this matter out on the basis that operational traffic movements are likely to be infrequent and unlikely to give rise to significant effects.</p>
4.9.3	Volume 1, Part 3, Table 3.10.3 and Table 3.10.4	Construction traffic vibration	<p>Construction vehicle routes are currently unknown and therefore so is the distance to sensitive receptors. In addition, the number and type of vehicles have not yet been confirmed. In the absence of this detail, the Inspectorate does not agree to scope out construction traffic vibration for the construction phase at this time.</p>
4.9.4	Volume 1, Part 3, Table 3.10.3 and Table 3.10.4	Switchgear operational noise	<p>This matter is proposed to be scoped out on the basis that switchgear noise emissions would be impulsive in character and operation would be infrequent. It is further stated that auxiliary plant comprising standby generators and air compressors would contribute to the</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			<p>broadband noise, however, these would not run continuously and would be housed and used as emergency back-up only.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment. The ES should contain relevant engineering specifications to demonstrate that switchgear operation is unlikely to result in significant effects and should demonstrate that consultation has been undertaken with the relevant consultation bodies.</p>
4.9.5	Volume 1, Part 3, Table 3.10.3	Operational noise and vibration from underground cables (operation)	The Inspectorate agrees that operational noise and vibration from underground cables is unlikely to result in significant effects and agrees that this matter can be scoped out of the ES.
4.9.6	Volume 1, Part 3, Table 3.10.3 and Table 3.10.11	Overhead line noise (operation)	<p>The Inspectorate agrees to scope out the operational effects of overheard line noise on the basis that the nearest noise sensitive receptor would be approximately 500m away from the closest potential proposed overhead line.</p> <p>Based on the nature of the noise emissions and the predicted distance from receptors, the Inspectorate considers that this matter may be scoped out.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.9.7	Paragraph 3.10.5.2	Mitigation measures	The Scoping Report refers to noise mitigation measures which include screening and enclosures. The ES should address the potential adverse effects of mitigation measures in the relevant aspect chapters of the ES (eg Landscape and Visual) where significant effects are likely to occur.

## 4.10 Socio-economic Recreation and Tourism

(Scoping Report Volume 1, Part 3, Section 3.11)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
4.10.1	Volume 1, Part 3, Tables 3.11.1, 3.11.2 and 3.11.3	Creation of permanent operational phase employment, training and apprenticeship opportunities, both directly at work sites and indirectly	<p>The matter is to be scoped out on the basis that the scale of operational employment generated is likely to be very limited.</p> <p>The Inspectorate agrees that this matter can be scoped out of the assessment for the operational stage on this basis. The ES description of development should, however, explain the level of employment generation in operation.</p>
4.10.2	Volume 1, Part 3, Table 3.11.1, 3.11.2 and 3.11.3	GVA during the operational phase	<p>This matter is to be scoped out on the basis that the scale of operational employment generated is likely to be very limited and therefore any effect on GVA will be small.</p> <p>The Inspectorate is content for this matter to be scoped out on this basis.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
4.10.3	Volume 1, Part 3, Paragraph 3.11.3	Study area	<p>The study area for local communities identified as being impacted only accounts for those connected by recreational routes and public rights of way; however, the Inspectorate considers this should also include routes connected via the road network and the study area for landscape and visual impacts and traffic and transport.</p> <p>The study area identified in the ES should include the extent of potential impacts on receptors from changes in the road network from the Proposed Development. Effort should be made to agree the study area with relevant consultation bodies.</p>

## 4.11 Health and Wellbeing

(Scoping Report Volume 1, Part 3, Section 3.12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.11.1	Volume 1, Part 3, Paragraph 3.12.5.2 and Tables 3.12.2 and 3.12.9	All phases –EMF	The Inspectorate agrees this matter can be scoped out on the basis that the ES demonstrates the design is compliant with the International Commission on Non-Ionizing Radiation Protection guidelines (1998) in ensuring that the threshold for impacts to humans is not met/exceeded.

ID	Ref	Description	Inspectorate's comments
4.11.2	Volume 1, Part 3, Paragraph 3.12.4.2	Census data	Where new census data from 2021 is available, this should be used to inform baseline data and the ES assessment.
4.11.3	Volume 1, Part 3, Tables 3.12.1, 3.12.2 and 3.12.3	Study area	<p>The study area for impacts from severance vary between 1km and 500m however, the Inspectorate considers severance can be caused by changes in traffic movements and type.</p> <p>The assessment of potential severance impacts on receptors from changes in the road network from the Proposed Development should consider the entirety of the affected road network rather than an arbitrary buffer zone.</p>

ID	Ref	Description	Inspectorate's comments
4.11.4	Volume 1, Part 3, 3.12.7.12 and Table 3.12.4	Judgement of significance	<p>Scoping Report paragraph 2.12.7.12 states that the proposed guidance does not provide a methodology for assessing the significance of effects.</p> <p>The ES should describe the methodology for determining the significance of effects and report the significance of effects on human health. The Applicants attention is directed to the response of UK Health Security Agency at Appendix 2 to this Opinion with regards to this matter.</p>

## 4.12 Cumulative Effects

(Scoping Report Volume 1, Part 3, Section 3.13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.12.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
4.12.2	Volume 1, Part 3, Table 3.13.1	Intra-cumulative/intra-project effects on ecological, notable habitats, and non-designated heritage assets	<p>Table 3.13.1 omits potential intra-cumulative/intra-project effects on receptors arising from multiple impacts. For example, impacts from traffic and transport and noise on ecological receptors and landscape and visual impacts on non-designated heritage assets. This table is also inconsistent with the pre-screening Table 3.13.1 without explanation why, for example, landscape and visual impacts on designated heritage assets are included in Table 3.13.1 but not in Table 2.13.1.</p> <p>The ES should appropriately justify where impacts are omitted from the intra-cumulative assessment or else include them in the assessment.</p>
4.12.3	Volume 1, Part 3, Table 3.13.3 and Appendix 1.5A	Projects to be included in the assessment	Table 2.13.3 is inconsistent with Appendix 1.5A in terms of projects taken to Stage 2 for assessment. The ES should ensure that these lists are consistent and agreed with relevant statutory consultees.

## 5. ENVIRONMENTAL ASPECT COMMENTS – OFFSHORE SCHEME

### 5.1 Physical Environment

(Scoping Report Volume 1, Part 4, Section 4.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.1	Volume 1, Part 4, Table 4.2.4 and Paragraph 4.2.5.3	Alteration of water quality due to accidental leaks and spills from vessels during cable installation/removal including route clearance and cable lay activities – construction, maintenance, and decommissioning	<p>The Applicant proposes to scope this matter out on the basis that changes in water quality are likely to be temporary and the significance of potential impacts is considered to be negligible due to the measures referred to within the outline CoCP.</p> <p>The Planning Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CoCP should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.</p>
5.1.2	Volume 1, Part 4, Table 4.2.4	Changes in metocean conditions - construction, maintenance, operation and decommissioning	<p>The Applicant proposes to scope this matter out on the basis that installation of the subsea cable and the presence of other vessels and other equipment are considered to be relatively small-scale and transient and would therefore would not influence metocean conditions such as water levels, currents and waves.</p> <p>The Applicant is directed to the comments of Natural England (see Appendix 2 of this Opinion) who are of the view that in shallow nearshore areas there is potential for ancillary infrastructure or seabed excavation to cause modification of nearshore hydrodynamics and give rise to morphological change and in the absence of information regarding route selection, depth of water and likely cable crossings, changes in metocean conditions in the shallow nearshore areas should not be scoped out at this stage. The ES should provide</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			an assessment of changes to metocean conditions in shallow nearshore areas and for cable landfall works areas, where likely significant effects could occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
5.1.3	Volume 1, Part 4, Table 4.2.10	Coastal erosion at the marine cable route area due to changes to the local hydrodynamic regime as a result of climate change - operation	<p>The Applicant has not provided a rationale for scoping this matter out. However, the Inspectorate notes that this matter has been scoped in for the proposed landfalls.</p> <p>The Inspectorate considers that coastal erosion at the coastline resulting from climate change is unlikely to occur at the marine cable route area and therefore agrees that this matter can be scoped out from further assessment.</p>
5.1.4	Volume 1, Part 4, 4.2.6	Potential significant effects	<p>Natural England have identified a number of potentially significant effects within their response (see Appendix 2 of this Opinion) which they advise should be scoped in for further assessment.</p> <p>The Applicant is strongly encouraged to seek to agree the assessment scope with relevant stakeholders and to provide evidence of that agreement in the ES.</p>
5.1.5	Volume 1, Part 4, 4.2.4.15	Geological features	<p>The Applicant has not identified any sensitive geological features in the vicinity of the proposed cable route. However, as raised by Natural England in their advice (see Appendix 2 of this Opinion) geological interest features listed in the Sandwich Bay to Hacklinge Marshes SSSI citation are of high value.</p> <p>The ES should identify all sensitive geological features and provide an assessment where likely significant effects could occur.</p>



ID	Ref	Description	Inspectorate's comments
5.1.6	Volume 1, Part 4, Section 4.2.4	Baseline conditions	<p>Natural England have identified a number of elements within their response (see Appendix 2 of this Opinion) which they advise should be investigated as part of the baseline characterisation.</p> <p>The Applicant is strongly encouraged to seek to agree the baseline data with relevant stakeholders and to provide evidence of that agreement in the ES.</p>

## 5.2 Benthic Ecology

(Scoping Report Volume 1, Part 4, Section 4.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.2.1	Volume 1, Part 4, Table 4.3.2 and Paragraph 4.3.5.5	Changes to marine water quality during cable installation and cable lay from the use of HDD drilling fluids (construction)	<p>The Applicant proposes to scope this matter out on the basis that the control and management measure LVS05 of the outline CoCP would be implemented meaning only inert (non-toxic), biodegradable drilling fluid will be used and disposed of at a licenced disposal site.</p> <p>The Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CoCP should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.</p>
5.2.2	Volume 1, Part 4, Table 4.3.2 and Paragraph 4.3.5.5	Changes to marine water quality from accidental leaks and spills from vessels, including loss of fuel oils (construction, maintenance and decommissioning)	<p>The Applicant proposes to scope this matter out on the basis that the control and management measures referred to within the outline CoCP create limited potential for accidental spills to occur and should an accidental spill or leak occur, it would be small in extent and subject to immediate control measures, dilution and rapid dispersal within the marine environment.</p> <p>The Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CoCP should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.</p>
5.2.3	Volume 1, Part 4,	Introduction and spread of invasive non-native species (INNS) via	The Applicant proposes to scope this matter out on the basis that the control and management measures referred to within the outline

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
	Table 4.3.2 and paragraph 4.3.5.5	vessel hull or ballast water (construction, maintenance and decommissioning)	CoCP make the introduction of INNS through ship hulls and ballast water unlikely.  The Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CoCP such as the Biosecurity Plan should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.
5.2.4	Volume 1, Part 4, Table 4.3.3 and Table 4.3.6	Underwater sound impacts on marine invertebrates (intertidal and subtidal ecology) (construction, maintenance and decommissioning)	The Applicant proposes to scope this matter out on the basis that the type and duration of underwater sound that will be generated by the Proposed Development will not have any significant effects on benthic invertebrates or benthic communities.  In the absence of confirmed construction, details the Inspectorate considers that this matter should be scoped in for further assessment.
5.2.5	Volume 1, Part 4, Table 4.3.3 and Table 4.3.6	EMF emissions (operation)	The Applicant proposes to scope this matter out on the basis that significant effects from EMF are unlikely to occur due to the depth of cable burial and the limited sensitivity of benthic species.  In the absence of an estimation of EMFs arising from cables the Inspectorate considers that this matter should be scoped in for further assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
5.2.6	n/a	Methodology for bringing cables onshore	It is not clear what method will be used to bring the cables onshore from the subtidal to intertidal area.  The Applicants attention is drawn to the advice from the EA (see Appendix 2 of this Opinion) which advises that for all potential

ID	Ref	Description	Inspectorate's comments
			<p>methods for bringing cables onshore, potential disturbances to benthic ecology are scoped in. The Inspectorate agrees that this level of detail will support the assessment and the understanding of likely significant effects associated.</p>
5.2.7	Volume 1, Part 4, Section 4.3.4	Subtidal benthic habitats	<p>The Inspectorate notes that the Scoping Report does not refer to benthic habitats surveyed within or adjacent to Marine Conservation Zones (MCZs). The ES should clearly identify protected features within or adjacent to designated sites such as Goodwin Sands MCZ and Kentish Knock East MCZ.</p>

## 5.3 Fish and Shellfish

(Scoping Report Volume 1, Part 4, Section 4.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.3.1	Volume 1, Part 4, Paragraph 4.4.4.9	Impacts on spawning grounds for Dover sole, lemon sole, whiting and sprat	The Scoping Report seeks to scope this matter out on the grounds that these species are pelagic spawners which release eggs into the water column, leading to the eggs being transported away by water movement. The Inspectorate notes that these species have not been highlighted as being of particular concern by any of the consultees and therefore agrees that this matter can be scoped out of further assessment.
5.3.2	Volume 1, Part 4, Table 4.4.4	Effects on marine water quality from use of HDD drilling fluids during construction	The Scoping Report seeks to scope this matter out because the proposed mitigation measures include a commitment to only use inert, biodegradable drilling fluids which would be disposed of at a licenced disposal site. The Inspectorate agrees that this matter can be scoped out of further assessment. However, as noted in point 2.1.6 above, the ES should provide information on the mitigation measures relied on to avoid likely significant effects, including the measures which would be employed in the event of an accidental leak of drilling fluids.
5.3.3	Volume 1, Part 4, Table 4.4.4	Leaks and spills from vessels for all phases	The Scoping Report seeks to scope out this matter on the grounds that the measures contained in the CoCP would make the risk of accidental spills/leaks negligible. The Inspectorate agrees that, provided the measures to mitigate the risks of leaks and spills are clearly described in the ES and secured in the dDCO, this matter can be scoped out of further assessment.

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
5.3.4	Volume 1, Part 4, Table 4.4.5	Disturbance from subsea cable thermal emissions (operation)	The Scoping Report states that cable thermal emissions have been scoped in because of the potential to alter community structure within the sediment. However, it also then states that cables have negligible capacity to heat the overlying water column. The Inspectorate has interpreted this as meaning that effects from thermal heating of the water column would not be assessed and agrees that this matter can be scoped out of further assessment.
5.3.5	Volume 1, Part 4, Table 4.4.5	Disturbance to shellfish from EMF	The Scoping Report cites published research in support of the position that while benthic invertebrates (including shellfish) may be able to detect EMF changes, significant interaction is considered to be very unlikely. The Inspectorate agrees that this matter can be scoped out of further assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
5.3.6	Volume 1, Part 4, Paragraph 4.4.3.1	Definition of study area	The study area shown on Figure 4.4.1 of the Scoping Report is stated to cover the ZoI for the Proposed Development. However, the advice from the Marine Management Organisation (MMO) (see Appendix 2 of this Opinion) is that the spawning grounds of the Thames/Blackwater herring should also be included in the assessments in the ES. Accordingly, the study area for this aspect should be extended to include the spawning grounds for this species at Herne Bay and at the Eagle Bank and Osea Island in the Blackwater Estuary. The Applicant should seek to agree the extent of the study area with relevant stakeholders, including the MMO.
5.3.7	Volume 1, Part 4,	Regional approach to identifying designated sites with migratory fish features	The Scoping Report states that in addition to a screening distance of 50km, a regional approach will also be used to scope in any designated sites beyond this distance. The Scoping Report does not

ID	Ref	Description	Inspectorate's comments
	Paragraph 4.4.3.2		explain how this regional approach would be employed to decide which additional sites could be affected. The Applicant is advised to agree which designated sites should be included with relevant stakeholders; the ES should explain how these sites have been identified. The Applicant's attention is drawn to the comments from Natural England on potential impacts on migratory fish in Appendix 2 of this Opinion.
5.3.8	Volume 1, Part 4, Section 4.4.4	Species included in the assessment	The Inspectorate notes that the advice from Natural England identifies several other species which they consider should be included in the assessment in the ES. The Applicant should seek to agree which species should be included in the assessment with relevant stakeholders; supporting evidence of this agreement should be provided in the ES.
5.3.9	Volume 1, Part 4, Tables 4.4.1 and 4.4.2	Baseline conditions	The Inspectorate notes that the data referred to in identifying spawning/nursery grounds is at least 20 years old. The ES should be based on the most up to date information available – the Applicant's attention is drawn to the advice from Natural England on this point (see Appendix 2 of this Opinion). The Applicant should seek to agree the appropriate baseline data with relevant stakeholders.
5.3.10	Volume 1, Part 4, Table 4.4.4	Impacts not identified in Scoping Report	The Applicant's attention is drawn to the advice from the EA (see Appendix 2 of this Opinion) on the potential for onshore impacts on water quality to affect the designated shellfish waters on the North Kent coast. The Inspectorate notes that the CoCP would describe mitigation measures required to avoid likely significant effects. The ES should explain how this potential impact on shellfish waters has been addressed.

ID	Ref	Description	Inspectorate's comments
5.3.11	Volume 1, Part 4, Table 4.4.4	Impacts not identified in Scoping Report	Natural England's advice (see Appendix 2 of this document) identifies potential impacts on fish and shellfish populations from the colonisation of artificial substrates associated with the Proposed Development. The Inspectorate considers that these impacts should be addressed in the ES.
5.3.12	Volume 1, Part 4, Section 4.4.7	Proposed assessment methodology	The Scoping Report provides a detailed explanation of how the significance of effects would be determined, based on the relevant guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM). However, no description has been provided of the methods that will be used to assess impacts and whether these will be quantitative or qualitative. The methodologies used must be described and their use justified with reference to appropriate guidance and/or agreement with relevant stakeholders. The Applicant's attention is drawn to the advice from the MMO in Appendix 2 of this Opinion in relation to assessment of effects on herring larvae (MMO response paragraph 3.5.4) and assessment of underwater noise on fish populations (MMO response paragraph 3.5.8). The assessments in the ES should address these points.



## 5.4 Marine Mammals

(Scoping Report Volume 1, Part 4, Section 4.5)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
5.4.1	Volume 1, Part 4, Table 4.5.3	Leaks and spills from vessels during all phases	The Scoping Report seeks to scope out this matter on the grounds that embedded mitigation and good practice measures would ensure that accidental spills/leaks would be very limited. The Inspectorate agrees that, provided the measures to mitigate the risks of leaks and spills are clearly described in the ES and secured in the dDCO, this matter can be scoped out of further assessment.
5.4.2	Volume 1, Part 4, Table 4.5.4	Temporary increase in suspended sediments concentrations (SSC) and deposition during all phases	The Scoping Report seeks to scope this matter out on the grounds that increases in SSC are expected to be minimal and confined to the lower reaches of the water column. In addition, it cites research which indicates that marine mammals do not typically experience severe impacts from increased SSC. The Inspectorate agrees that this matter can be scoped out from further assessment in the ES.
5.4.3	Volume 1, Part 4, Table 4.5.4	Disturbance to marine mammals due to cable thermal emissions during operation	The Scoping Report seeks to scope out this matter on the grounds that cables have a negligible capacity to heat the overlying water column. The Inspectorate agrees that this matter can be scoped out of further assessment in the ES.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
5.4.4	Volume 1, Part 4, Paragraph 4.5.3.6	Identification of designated sites	The Inspectorate queries whether relying on a screening distance of 50km will be sufficient to identify all the relevant designated sites with cetacean qualifying features, given that harbour porpoise and bottlenose dolphin are highly mobile. We note that Natural England shares this concern and has also flagged the potential for grey and

ID	Ref	Description	Inspectorate's comments
			harbour seals to travel over greater distances than have been identified in the Scoping Report (see Appendix 2 of this Opinion). The Applicant should seek to agree the species to be included in the assessments and the appropriate screening distances to be used with relevant stakeholders, particularly Natural England.
5.4.5	Volume 1, Part 4, Paragraph 4.5.7.1	Baseline data	The Scoping Report only refers to published sources of data so it appears (although this is not explicitly stated) that the baseline would be entirely based on published data rather than any surveys of the study area. The Applicant's attention is drawn to the comments from Natural England (see Appendix 2 of this Opinion) on the need to clarify which species are actually being included in the assessments in the ES and the data used to characterise the baseline environment. The Applicant should seek to agree the approach to gathering baseline data with relevant stakeholders and provide evidence of that agreement in the ES. The ES must present the baseline data clearly, including information on the predicted numbers of individuals of each species likely to be affected by the Proposed Development. The ES must also explain how the baseline data has been derived from published sources.
5.4.6	Volume 1, Part 4, Table 4.5.3	Underwater noise impacts	Table 4.5.3 identifies various sources of underwater noise which could affect marine mammals but does not include any reference to noise from any underwater surveys (such as geophysical surveys). Where such surveys are proposed at the pre-construction stage then the related underwater noise impacts should be assessed in the ES.
5.4.7	Volume 1, Part 4, Section 4.5.7	Proposed assessment methodology	The Scoping Report provides a detailed explanation of how the significance of effects would be determined, based on the CIEEM guidance. However, no description has been provided of the methods that will be used to assess impacts and whether these will be quantitative or qualitative. Unless otherwise agreed with relevant stakeholders (and evidence of that agreement is provided in the ES),

ID	Ref	Description	Inspectorate's comments
			the assessment should include modelling of underwater noise propagation during construction and decommissioning and the area affected by increased noise levels should be shown on figures within the ES.

## 5.5 Marine Ornithology

(Scoping Report Volume 1, Part 4, Section 4.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.5.1	Volume 1, Part 4, Table 4.6.1	Leaks and spills from vessels during all phases	The Scoping Report seeks to scope out this matter on the grounds that the measures contained in the CoCP would make the risk of accidental spills/leaks negligible. The Inspectorate agrees that, provided the measures to mitigate the risks of leaks and spills are clearly described in the ES and secured in the draft DCO (dDCO), this matter can be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
5.5.2	Volume 1, Part 4, Paragraph 4.6.4.1	Bird species to be considered in assessment	<p>Paragraph 4.6.4.1 states that that only species which are qualifying features of statutory wildlife sites are considered within the Scoping Report. As a minimum, the ES should also include assessments of effects on any other species present within the ZoI which are legally protected or which qualify as species of principal importance.</p> <p>It is noted that intertidal and shoreline bird surveys are ongoing. The Scoping Report does not explain how baseline data will be compiled for the offshore parts of the study area although the references to published data sources implies this will be based on desk studies. The Applicant should seek to agree the approach to gathering baseline data with relevant stakeholders and provide evidence of that agreement in the ES. The ES must present the baseline data clearly, including information on the predicted numbers of individuals of each species likely to be affected by the Proposed Development. The ES must also explain how the baseline data has been derived from published sources. The Applicant's attention is drawn to the comments from Natural England on the need for further information</p>

ID	Ref	Description	Inspectorate's comments
			on the approach to gathering baseline data (see Appendix 2 of this Opinion).
5.5.3	Volume 1, Part 4, Section 4.6.7	Proposed assessment methodology	The Scoping Report provides a detailed explanation of how the significance of effects would be determined, based on the relevant guidance from CIEEM. However, no description has been provided of the methods that will be used to assess impacts and whether these will be quantitative or qualitative. This is a matter of some concern to the Inspectorate, given that the Proposed Development passes through a section of the Outer Thames Estuary SPA. The SPA qualifying features include species such as red-throated diver which are known to be vulnerable to disturbance and which could be affected by construction and maintenance activities. The ES should clearly describe the methods used to quantify the extent of disturbance to the qualifying features. The methodologies used must be described and their use justified with reference to appropriate guidance and/or agreement with relevant consultation bodies/stakeholders.

## 5.6 Marine Archaeology

(Scoping Report Volume 1, Part 4, Section 4.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.6.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
5.6.2	Volume 1, Part 4, Section 4.7.3	Study area	The Scoping Report states that the study area is the offshore scoping boundary as shown on Figure 4.7.1. The Inspectorate notes that the extent of the study area will be subject to review and may be extended in future. The ES must provide a clear rationale for the definition of the study area which explains how the study area relates to the ZoI of the Proposed Development. The Applicant's attention is drawn to the comments from Historic England in Appendix 2 of this Opinion on the need to ensure that all impacted seabed areas are considered in the assessment, including areas which could be affected by vessel anchoring during construction.
5.6.3	Volume 1, Part 4, Sections 4.7.4 and 4.7.7	Baseline conditions	Historic England and Kent County Council have both identified additional sources of baseline data relevant to the assessment in the ES (see Appendix 2 of this Opinion). In addition, Historic England has also advised that the collection of further cores should be considered. The Applicant is strongly encouraged to seek to agree the baseline data with relevant stakeholders and to provide evidence of that agreement in the ES.
5.6.4	Volume 1, Part 4,	Archaeological exclusion zones (AEZ)	The Scoping Report states that AEZ will not be proposed for features of lower archaeological value but does not explain how the importance of features would be evaluated; it appears from the text

ID	Ref	Description	Inspectorate's comments
	Paragraph 4.7.5.6		that value and importance are being treated as equivalent but this is not explicitly stated. The ES must clearly explain the rationale used to determine the importance of archaeological features.
5.6.5	Volume 1, Part 4, Paragraph 4.7.5.11	WSI	It is noted that the mitigation for the Proposed Development includes a proposed WSI. As this measure may be relied on to avoid significant environmental effects, the Applicant is advised to submit an outline WSI with its application, in order to give confidence to the ExA and SoS regarding the conclusions of significance.

## 5.7 Shipping and Navigation

(Scoping Report Volume 1, Part 4, Section 4.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.7.1	Volume 1, Part 4, Table 4.8.3	Displacement leading to increased vessel to vessel collision risk (all phases)	The Scoping Report seeks to scope this matter out on the grounds that the project vessels would have a " <i>limited temporal and spatial presence</i> ". However, the Scoping Report does not include any supporting evidence on the number of vessels likely to be required for the different phases of the Proposed Development or the number of third party vessels that could be displaced. In addition, the advice from the Maritime and Coastal Agency (MCA) is that no matters should be scoped out of assessment prior to the completion of the Navigation Risk Assessment (NRA) and further consultation (see Appendix 2 of this Opinion). It is the Inspectorate's view that scoping this matter out at this stage is premature. Accordingly, the ES should include an assessment of this matter or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.

ID	Ref	Description	Inspectorate's comments
5.7.2	Volume 1, Part 4, Paragraph 4.8.3.1	Study area	The Scoping Report states that the 10 nautical mile (nm) buffer around the offshore scoping boundary reflects the ZoI of the Proposed Development but does not explain why. The ES should clearly justify why the final extent of the study area reflects the ZoI of the Proposed Development.
5.7.3	Volume 1, Part 4, Table 4.8.3	Impact pathways/hazard identification	While the Scoping Report identifies potential impacts from the Proposed Development in broad terms, the advice from the Maritime



ID	Ref	Description	Inspectorate's comments
	and Paragraph 4.8.7.16		<p>and Coastguard Agency (MCA) identifies additional specific impacts which should be covered in assessments:</p> <ul style="list-style-type: none"> <li>• impacts on navigational safety;</li> <li>• visual intrusion and noise;</li> <li>• impacts on risk management and emergency responses including search and rescue;</li> <li>• risk to drifting recreational craft in poor weather or tidal conditions; and</li> <li>• displacement of small craft into the routes of larger commercial vessels.</li> </ul> <p>These impacts should be assessed in the ES unless otherwise agreed with the MCA, in which case evidence of such agreement must be provided in the ES.</p>
5.7.4	Volume 1, Part 4, Section 4.8.7	Proposed assessment methodology	<p>The MCA has provided advice on the appropriate methodology to be used in the assessment of under keel clearance (see Appendix 2 of this Opinion). The ES should explain how this methodology has been followed unless otherwise agreed with the MCA, in which case evidence of such agreement must be provided in the ES.</p>
5.7.5	Volume 1, Part 4, Section 4.8.7	Proposed assessment methodology	<p>The advice from the MCA (see Appendix 2 of this Opinion) identifies the need for a Burial Protection Index study and possibly an anchor penetration study. The Applicant should seek to agree with relevant consultation bodies which studies/risk assessments are necessary to support the assessment of likely significant effects in the ES and report them accordingly.</p> <p>The Applicant's attention is also drawn to the advice from the MCA that, in the event that cable protection is required, a reduction of 5% in the surrounding depths (with reference to Chart Datum) is</p>

ID	Ref	Description	Inspectorate's comments
			<p>acceptable. The ES should explain how the risk of reduced under keel clearance has been addressed and identify how it would be kept within an acceptable range with supporting evidence from any discussions with the MCA and Trinity House.</p>

## 5.8 Commercial Fisheries

(Scoping Report Volume 1, Part 4, Section 4.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.8.1	Volume 1, Part 4, Table 4.9.2	Leaks and spills from vessels during all phases	The Scoping Report seeks to scope out this matter on the grounds that the measures contained in the CoCP would make the risk of accidental spills/leaks negligible. The Inspectorate agrees that, provided the measures to mitigate the risks of leaks and spills are clearly described in the ES and secured in the dDCO, this matter can be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
5.8.2	Volume 1, Part 4, Section 4.9.7	Proposed assessment methodology	<p>The Scoping Report identifies the data sources that would be used to inform the baseline and describes the criteria that would be used to determine the sensitivity of receptors and the magnitude of impacts. However, it is not clear from the Scoping Report what methods would be used to carry out the assessment and whether the assessments would be qualitative or quantitative. The methodologies used must be described and their use justified with reference to appropriate guidance and/or agreement with relevant stakeholders.</p> <p>The Applicant is strongly encouraged to ensure that they seek advice from all relevant stakeholders with expertise on this aspect, including the appropriate Inshore Fisheries and Conservation Authorities (IFCAs).</p>

## 5.9 Other Sea Users

(Scoping Report Section Volume 1, Part 4, 4.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.9.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
5.9.2	Volume 1, Part 4, Paragraph 4.10.3.1	Study area	The Scoping Report states that the study area will consist of a 10km buffer around the offshore scoping boundary. The study area is stated to be defined by the extent of the potentially affected other sea users but does not explain how this relates to the ZoI of the Proposed Development. The ES should clearly justify why the extent of the study area reflects the ZoI of the Proposed Development.
5.9.3	Volume 1, Part 4, Paragraph 4.10.4.9	Recreational activity maps	The Scoping Report states that the baseline data will refer to the MMO recreation activity maps if these are published before the completion of the ES. Desk studies would be used in the event that the MMO maps are not published. The ES should explain the source of the relevant information (if the MMO maps have not been published) and if possible, demonstrate agreement with relevant stakeholders on the adequacy of the data.
5.9.4	Volume 1, Part 4, Paragraphs 4.10.7.4 to 4.10.7.5	Proposed assessment methodology	The Scoping Report identifies the data sources that would be used to inform the baseline and describes the criteria that may be used to determine the sensitivity of receptors and the magnitude of impacts. However, it is not clear from the Scoping Report what methods would be used to carry out the assessment and whether the assessments would be qualitative or quantitative. The methodologies used must be

ID	Ref	Description	Inspectorate's comments
			described and their use justified with reference to appropriate guidance and/or agreement with relevant stakeholders.
5.9.5	Volume 1, Part 4, Section 4.10.4	Baseline conditions	The Scoping Report identifies various users of the area potentially affected by the Proposed Development but does not include any reference to any defence interests such as Practice and Exercise Areas. The ES should either include an assessment of impacts on these interests or a justification as to why such an assessment is not required. The Applicant's attention is drawn to the comments from the Ministry of Defence in Appendix 2 of this Opinion.

## 5.10 Cumulative Effects

(Scoping Report Volume 1, Part 4, Section 4.11)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
5.10.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
5.10.2	Volume 1, Part 4, Section 4.11.2	Definition of ZoI for the Proposed Development	The Scoping Report has based the ZoI for cumulative offshore effects on the basis of the maximum distance over which marine mammals are expected to be disturbed during construction. The Applicant's attention is drawn to the comments from the MMO and Natural England in Appendix 2 of this Opinion, which highlight the possibility that the effects of underwater noise could extend over a greater area for fish species and marine mammals. The Applicant should seek to agree the ZoI for the offshore cumulative effects assessment with relevant stakeholders and if necessary, establish different ZoI for different aspects and different phases of the Proposed Development.

## 6. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE EFFECTS

### 6.1 Climate Change

(Scoping Report Volume 1, Part 5, Section 5.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
6.1.1	Volume 1, Part 5, Table 5.1.2	In-combination temperature change	Future temperature changes as a result of climate change are not anticipated to be exacerbated by the Proposed Development in combination with future conditions. The Inspectorate agrees that this matter can be scoped out.
6.1.2	Volume 1, Part 5, Table 5.1.2	In-combination sea level rise	Future sea level rise as a result of climate change is not anticipated to be exacerbated by the Proposed Development in combination with future conditions. The Inspectorate agrees that this matter can be scoped out.
6.1.3	Volume 1, Part 5, Table 5.1.2	In-combination precipitation change	Future precipitation changes as a result of climate change are not anticipated to be exacerbated by the Proposed Development in combination with future conditions. The Inspectorate agrees that this matter can be scoped out.
6.1.4	Volume 1, Part 5, Table 5.1.2	In-combination wind	Future wind as a result of climate change is not anticipated to be exacerbated by the Proposed Development in combination with future conditions. The Inspectorate agrees that this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
6.1.5	n/a	n/a	n/a

## 6.2 Major Accidents and Disasters

(Scoping Report Volume 1, Part 5, Section 5.2)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed aspect to scope out</b>	<b>Inspectorate's comments</b>
6.2.1	Volume 1, Part 5, Table 5.2.4	Whole aspect	Scoping Report Appendix 5.2.A identifies the potential major accidents and disasters and that these can be mitigated or reduced by the processes and standards in place. The Project is also unlikely to generate any potential significant effects on the environment if a major accident or disaster were to occur. Therefore, the Inspectorate agrees to scope this aspect out.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
6.2.2	n/a	n/a	n/a



## 6.3 Combined Effects of the Project

(Scoping Report Volume 1, Part 5, Section 5.3)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
6.3.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
6.3.2	Volume 1, Part 5, Table 5.3.1	Justification for scoping in/out receptor groups	Table 5.3.1 identifies where there is a potential pathway for effect both from the onshore and offshore elements of the Proposed Development on receptors. However, the potential for a combined effect is not identified; the ES should explain the pathways for effect for each receptor group.
6.3.3	Volume 1, Part 5, Paragraph 5.3.2.12	Methodology	The ES should set out the methodology(s) for assessing significant combined effects.

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>1</sup>**

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS Mid and South Essex Integrated Care Board
	NHS Kent and Medway Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Kent Fire and Rescue Service
	Suffolk Fire and Rescue Service
The relevant police and crime commissioner	Kent Police and Crime Commissioner
	Suffolk Police and Crime Commissioner
The relevant parish councils	Aldeburgh Parish Council
	Aldringham cum Thorpe Parish Council
	Ash Parish Council
	Cliffsend Parish Council
	Friston Parish Council
	Kelsale cum Carlton Parish Council
	Knodishall Parish Council
	Leiston Parish Council

<sup>1</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Minster Parish Council
	Ramsgate Parish Council
	Saxmundham Parish Council
	Sternfield Parish Council
	Theberton and Eastbridge Parish Council
	Worth Parish Council
The Environment Agency	The Environment Agency
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	The Maritime and Coastguard Agency
The Marine Management Organisation	Marine Management Organisation
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Suffolk County Council Highways Department
	Kent County Council Highways Department
The Coal Authority	The Coal Authority
The relevant internal drainage board	East Suffolk Internal Drainage Board
	River Stour (Kent) Internal Drainage Board
Trinity House	Trinity House
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	The Forestry Commission
The Secretary of State for Defence	Ministry of Defence

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Office for Nuclear Regulation (the ONR)	The Office for Nuclear Regulation (the ONR)

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>2</sup>**

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Integrated Care Board	NHS Mid and South Essex Integrated Care Board
	NHS Kent and Medway Integrated Care Board
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	East of England Ambulance Service NHS Trust
The relevant NHS Foundation Trust	South East Coast Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Dock and Harbour authority	Thanet District Council
	Sandwich Port and Haven Commissioners
	Harwich Haven Authority
Civil Aviation Authority	Civil Aviation Authority
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency

<sup>2</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant water and sewage undertaker	Anglian Water
	Essex and Suffolk Water
	Southern Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Last Mile Gas Ltd
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
National Grid Gas Plc	

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity generator with CPO Powers	EDF Energy Nuclear Generation Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
Vattenfall Networks Limited	
UK Power Networks Limited	
The relevant electricity transmitter with CPO Powers	Diamond Transmission Partners Galloper Limited
	Greater Gabbard OFTO Plc
	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited
	Thanet OFTO Limited
The relevant electricity interconnector with CPO Powers	BritNed Development Limited
	Gridlink Interconnector Limited

STATUTORY UNDERTAKER	ORGANISATION
	NeuConnect Britain Ltd

**TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>3</sup>**

LOCAL AUTHORITY <sup>4</sup>
Babergh District Council
Cambridgeshire County Council
Canterbury City Council
Dover District Council
East Suffolk Council
East Sussex County Council
Essex County Council
Folkestone and Hythe District Council
Great Yarmouth Borough Council
Ipswich Borough Council
Kent County Council
London Borough of Bexley
London Borough of Bromley
Medway Council
Mid Suffolk District
Norfolk County Council
South Norfolk District
Suffolk County Council
Surrey County Council

<sup>3</sup> Sections 43 and 42(B) of the PA2008

<sup>4</sup> As defined in Section 43(3) of the PA2008

<b>LOCAL AUTHORITY<sup>4</sup></b>
Thanet District Council
The Broads National Park Authority
Thurrock County Council

**TABLE A4: NON-PRESCRIBED CONSULTATION BODIES**

<b>ORGANISATION</b>
Royal National Lifeboat Institution



## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Aldeburgh Town Council
Aldringham-cum-Thorpe Parish Council
Anglian Water
Broads Authority
Canterbury City Council
Coal Authority
Dover District Council
East of England Ambulance Service NHS Trust
East Suffolk Council
Environment Agency
Folkestone and Hythe District Council
Forestry Commission
Friston Parish Council
Great Yarmouth Borough Council
Historic England
Joint Nature Conservation Committee
Kelsale-cum-Carlton Parish Council
Kent County Council
Leiston-cum-Sizewell Town Council
Marine Management Organisation
Maritime and Coastguard Agency
Ministry of Defence

Natural England
Network Rail
Northern Gas Networks
Office for Nuclear Regulation
Royal Mail
South Norfolk Council
Suffolk and North East Essex Integrated Care Board
Suffolk County Council
Surrey County Council
Thanet District Council
Theberton and Eastbridge Parish Council
UK Health Security Agency

## Aldeburgh Town Council response to the

### SeaLink Environmental Impact Assessment Scoping Report October 2022

(Due to the strict time frame and limited detail as to the technical solutions proposed by the Developer, Aldeburgh Town Council would respectfully reserve the right to add to their response.)

#### Introduction and project wide comments:

Aldeburgh is a coastal town in East Suffolk District council. It is bordered to the South by the River Alde, to the East by the North Sea. A large proportion of the town is in an AONB, with SSSI designated land, North Warren RSPB reserve/marshland and a local heritage Garratt Anderson Era area, as well as several areas in Flood Zones, and the land available for development is extremely limited. The economy of Aldeburgh is predominately tourism and retail/recreation & entertainment with a strong heritage in Music/the Arts and as an old fishing port (Slaughden).

The Town has its own Primary school, Community Hospital, GP Surgery, Library, Fire Station, RNLI Lifeboat station & Coastguard service with town allotments and recreational fields. A wide variation of independent shops, restaurants, pubs and hotels, independent Cinema and Bookshop, various community use spaces, a large second-home and formal and informal holiday let accommodation, along with a local resident population. Our road network is limited and we are actively exploring speed limits and parking strategies. Aldeburgh is famous and important within Suffolk as a year-long destination for day visitors and those staying, (as is the adjacent parish of Thorpeness and further up the coast Dunwich and Southwold – all areas to be impacted by various options of this project) with many festivals (documentary, poetry, theatre, music, food & drink etc) two yacht clubs, tennis courts and a golf course. The area is valued for its tranquillity, and preserved heritage (The Moot Hall a Tudor style Grade I listed building & award-winning Museum, and The Red House – home & archive centre of composer Benjamin Britten).

Aldeburgh Town Council and the residents it represents are supportive of renewable energy and off-shore wind generation in principle, but cannot support the proposed SeaLink project. We believe the main problems have resulted from the following;

The fact that where the energy is generated is not where the energy is needed, yet NG have failed to maintain or expand the overhead network system to accommodate this transition. (NG themselves admit the overhead lines support the old coal fire station layout only).

The offer of a connection in the 'Leiston area' onto the 400KV overhead lines should not have been made by NG if the powerlines are not able to transfer the energy to the South. It makes no sense and is not cost effective nor does the benefit outweigh the damage to the environment of bringing energy onshore on the Suffolk Coast and across to a new convertor station, new substation (Friston is still subject to JR) only to then send it back out to another new convertor station to a different new landfall out to a sea cable to Kent. Although the Developer says the cable would be two way they have confirmed verbally (evidence requested as yet received) that the majority of the flow will be from Suffolk to Kent where there is more demand. (In Suffolk the SZB nuclear power station has been and will be extended a further 35years which is beyond the life-time of this project). If power is needed in Kent from the wind-farms off the East Coast a link should go direct from off-shore infrastructure.

The SeaLink, EuroLink and Nautilus projects all propose to connect to the proposed new substation at Friston yet when consented by Sec of State this was only for SPR EA1N and EA2. The cumulative negative impact of these projects should require the original decision to be reconsidered as Developers are using the existence of this connection point/substation as the reason to justify locating projects here.

The Developer relies on the premise that the UK needs energy, and it's got to come ashore somewhere...we believe a pause should be imposed to enable better technology, true coordination and offshore infrastructure which would prevent negative impact to onshore areas, while still meeting net zero targets as the projects could then accelerate to completion with the right infrastructure.

The EIA has failed to adequately consider the above factors in the evolution of the Suffolk Onshore Scheme.

#### Co-ordination versus co-location

Throughout the EIA the Developer has stated that they are looking to coordinate landfall, cable runs, convertor stations because SCC, ES and other consultees have requested co-ordination (2.1.8.1). Yes, we have asked for strategic co-ordination on brown field sites, which would remove the need to duplicate or triplicate infrastructure...but all they are proposing is co-location of three sets of cable runs, and to site three convertor stations in the same place with very limited reduction on land take footprint or negative impact. This is not co-ordination. And more dangerously this precedent has now produced 'emerging preferred options' - with landfall area A2 the only one capable of taking three sets of cable runs. We also object to the questions put by the Developer in their consultations when asking if respondents want 'co-ordination'...which of course they will respond positively to..but again this is not true co-ordination where infrastructure would be shared and therefore land take minimized, it is co-location.

#### Value and protection of SSSI, AONB

We believe the value of SSSI, RSPB reserve land and areas without infrastructure has been minimized throughout the EIA by the Developer who has not included their true worth as vital elements of our economy as a tourism destination, and as a place of tranquillity which contributes towards physical well-being and mental health. For example, in their assumption that it is acceptable to consider potential landfall at S2 because although it "interacts with the Leiston to Aldeburgh SSSI and North Warren RSPB reserve but has minimal constraints on the marine approach and is not constrained by the presence of any other existing or proposed infrastructure." (Vol 1 Part 2. 2.1.8.14)

We would argue that areas where there is other infrastructure are less impacted by industrialization of this scale. The finding that there is no other infrastructure should not be a positive to encourage location. And although the marine approach will determine potential landfall – these features should not outweigh the potential damage and harm. Research shows that there are other locations for land fall which would not involve areas of outstanding natural beauty (AONB).

The protection which should apply to Sites of Special Scientific Interest (SSSIs) is well documented in planning guidance. The following references are from EN1 National Policy Statement for Energy Infrastructure:

5.3.10 Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.

5.3.11 Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.

ATC do not accept that the benefits outweigh the impacts in our area as the SeaLink project could use a different technical model and different siting options while still meeting net zero targets and delivering energy to where it is needed.

#### Development proposed within nationally designated landscapes

5.9.9 National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.

5.9.10 Nevertheless, the IPC may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: ● the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; ● the cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.4; and ● any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

5.9.11 The IPC should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary

#### Developments outside nationally designated areas which might affect them

5.9.12 The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such

projects should be designed sensitively given the various siting, operational, and other relevant constraints.

ATC believe the proposals will have a negative impact both in and adjacent to the AONB.

“Actions can be considered harmful to AONB if it results in the loss of, or material harm to any of the components of character that combine to form the area’s natural beauty and/or its constraints, achievement of AONB Management Plan objectives.”

\*Note – throughout the Scoping report the applicant says the impact is minimal.

ATC believe in assessing the magnitude of harm that minimal is where the probability and magnitude of harm or discomfort anticipated in the proposed application is “not greater, in and of themselves, than those ordinarily encountered in daily lives of the general population.”

The following comments are specifically in response to Vol1 Part 2: Suffolk Onshore Scheme.

## 2.2: Landscape & Visual Impact Assessment

In an AONB/SSSI the project will cause significant harm to the landscape and views enjoyed by residents and visitors, the basis for the economy (tourism, peace, tranquillity, artists/creatives etc).

EN1 offers guidance on the negative Visual impact (5.9.18) “All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.”

\*Note: The difficulty with EN1 is that it does not include visual impact of all the onshore infrastructure as the policy is out of date and overdue for review, however the implication is clear. Consideration must be that the project can be delivered elsewhere without the same disbenefit. ATC believes the Developer cannot reduce impact at any of the proposed locations, it is possible to landscape but takes years to mature.

Landscape reinstatement also is needed (landform & woodland screening, reinstatement of hedgerows and vegetation.) Developer proposes only a 5 year aftercare period.

EN1 National Policy Statement for Energy Infrastructure is clear with regard to loss of woodland: (5.3.14) “Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or ‘veteran’ trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided.”

\*Note the benefits of the development, in this location do not outweigh the loss of woodland habitat. Woodland in the Aldringham area (site of cable routes) is designated as ‘ancient’ on Natural England’s Ancient Woodland inventory.

ATC would request that a full and detailed record kept of areas affected by an independent body with checks on visual resources after both during summer and winter.

We note that various area have been given high or low sensitivity ratings by the Developer, but this remains a judgement and open to bias (should be done by independent body).

*Sensitivity of visual receptors is defined through appraisal of the viewing expectation or value placed on the view as identified in baseline study, and its susceptibility to change.*

Temporary impacts to the landscape will be major for a significant construction period.

Visual impact should also be considered of traffic & welfare compounds, laydown areas etc.

### 2.3: Ecology/Biodiversity

The section (as with others) appears to be not the result of actual research, but more a list of possible research and hypothetical consequences. Difficult for Town/Parishes to comment.

Developer claims they are aiming for a 10% increase in biodiversity by providing new habitats.

Surveys would be necessary e.g. botanical, reptiles, great crested newts, badgers, woodlarks, nightjars.

Many places mentioned: Minsmere, Iken wood, Staverton Park, Sizewell marshes.

Mention of Trenchless techniques without precise description or feasibility studies.

Location of Converter stations must be in brown field locations to minimize impact on habitats.

More information including impact assessment needed.

ATC does not believe that the Developer has adequately considered the impact of loss of green space, footpaths and walking areas. EN1 guidance as follows: (5.10.2) The Government's policy is to ensure there is adequate provision of high-quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change.

(5.10.24) Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders

ATC considers these proposals will remove large section of the open green space used for walking, tranquil recreation and healthy well-being. A significant number of Public Rights of Way (PRoW) will be temporarily stopped up or diverted or will be lost permanently. After construction those reinstated will still be negatively impacted by noise and light pollution due to their proximity to the proposed development. Industrialising large areas of agricultural land will also have a negative impact on climate change/CO2 whereas other potential sites including previously brown field are available.

### 2.4: Heritage

A number of policy documents are noted, plus there is reference made to "Planning (Listed Buildings and Conservation Areas) Act 1990; and Ancient Monuments and Archaeological Areas Act 1979 (amended by the National Heritage Act 1983 and 2002).

The developer themselves admits that "Effects to heritage assets may arise as a result of physical impacts to their fabric or through changes to their setting" as such this project is therefore harmful.

Two Scheduled Monuments and seven Grade 11 listed buildings are in the scoping area, majority are outside or adjacent to the scoping area.

The scoping document does list the various important sites and properties in the area and we would request that PINS takes this into serious consideration.

The reputation for the whole area in terms of Heritage is crucial to the economy and well-being of residents.

EN1 guidance on Heritage and Historic assets confirms a presumption in favour of the conservation of designated heritage assets. (5.8.14) "Once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II\* listed buildings; grade I and II\* registered parks and gardens; and World Heritage Sites, should be wholly exceptional." The application proposal impacts several listed buildings which should be protected with the presumption in favour of conservation and we do not believe the EIA has given sufficient weight to this.

#### 2.5: Water Environment and impact on coastal communities

Concern regarding impact on coastal erosion, sea/river and fluvial flooding, drainage and the environmental effect of changes to the water table.

Storage of spoil could also lead to problems.

Developer aims to have the Converter Stations above the flood-plain, but many options are in or close to flood zones.

All the proposed locations for landfall are in areas subject to coastal change. EN1 includes guidance on the Impact on Coastal communities (5.5.1) "The Government's aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should: ● ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time; ● prevent new development from being put at risk from coastal change by (i) avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast, and (ii) directing development away from areas vulnerable to coastal change; ● ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime; and ● ensure that plans are in place to secure the long-term sustainability of coastal areas."

There is no economic and social benefit to the local communities what so ever. A small % of jobs during construction could be local but unlikely as these are specific skills set. There is a small number of jobs in the Lowestoft area connected to the maintenance of off-shore wind farms. There is no social benefit and in fact there will be economic and social detriment. The development is not 'exceptionally necessary' as other locations exist which could provide a solution, especially if the wrong initial grid offer is challenged.



## 2.6: Geology and Hydrogeology

Concern regarding the potential for geology and hydrogeology effects through excavation/disturbance of potentially contaminated soil, creation of pathways for contamination during piling or foundation excavation, and changes to groundwater levels and flow (e.g. through dewatering) and changes to ground water levels and flow.

We would rely on expert advice and guidance from EA and others to fully understand the impact especially to the aquifer, water supply, receptors generally and in sensitive areas such as SSSIs.

## 2.7: Agriculture and Soils

Agriculture land survey would be needed. Avoid quality land 1,2,3a. Instead: 3b,4,5. Agriculture is an important element of our economy.

Arable land and urban development need to be studied and the research shared with Town/Parish councils to enable response.

Care of the soil needed, and must reinstate.

Very limited communications currently with affected landowners. Impact assessment would be needed.

Cliff areas are particular vulnerable.

## 2.8: Traffic and Transport

Concerns are primarily regarding navigating in and out of the wider area for residents and visitors.

Details of volume of vehicles and routes are unknown (such as shift patterns, weekend working, whether projects will be concurrent or sequential in their construction.)

Cumulative impact with proposed SZC project traffic in the same area.

Impact of worker's vehicles (rat-runs and rat-parking).

Vehicle compound areas and delivery of wide loads, and storage of large equipment.

How will diversions and PROW be managed in real time and what notice/communications in advance. How will access be maintained for landowners and residents affected?

Suffolk is limited in its transport network due to location of rivers, the coast. The project areas would be accessed via B roads, quiet lanes and areas of rurality often with no footpaths.

## 2.9: Air Quality

Developer states it the impacts of this project are likely to be below IAQM screening and monitoring levels, yet admits the volume of traffic required is unknown.

All construction projects impact on air quality both from vehicle emissions, and equipment drilling disturbing the soil which could change depending on what time of year construction takes place.

The areas proposed have very low baseline levels of pollution currently.

We are not reassured that site management and inspections will prevent bad practise such as vehicle idling.

## 2.10: Noise and Vibration.

Developer says no residential areas implicated, but people travel to/from and through these proposed sites, and some residential properties are located close by. Locations of Grade listed buildings.

Wildlife would be impacted by Noise and Vibration.

The proposed converter station & sub-station not yet designed (p310) so it is impossible to judge.

Anti-vibration mountings will be used for transformers and cooling.

Construction traffic will produce noise and there will be 'Broadband noise'.

Vibration and risks to the shoreline, cliffs etc. are not adequately addressed.

Developer claims vibration can be 'scoped out' and underground cables are silent.

Would we request that noise is assessed in accordance with BS 5228-1, taking account of guidance. How does LOAL (Lowest Observed Effect Level) work with the Rochdale envelope approach of providing the worst-case scenario?

The following quotes from EN1 enforce the negative impact that excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. (5.11.1) "The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to assessment of impacts of vibration. " And (5.11.2) "Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the IPC in accordance with the Biodiversity and Geological Conservation section of this NPS."

ATC does not consider that the Developer has included in the EIA robust considerations of:

- the characteristics of the existing noise environment;
- a prediction of how the noise environment will change with the proposed development;
- in the shorter term such as during the construction period;
- in the longer term during the operating life of the infrastructure;
- at particular times of the day, evening and night as appropriate.

The base noise level before these applications are proposed is extremely quiet compare to the choice of a more industrialized location, so therefore the negative impact and harm is greater.

#### 2.11: Socioeconomics, Recreation and Tourism

Construction activities would negatively impact on tourism and the day to day life of residents. Specifically from the noise and light pollution, traffic, construction of temporary compounds and haul roads.

Permanent impact of Converter Station and extended Friston Substation.

Developer states that a contact number will be provided in case of excessive disturbance, we would note this is too late, and disturbance should be prevented by imposing limits or relocating project to an industrialized area where background levels for noise etc are higher.

Impact on leisure (public rights of ways/footpaths and bridleways) business, recreational facilities, and residential properties will be significant. Access to year round festivals and events will be impacted.

Developer states reduced impact will be achieved "through the use of best practice measures, including with regard to phasing of construction works and if necessary, providing diversions for users". Due to the scale of the project and the possible overlap with other projects during the same construction period ATC does not consider that it will be possible to divert users. Not clear if phasing will elongate time frames? Weekend, evening and bank holiday working should be excluded. Key tourism periods should be avoided, however significant funding has been spent to build this area into a 'year-round destination'...so how can this be adequately protected? There is no period of time that the roads in our area could be closed without causing disruption to our

socioeconomics, recreation or tourism. Our network of roads is very limited, (only one road north direct to Thorpeness). All three exit roads from Aldeburgh will be impacted by SeaLink proposals. Any employment generated is temporary (unlikely to be local workers and we have a very low level of unemployment) and those taking accommodation would displace other visitors so not a net gain to the economy.

ATC seeks reassurance that the Developer has adequately considered guidance from EN1 as follows:

5.12.2 Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2).

5.12.3 This assessment should consider all relevant socio-economic impacts, which may include: ● the creation of jobs and training opportunities; ● the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; ● effects on tourism; ● the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and ● cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.

#### 2.12: Health & Wellbeing

Same impact as those in Tourism.

Potential temporary and permanent impacts on the quality of life and safety of local residents, visitors and workers arising from construction of the Suffolk Onshore Scheme related to air quality, noise, landscape amenity, traffic and transport, loss of community cohesion, reduction in house/land values in option areas.

Stress and worry caused by a succession of energy projects/NSIP DCOs with limited support from District and County councils leaving Town/Parishes to engage and represent residents' views and concerns, means that significant damage has already been done to our communities. Individuals have lost their lives, their homes and their livelihoods due to the property blight and uncertainty.

#### 2.13: Cumulative Effects

The Developer refers to Intra and Inter project (2.13 and 2.14) Although listed (2.13.3) we do not believe that the Developer has effectively considered the cumulative impact of these. Stating that inter and intra cumulative effects are "proposed to be scoped into the EIA and the results will be presented in the Environmental Statement (ES). We believe more focus should be on the cumulative impact of these projects and this should dictate from the very beginning the connection offers made by NG, not piecemeal.

We attach an artists' illustration set against OS map which evidences the potential cumulative impact of the proposed projects (SZC, EA1N, EA2, SeaLink, EuroLink).

Other issues:

ATC have primarily focussed on Vol 1 Part 2 Suffolk Onshore Scheme. We would also request that you research and seriously consider the impact on the Fishing industry at Aldeburgh and Sizewell.

We lack the expertise in many specific topics and as well as our own comments in this document, ATC supports representations from: SASES, SEAS, Aldringham cum Thorpeness Parish Council, Friston Parish Council, Snape Parish Council, East Coast Energy Alliance, Historic England, Natural England, RSPB Minsmere, Suffolk Coast and Heath AONB Partnership, Suffolk Preservation Society, Suffolk Wildlife Trust and The Woodland Trust.

# **Aldringham-cum-Thorpe Parish Council Comments on the Sea Link Scoping Report dated October 2022 including information to be scoped within the ES**

## **1. Introduction**

Aldringham-Cum-Thorpe Parish Council welcomes this opportunity to respond to National Grid's Sealink Interconnector Project to reinforce the energy network to meet the target set by Government of 50 gigawatts of offshore wind generation by 2030.

Aldringham-cum-Thorpe consists of the villages of Aldringham, Thorpeness and part of the hamlet of Sizewell.

This document consists in the main of our comments on onshore aspects relevant to this Parish.

This response is not comprehensive and we reserve the right to comment further on all aspects including project scope as more information becomes available during the NSIP pre-application and application processes.

## **2. Local Context**

The local area that includes this Parish has already been heavily impacted by several other major Energy Infrastructure projects, including:

- Nuclear Power Stations at Sizewell A and B
- The proposed Sizewell C Nuclear Power Station
- ScottishPower Renewables (SPR)'s East Anglia ONE Offshore (EA1N) and East Anglia TWO (EA2) Offshore Wind Farms (consented 2022) - two cable corridors would pass through centre of this Parish

In addition to Sea Link, National Grid is also consulting on two additional projects:

- National Grid Ventures' Continental Interconnector project Nautilus
- National Grid Ventures' Continental Interconnector project Eurolink

The Sealink scheme in Suffolk involves underground and subsea cables connecting the network between the 'Leiston area' and Kent via high voltage converter stations, an extension to the planned Friston substation and a cable connection to a landfall point where it transfers to a marine cable. This particular project is programmed to start towards the end of 2024 with the most disruptive works, i.e. the groundworks involved in laying the cable from landfall to the converter Station, completed in the first two years. The construction of the station and the works to make the connection with the proposed Friston substation are targeted to finish around 2030.

Aldringham-Cum-Thorpe Parish Council has issues regarding these latter works. At the time of writing, the status of the Friston Substation is still questionable. There is a Judicial Review over its proposed role and suitability. When Friston was initially planned, it was conceived as the Substation to make the connection to the national grid for the two Scottish Power Projects, EA1N and EA2. It would seem it is now planned to be augmented and transformed into an Energy Hub for other energy schemes such as Sea Link to connect with the Grid.

There are other questions regarding the appropriateness of the site on six counts including flood risk and heritage, and that was before this project had its sights on their connection. We know that by the very nature of the Planning Process we must not comment here on other similar schemes. However, as was found in the Scottish Power hearings, the cumulative effects of a queue of up to ten Energy projects making their way across pristine Suffolk countryside must be taken into account. If there was ever a case of 'an elephant in the room', this is surely one of giant proportions. We will have already been living for several years of SPR's projects, before National Grid break ground in this area, with more to follow those. It must be also remembered that the £30 billion construction of Sizewell C Nuclear Power Station borders our Parish. Much of the land in Sizewell village south of Sizewell Gap lies within our parish.

National Grid Ventures will be looking for similar works within their EuroLink and Nautilus projects, using routes from landfall to grid connection at Friston. If, as it appears, there is a certain inevitability of these schemes, then it would make sense that provision should be made for duct and cable laying to be undertaken for all three schemes at one operation. We have always argued for a co-ordinated approach and this should be a perfect opportunity. It does however leave us with a complex of three converter stations, measuring 750 metres by 150 metres by 30 metres high, squatting unceremoniously to the south-west of Knodishall. It would take some most ingenious architecture to blend and disguise this into the landscape.

### 3. Project Scoping and Stakeholder Consultation

We believe that commencement of a Sea Link non statutory Consultation and submission of this Scoping Report is premature, since:

- The Sea Link Scoping Report assumes that connection connect to the National Grid would be made at Friston village. However, the creation of an energy hub and Grid connecting Substation at Friston village is subject to Judicial Review at the High Court. The final outcome of that has not yet been determined.
- National Grid is bringing forward two other projects (Nautilus and EuroLink) within the same time scale. These are also at pre Application Stage. The developers claim they are being coordinated with Sea Link. They are both highly likely to impact scoping, including Sea Link's design and onshore site selection. There are clearly interdependencies between all three projects.
- Renewables UK is working with National Grid, SSE Renewables and RWE Renewables UK with the intention of coordinating the design of North Falls and Five Estuaries Offshore wind farms with one or more or all of Sea Link, Nautilus and EuroLink projects. A decision on this is not yet available and may impact Sea Link design in a major way.
- In view of so many projects coming forward within the same timescale, all impacting the same approximately 4 square miles of the Suffolk's Heritage Coast and the communities therein, an overarching Energy programme for these separate but coordinated and interdependent NSIPs is essential before any individual project confirms its scope with PINS.

Should the Development change substantially once a decision on whether and how to coordinate a common onshore design with North Falls, Five Estuaries, and EuroLink has been made, the Applicant must be required to request a new Scoping Opinion.

National Grid is at present conducting concurrent consultations on:

- Sea Link Scoping Report (25 Oct 2022 – 22 Nov 2022),
- Sea Link non statutory consultation (25 Oct 2022 – 18 Dec 2022),
- EuroLink non statutory consultation (25 Oct 2022 – 18 Dec 2022).

In combination, these consultations are already imposing an unacceptable burden on the several onshore communities and councils, impacted by both projects. This is leading to confusion and consultation stress and fatigue. This situation is incomprehensible since PINS did advise the Sea Link project team on 20 June 2022 at a S51 meeting(a) to “at least wait for the Consultation period to close before submitting its scoping request”.

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(a) PINS Sea Link Project - s51 Advice <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/sea-link/?ipcsection=advice4>. Suffolk Onshore Scheme

The scope of works are all similar in terms of the Construction works to what we have seen in SPR's previous projects with most items scoped in. There are some items that differ, notably working hours, which would look to include provision for 24/7 without requesting special notification. We understand a horizontal drilling element beneath the RSPB site at North Warren, such times would be permissible with the lower db level of sound. However without time limitations, a culture of permanent site occupancy prevails, where contractors suit themselves rather than the concerns of neighbouring parishioners and even with reduced noise levels there is light pollution at the work-face and the site compounds. Aldringham-cum-Thorpe Parish Council makes every effort to be a 'dark-skies' council when assessing planning applications in this rural and wildlife rich area. It is also of great concern regarding the Converter station and the Substation at Friston, once they are operable, that lighting for maintenance and security will exude an aurora glowing behind the wooded shielding.

There are other elements in the Scoping Report that have been scoped out but raise concerns. No plan is envisaged to deal with spillages of fuel and chemical works from those vessels and equipment involved in the maritime aspect of the project. Emphasis is purely that those vessels are licensed to carry out these works and bound by codes of conduct, but as we all know accidents happen. We feel that there should be some provision and policing of this element of construction.

We also note that there are no specific plans within the project for engaging local labour from the East Suffolk locality. When asked about this at a local community consultation event, the Applicant's representative stated that temporary employment may be available during construction, but long term employment and training was unlikely. Perhaps there might be full time placements on the maintenance of the various substations, but in terms of training and well paid full time jobs, this is an opportunity missed.

We observe that there is no indication of any sort of Construction Traffic Strategy or Plan in the document, or indeed that the Applicant has even established that access to construction sites would be feasible. That may be a consequence of the premature submission of the Consultation Report and Consultation material. We have not been able to see how construction and worker vehicles would access the alternative cable corridor routes and therefore it has not been possible for us to make a complete assessment of their relative merits and demerits.

There is no information on day-to-day movement of materials for the ducting and cable installation, the machinery for the drilling machinery and also the major pieces of plant within the converter stations. There is no 'meat on the bone' here. Is this to be in place at the next consultation stage?

#### **4. Comments on Sea Link EIA Scoping Report (Main Text Parts 1 and 2)**

Comments in the following sections of this response focus primarily on scoping aspects directly or indirectly relating to the Parish of Aldringham-cum-Thorpe.

##### **4.1 Suffolk Onshore Scheme Scoping Boundary**

A fundamental concern is that the Applicant has omitted Aldringham-cum-Thorpe from its list of settlements adjacent to the Project Scoping Boundary (ref. Para 1.1.4.3 of *EIA Scoping Report - Volume 1 - Part 1 Introduction*) although it is clearly illustrated as being so in Figure 1.1.2.

A further concern is that 1.1.4.5 states that 'The Hundred River is crossed by the Scoping Boundary to the south of Aldringham. According to all maps of the parish it would cross at the North-South midpoint of Aldringham, cutting the village into two separate halves during construction phases.

## 4.2 The proposed Development

### 4.2.1 Onshore Site Selection

The Applicant's Site and Cable Route Selection work already carried out has been useful in narrowing onshore scope to S1 and S3. We therefore are assuming all other sites are now out of scope.

### 4.2.2 Coordination with NGET EuroLink and NGV Nautilus and EuroLink projects

We believe it is in the interest of the local communities that all three Converter Stations for these projects are located at the same place and as close together as is technically feasible.

Similarly, the cable corridors for all three projects should share a common route.

That is in order to mitigate the extent of impact on the East Suffolk Heritage Coast, its communities and Suffolk's tourist industry through inter alia:

- destruction of landscape
- construction activity
- noise during construction and operation phases
- disruption of local roads,
- light pollution
- ecological harm
- damage to Suffolk's tourist economy.

### 4.2.3 EIA Approach and Method

The Sea Link *Preliminary Environmental Information Report (PEIR) and Environmental Statement (ES)* should not rely upon the *ScottishPower Renewables EA1N and EA2 2018 Extended Phase 1 Habitat Surveys - Part 1 of 2(b)*. It contains important omissions and errors in its documentation of habitats in Aldringham Hundred River Hundred Special Landscape Area. We recommend an independent survey of the area of riparian meadow (alleged to be 'Wet Woodland') between Aldeburgh Road and The Hundred River and the water meadow east of the Hundred River.

### 4.2.4 The Cumulative effects of emerging preferred options onshore – Aldringham-cum-Thorpe

The HVAC corridor and graduated swathe for 'Suffolk Site 1 alternative' and 'Suffolk Site 3 alternative (option 2)' would both pass through the centre of Aldringham.

We ask PINS to scope out those land areas within the parish that lie within the Sea Link proposed HVAC corridor 'Graduated Swathes' for Suffolk Site 1 alternative and Suffolk Site 3 alternative (option 2) that overlap the Cable Corridor Order Limits for the SPR EA1N or EA2 projects(c).

Following planning consent in March 2022, we understand SPR has formal permission from the Secretary of State for its exclusive use of the **whole width** between the DCO Order Limits as certified within Part 2 of Schedule 17 of the EA1N and EA2 DCOs(d).

Although SPR may later microsite and reduce footprint in some places, at this stage there is no certainty that any areas of overlap will be available for Sea Link to use as a cable route. They may not even be available at the time when a Sea Link DCO planning application is submitted to PINS, especially in view of SPR project delivery delays. It would be misleading to all concerned to leave them within the scope of this EIA.

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(b) PINS East Anglia ONE North project – See Figure 22.4c of East Anglia ONE North Limited 6.2.22.4 Environmental Statement - Figure 22.4a-f - Extended Phase 1 Habitat Survey Results [EA1N APP-277](#)

PINS East Anglia ONE North Limited 6.3.22.3 Environmental Statement - Appendix 22.3 - Extended Phase 1 Habitat Survey (Part 1 of 2) [EA1N APP-503](#)

(c) PINS East Anglia ONE North project – Sheet 5 of East Anglia ONE North Limited Deadline 11 Submission - 2.3.2 EA1N Works Plan – Version 07 [EA1N REP11-004](#)

(d) PINS EA1N REP12-013 East Anglia ONE North Limited Deadline 12 Submission - 3.1 EA1N Draft Development Consent Order (Clean) (Version 8) [EA1N REP12-013](#)



The Applicant has recognised some of the difficulties and disadvantages of Suffolk Site 1 alternative' and 'Suffolk Site 3 alternative (option 2) in *EIA Scoping Report - Volume 1 – Main Text Part 1 Introduction 1.3.4.47* and *EIA Scoping Report - Volume 1 - Part 2 Main Text Suffolk Onshore Scheme 2.1.6.9* and *2.1.7.9*.

There is an ecological 'pinch point' where the route crosses the Hundred River, the B1122 and the area of 'Priority Deciduous Woodland' to the south of Aldringham Court. Options in Aldringham at that pinch point will be further significantly further constrained owing to the cumulative impact of any additional cable installations in combination with those that will be imposed by the construction of two cable corridors for SPR October 2021 East Anglia ONE North and East Anglia TWO wind farm projects in the same location and that have already received Secretary of State consent. This is a sensitive area of Priority Woodland river valley and is also classified by ESC as Flood Risk 3b. The local authority considered potential impact here and feasibility in its response to the non statutory Nautilus Consultation 2021, stating that it "*could not be satisfactorily mitigated and that there are other less constrained routes; that present here are particular ecological, landscape, heritage and residential amenity challenges at the pinch point and crossing of the Hundred River. Trenchless Cable Installation technologies such as HDD would be required in this locality, but this has not been demonstrated to be possible by other developers owing to the constrained width of the area available*".

Please note that the Applicant has omitted to include East Anglia TWO project (already consented) in its 'zone of influence (ZOI) - *Appendix 1.5.A Inter-Project Cumulative Effects Long List of other developments within the ZOI*.

#### **4.2.5 Noise and Vibration**

Re: *Environmental Impact Assessment Scoping Report Volume 1 Main Text Part 2 Suffolk Onshore Scheme - Table 2.10.6 - Construction Noise effect levels at residential receptors*

*Time Period:* Local working hours should be those negotiated between ScottishPower Renewables (SPR) and the Local Authorities as specified in the DCO for EA1N and EA2 (i.e. not as specified in Table 2.10.6 which seems to imply the possibility of 24/7 working during Construction.

**END**



**Anglian Water Services**

Thorpe Wood House  
Thorpe Wood  
Peterborough  
PE3 6WT

[www.anglianwater.co.uk](http://www.anglianwater.co.uk)

Our ref ScpR.SEAL.NSIP.22.ds

Marie Shoesmith  
Senior EIA Advisor  
The Planning Inspectorate

22 November 2022

Dear Marie

**Sea Link  
EIA Scoping Report consultation**

Thank you for the opportunity to comment on the scoping report for the above project which is within Suffolk Coastal district.

Anglian Water is the appointed sewerage undertaker for the site shown on Figure 1.1.2 in Volume 3 Figures. The following response is submitted on behalf of Anglian Water in its statutory capacity and relates to wastewater and water recycling assets. With regard to potable water and water supply assets, although Anglian Water is not the statutory undertaker, we have assisted other national infrastructure projects (see Table 2.13.3) to seek to address water supply concerns, for example, during a project's construction phase. The water supply questions and the assessment of them are not though covered in this response. The promoter would be advised in liaison with the statutory water company to consider the Water Resources East [draft Regional Plan](#) which sets out the collective water companies position.

- The Scheme – Existing infrastructure

There are significant existing Anglian Water water recycling and network assets which serve the Leiston, Thorpeness, Aldeburgh and Saxmundham communities and businesses. These assets are also impacted by Sizewell C, its construction and related grid connection projects. The assets include the network connecting to the Leiston Valley Road Wastewater Recycling Centre the Thorpeness to Aldeburgh rising main and its continuation along Leiston Lane. The project has started liaison with our Asset Diversions team, and we would urge that early consideration and assessment is given to minimising the need to disrupt or divert utility assets which has a carbon impact and increases the risk of service disruption. Maps of Anglian Water's assets are available to view at the following address:

<http://www.digdat.co.uk/>

Registered Office  
Anglian Water Services Ltd  
Lancaster House, Lancaster Way,  
Ermine Business Park,  
Huntingdon,  
Cambridgeshire. PE29 6XU  
Registered in England

We note that other than a reference to a legislation (2.5.2.3) and general control measures (2.5.5.8) the promoter does not refer to the wastewater network or capacity. Anglian Water would want to ensure the location and nature of these assets is identified, disruption minimised, and services protected. To reduce the need for diversions and the attendant carbon impacts of those works, ground investigation would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to supporting infrastructure. This approach would accord with Code of Construction Practice approach (bullet 1 in 2.5.5.8).

Anglian Water welcomes that the promoter proposes (2.5.5.3) to follow the drainage hierarchy including Sustainable Drainage Systems (SuDS). We support the use of SuDS, for example at the Suffolk Converter Station site (2.5.6.13). With reference to Table 2.5.2 Anglian Water would welcome confirmation that SuDS will be used for all of the project and that there will be no connection to the public sewer network for construction or for operations in relation to built assets surface water management, for example. This would then negate the need for the draft DCO Order to provide for any connection and so require consequent Protective Provisions and Requirements to ensure any connections did not compromise the wastewater services of existing customers. Anglian Water would for the purposes of the surface water management then be able to concur with the proposal in the Scoping Report (Tables 2.5.3, 2.5.4, 2.5.5, 2.5.6) that the surface water drainage impacts may be scoped out.

The Scoping Report refers to the use of trenchless methods (2.8.5.3). Anglian Water would ask that the following standoff distances are applied for working each side of the medial line of pipes.

- (a) 4 metres where the diameter of the pipe is less than 250 millimetres;
- (b) 5 metres where the diameter of the pipe is between 250 and 400 millimetres, and
- (c) a distance to be agreed on a case-by-case basis and before the submission of the Plan under sub-paragraph (1) is submitted where the diameter of the pipe exceeds 400 millimetres.

The Construction Management Plan should include steps to remove the risk of damage to Anglian Water assets from plant and machinery including haul roads. Further advice on minimising and then relocating Anglian Water existing assets can be obtained from:

[connections@anglianwater.co.uk](mailto:connections@anglianwater.co.uk)

A template set of Protective Provisions including the above will be sent to promoter with a view to establish the bespoke distances for any pipes that exceed 400 millimetres should design and route iteration prove unable to avoid work in the vicinity of Anglian Water pipes.

- New infrastructure

We support the inclusion of water (2.3.5.4 and Table 2.3.3) including water use in the Code of Construction Practice and Construction Management Plan. Again, there is no reference to waste water connections for site operatives or activities. Anglian Water notes that the applicant has not sought to scope these matters out by providing sufficient information to

reach a conclusion that the projects impact regarding wastewater, water recycling and water quality, are not significant.

- Engagement

Anglian Water would welcome the progression of discussions with National Grid as the prospective applicant, in line with the requirements of the 2008 Planning Act and guidance. Experience has shown that early engagement and agreement is required between NSIP applicants and statutory undertakers during design and assessment and well before submission of the draft DCO for examination. Consultation at the statutory PEIR stage would in our view be too late to inform design and may result in delays to the project. We would recommend discussion on the following issues:

1. Impact of development on Anglian Water's
2. The design of the project to minimise interaction with Anglian Water assets and specifically to avoid the need for diversions which have carbon costs
3. Requirement for water recycling connections (if any)  
Confirmation of the project's cumulative impacts (if any) with Anglian Water projects
4. Draft Protective Provisions

Further advice wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team at:

[planningliasion@anglianwater.co.uk](mailto:planningliasion@anglianwater.co.uk)

Please do not hesitate to contact me should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours sincerely,



Darl Sweetland DMS MRTPI  
Spatial Planning Manager

cc

Marie Shoesmith  
The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Cheryl Peel  
Senior Planning Officer

Date 3 November 2022 Our ref BA/2022/0402/SCOCON Your ref

Dear Marie Shoesmith

**Application No:** BA/2022/0402/SCOCON  
**Proposal:** EIA Scoping Notification and Consultation for development consent for the  
Sea Link (the proposed development)  
**Address:** Sea Link, , ,  
**Applicant:** National Grid Electricity Transmission Plc

I write further to the above proposal. I can confirm that the Broads Authority does not have any comments to make regarding this EIA scoping consultation.

Yours sincerely

Cheryl Peel  
Senior Planning Officer

Date: 11 November 2022  
Direct dial: [REDACTED]  
Website: [www.canterbury.gov.uk/planning](http://www.canterbury.gov.uk/planning)



Dear Sir/Madam,

**Proposal:** Environmental Scoping Opinion application by National Grid Electricity Transmission plc (the Applicant) for an Order granting Development Consent for the Sea Link (the Proposed Development)

**Location:** Suffolk to Kent (Pegwell Bay and Minster)

I am writing following the Planning Inspectorate's invitation to comment on information that should be provided in the Environmental Statement for the Sea Link project. I can confirm that we have no comments to make on what should be included as part of any forthcoming ES.

Yours sincerely,

Andrew Gambrill  
Planning Services  
Canterbury City Council



The Coal  
Authority

Resolving the **impacts** of mining

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

T: [REDACTED]

E: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

[www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the attention of: Marie Shoesmith  
Senior EIA Advisor  
on behalf of the Secretary of State

**[By email: [southeastanglialink@planninginspectorate.gov.uk](mailto:southeastanglialink@planninginspectorate.gov.uk)]**

Your ref: EN020026

31 October 2022

Dear Marie

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your notification of 25 October 2022 on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the above project.

I have reviewed the location plan against our coal mining information and can confirm that, whilst part of the project site (Ramsgate Area) falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority; meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface and / or a risk to public safety.

Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment.

I hope that this is helpful however please do not hesitate to contact me if you require any further assistance with this matter.

Yours sincerely



Deb Roberts *M.Sc. MRTPI*

Planning & Development Manager

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.





Planning and Development Service  
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The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

Contact: Miss Morgan  
E-mail: [REDACTED]  
Our ref: DOV/22/01391  
Date: 22/11/2022

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

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

**Scoping Consultation**

Further to your request dated 25 October 2022 (your reference EN020026-000024-221025) please see the below response from Dover District Council.

Relevant Planning Policies and Guidance

Reference is made at Paragraphs 3.2.2.9 to 3.2.2.12 to Dover District Council Planning Policy. In relation to paragraph 3.2.2.10, the Regulation 19 Draft Local Plan was published on Friday 21<sup>st</sup> October 2022 and is a material consideration. The draft plan and evidence can be found at the following website address: <https://www.doverdistrictlocalplan.co.uk/get-involved>

The following Policies are considered to be relevant:

- SP1 - Planning for Climate Change
- SP2 - Planning for Healthy and Inclusive Communities
- SP6 - Economic Growth
- SP11 - Infrastructure and Developer Contributions
- SP12 - Strategic Transport Infrastructure
- SP13 - Protecting the District's Hierarchy of Designated Environmental Sites and Biodiversity Assets
- SP14 - Enhancing Green Infrastructure and Biodiversity
- SP15 - Protecting the District's Historic Environment
- CC1 - Reducing Carbon Emissions
- CC2 - Sustainable Design and Construction
- CC3 - Renewable and Low Carbon Energy Development

CC4 - Water Efficiency  
CC5 - Flood Risk  
CC6 - Surface Water Management  
CC7 - Coastal Change Management Areas  
CC8 - Tree Planting and Protection  
PM1 – Achieving High Quality Design, Place Making and the provision of Design Codes  
TI1 – Sustainable Transport and Travel  
TI2 – Transport Statements, Assessments and Travel Plans  
NE1 – Biodiversity Net Gain  
NE2 – Landscape Character and the Kent Downs AONB  
NE3 – Thanet Coast and Sandwich Bay SPA Mitigation and Monitoring Strategy  
NE4 – Air Quality  
NE5 – Water Supply and Quality  
HE1 – Designated and Non-designated Heritage Assets  
HE3 - Archaeology

### Landscape and Visual

The zone of theoretical visibility is based on the preference area for the converter station, set at a maximum height of 30m. This has informed the locations of the representative viewpoints which have been chosen; viewpoints 4, 6, 11, 12 and 13 are within the Dover District. These viewpoints are considered acceptable and will enable careful consideration of the wider landscape impacts of the proposals having regard for the Landscape Character Assessment.

### Ecology and Biodiversity

The proposed ecological surveys identified are considered to be acceptable, noting the comments below from Dover District Councils Senior Natural Environment Officer. It is requested that incidental mortality of riparian mammals is scoped into the EIA and that beavers are included as receptors identified in Table 3.3.4.

### Cultural Heritage

The scope of the information to be included in the ES should enable adequate consideration of the impacts on archaeology (subject to consideration by KCC Archaeology), Listed Buildings and other designated and non-designated heritage assets in the surrounding area.

### Water Environment

The scope of the information and flood risk assessment to be included in the ES is considered to be acceptable to enable review by KCC as Lead Local Flood Authority, Environment Agency and the IDB.

### Geology and Hydrogeology

The scope of this assessment appears acceptable and would be informed by KCC in respect of waste and minerals and the Environment Agency in respect of ground water, given the location of source protection zones to the north and further south of the proposed swathes.

### Agriculture and Soils

The scope of the information to be included in the ES is considered to be acceptable.

### Traffic and Transport

The scope of this assessment is considered to be acceptable and will require engagement with the local highway authority (KCC).

### Air Quality

The scope of this part of the assessment is considered to be acceptable.

### Noise and Vibration

The scope of this part of the assessment is considered to be acceptable and no further information has been requested to be included by Dover District Council Environmental Protection Officers.

### Socio-economics, Recreation and Tourism

The effects on users of Public Rights of Way are included in the ES and a 500m buffer has been shown on figure 3.11.1. Due to the potential for long distance views across the Ash Levels towards the site, we consider that the visitor attraction of Richborough Castle should also be assessed in the ES.

### Health and Wellbeing

The scope of this assessment is considered to be acceptable.

### Cumulative Effects

Paragraph 3.13.3.8 identifies that allocated sites in Local Plans or other Development Plans which were not yet subject to planning applications have also been identified on the long list. A number of sites are proposed for residential development as part of the housing allocation within the Regulation 19 draft Local Plan. Several sites proposed as part of the Regulation 18 plan referred to in the scoping report have been removed and the list of sites will therefore need to be updated. The plan and list of sites can be found at the following website address: <https://www.doverdistrictlocalplan.co.uk/get-involved>

### Consultee Responses:

#### Senior Natural Environment Officer:

I am broadly satisfied with the proposed scope of the ecological aspects of the Sea Link project EIA (Kent Onshore Scheme). I am satisfied with the proposed suite of ecological surveys and advise that these must be undertaken by appropriately experienced ecologists in accordance with good practice methodologies (unless an alternative is adequately justified).

I note in table 3.3.7 that 'Incidental mortality of riparian mammals' is scoped out, but this contradicts the commentary in Table 3.3.4, which scopes this in in case the HDD and route selection cannot avoid suitable habitat. I advise that incidental mortality of riparian mammals is scoped into the EIA.

With respect to the Assessment Methodology, I advise that the proposed data sources (3.3.7.1) should include post-construction monitoring reports for the Nemo Link project, to ascertain how the habitats recovered.

I note that beavers are not specifically listed in Table 3.3.4, but this seems to just be an error rather than deliberate omission.

Environmental Protection Officer:

Environmental Protection have been invited to comment on the above submission. After reviewing the submission Environmental Protection have no comments on the information provided.

Summary

This completes the formal scoping opinion of the Local Planning Authority at this stage. The “scoped in” potential effects identified in the scoping report are considered to be appropriate and additional “scoped out” potential effects identified above should be included in the ES to be submitted.

EIA is an iterative process and this formal scoping opinion does not preclude the Local Authority from requesting further information should it be necessary to fully and properly consider the proposal.

Yours sincerely

Rachel Morgan  
Senior Planning Officer

On behalf of Sarah Platts  
Head of Planning and Development



**By Email Only:**

[southeastanglialink@planninginspectorate.gov.uk](mailto:southeastanglialink@planninginspectorate.gov.uk)

Marie Shoesmith  
Environmental Services  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

**East of England Ambulance Service NHS Trust**  
Hammond Road  
Bedford  
MK41 0RG

Date: 17<sup>th</sup> November 2022

Our Ref: Sealink/ZM

Dear Ms Shoesmith

**THE SEA LINK PROJECT**  
**PLANNING INSPECTORATE REFERENCE No. EN020026-000024-221025**

**Scoping Report by National Grid Electricity Transmission PLC concerning an Order granting Development Consent to reinforce the transmission network in the South East of England & East Anglia, requesting the Planning Inspectorate's Scoping Opinion pursuant to The Planning Act 2008 (as amended) & the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Interested Party Submission by The East of England Ambulance Service NHS Trust (EEAST)**

We write in response to the Planning Inspectorate's letter dated 25<sup>th</sup> October 2022, inviting comment from consultation bodies and interested parties as to the information considered to be included within the Sea Link Environmental Statement.

EEAST is an **INTERESTED PARTY** in this planning process and notes the timeline for submitting comments by 23:59 on 22<sup>nd</sup> November 2022.

NHS Suffolk and North East Essex Integrated Care Board and Suffolk County Council are aware we are submitting comments under separate cover.

EEAST has reviewed the Scoping Report documentation submitted by National Grid Electricity Transmission PLC (NGET) and a summary of the key areas for inclusion within the Environmental Statement (ES) from its operational perspective are set out overleaf:

## Suffolk Onshore Scheme & Offshore Scheme (Suffolk & Essex Coast)

- **Scoping Work** – is required to determine a suitable study area, baseline assessment & approach to identify the likely effects (impacts) of the Project on EEAST's operations
- **Scheme Design, Mitigation & Management Measures** - are required to avoid, reduce, mitigate & compensate for the likely Project impact on EEAST's operations during the construction phase of the development
- **Suitable DCO Requirements &/or Heads of Terms of Agreement, either via a Section 106 planning obligation or Deed of Obligation** – are required to secure funding & new facilities provision, as required, to increase the capacity, response capability & Project Preparedness for EEAST's staff, vehicle fleet and estate assets to mitigate & manage the impacts arising
- **Suitable Terms of Reference, Membership & a Communications Strategy for a Transport, Community Safety, Health & Wellbeing Working Group** - are required to inform & assist the management of the construction, operational and decommissioning phases of the Project, requiring a coordinated response from EEAST along with its health & blue light partners, as well as organisations such as the Royal National Lifeboat Institution

EEAST, together with the Suffolk and North East Essex (SNEE) Integrated Care Board (ICB), Suffolk Constabulary and Suffolk Fire & Rescue Service is therefore keen to work with NGET to address these points and agree and secure suitable mitigation and management measures either as a DCO Requirement and/ or a Section 106 planning obligation (or Deed of Obligation), at an early stage of the DCO process.

If it is deemed that the matters raised by EEAST are more appropriately addressed by a supporting technical assessment to the ES, rather than as 'other effects' within the ES, then we would be agreeable to this.

## East of England Ambulance Service NHS Trust

EEAST is commissioned by NHS Suffolk and North East Essex Integrated Care Board (SNEE) on behalf of all ICB/ICSs to provide emergency and urgent care services throughout Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk, and transports patients to 17 acute hospitals amongst other healthcare settings, including within the Broadland DC, North Norfolk DC, Norwich CC and South Norfolk DC areas covering the location of the 'on – shore' Order Limits of the Sherringham & Dudgeon Scheme.

EEAST covers an area of approximately 7,500 sq miles with a resident population of over six million people and employs approximately 4,000 staff operating from 130 sites.

The 999 service is free for the public to call and is available 24 hours a day, 7 days a week, 365 days a year, to respond to the population with a personalised contact service when patients:

- Require rapid transportation with life threatening illness/injury or emergencies - category 1 and 2

- Present with lower acuity urgent and less urgent conditions - category 3 and 4 requiring clinical interventions
- Patients may be passed to 999 via other NHS health care systems, including NHS 111
- EEAST receives over 1 million emergency (999) calls per year and 800,000 calls for patients booking non-emergency transport.

EEAST also provides urgent and emergency responses to Healthcare Professionals requiring ambulance assistance, and inter-facility transfers between hospitals and other healthcare settings, where patients require treatment at alternative sites to their current setting.

Details of EEAST's service remit, priorities, staff, vehicle fleet and estate assets, service targets, co-working relationship with other healthcare and blue light partners, along with its operational standards and thresholds, are set out for information at **Annex 1 & Annex 2**.

## Sea Link Project Proposals – Location & Overview

The Project proposes to reinforce the transmission system in the South East and East Anglia.

This would be achieved by reinforcing the network with a High Voltage Direct Current (HVDC) Link between the proposed Friston substation in the Sizewell area of Suffolk, and the existing Richborough to Canterbury 400kv overhead line close to Richborough in Kent.

The Project would comprise of the following elements;

- Underground HVAC cable between the proposed Friston substation & a new converter station in Suffolk
- New converter station in Suffolk
- Underground HVDC cable between a new converter station in Suffolk & a landfall on the Suffolk coast, either between Aldeburgh & Thorpeness or at Sizewell Gap
- Marine HVDC cable between a landfall on the Suffolk Coast & a landfall in Pegwell Bay in Kent
- Underground HVDC cable between a landfall in Pegwell Bay & a new converter station in Kent
- A HVAC connection (either by overhead line or underground cables) between a new converter station in Kent & the existing Canterbury to Richborough overhead line.

## Construction, Operation & Decommissioning Phases

### Construction Phase

Subject to gaining development consent, construction works are expected to start in 2026 and be completed by 2030, with the Suffolk and Kent Onshore works and all Offshore works generally running concurrently.

A construction workforce (at its peak) is likely to be in the order of 300 – 400 workers across the whole project.

The main construction activities are summarised below;

#### ***Onshore including Landfall***

- Enabling works, including the widening of existing accesses & new accesses to the public highway, top soil stripping, formation of access tracks, watercourse culverting, drainage & construction works area fencing
- Substation & Converter Station construction
- Underground HVAC & HVDC cable trenching (up to 2km lengths for direct buried configuration & 200-300m lengths for cable ducting) & installation;
- For constraint areas to be crossed using a trenchless method - pipe jacking/ auger bores, horizontal directional drill rig, tunnel boring machines to be employed
- Barge mounted excavators for working in the inter-tidal zones in landfall locations

#### ***Offshore Marine Cable***

- Marine pre-installation activities, including cable clearance, pre-sweeping, removal/ disposal of any unexploded ordnance
- Marine HVDC cable installation – incorporating ground cable preparation & cable laying within the inter-tidal zones
- Pre-lay seabed activities along the route
- Installation & burial of subsea cables
- Placement of external pipe protection, incorporating rock placement, concrete mattresses, rock/gravel/sand/grout bags or cast-iron shells
- Vessel activities, incorporating cable lay vessels, cable burial vessels, guard vessels, support vessels, rock placement vessels & cable lay barges.



## Operational Phase

Once operational the Project Substations would be operated in line with NGET's usual procedures for operating all other Substations on the network.

For the Converter Stations, following a period of commissioning and testing they would operate continuously throughout the year with a minimum of two operators present at all times, and a maximum of six operators divided into three 8-hour shifts over a 24-hour period.

During operation the HVDC link and Marine Cable would transmit electricity from the proposed Friston substation to the existing network in Kent, or vice versa, depending on the supply & demand at the time.

The Kent overhead HVAC connection would transmit electricity from the proposed Kent converter station onto the existing network in the South East of England.

Planned and unplanned maintenance would be undertaken on an ongoing basis for the substations, with periodic surveys and inspections for all the other Project components.

## Decommissioning Phase

The lifespan of substation equipment is approximately 40-years, and similarly for the converter stations, although interim plant replacement and refurbishment would extend the life.

For all the other Project components, if decommissioning is required, this would be undertaken in line with construction and waste management best practice applicable at the time.

The Suffolk Onshore scheme is located within the administrative boundary of Suffolk County Council and East Suffolk Council local authority areas, and the Kent Onshore scheme is located within the administrative boundary of Kent County Council and Thanet District Council and Dover District Council.

The Offshore scheme is located wholly within English Territorial Waters, and within the East Inshore and South East Inshore Marine Plan Areas. The Project Scoping Boundary crosses the Suffolk Coastal Waters, East Anglian Shipping Waters, Eastern English Channel Approaches and the Goodwin Sands and North Dover Strait Marine Character Areas.

The principal areas of geographical interest likely to affect EEAST's operations (working in partnership with its health and blue light partners, including the Royal National Lifeboat Institution, therefore relate to the Onshore components of the Project within East Suffolk District and the Offshore components within the East Inshore Marine Plan area, along with a further section of inshore waters running south of Felixstowe to the mouth of the River Thames.

## Potential Impacts on EEAST Service Areas & Capacity

### Project Environmental & Social Effects

Review of the NGET EIA Scoping Report documentation indicates that the Project's potential effects (impacts) on EEAST's operational capacity, efficiency and resources (namely staff, vehicle fleet and estate assets) are not included – they are not therefore currently proposed to be baselined or assessed, and no potential mitigation parameters are outlined.

EEAST therefore request that the NGET EIA scoping process (and/or an accompanying technical assessment) be undertaken to determine the likely Project effects (impacts) on EEAST, and we are keen to work with NGET to ensure this omission is addressed by information being prepared to inform a robust DCO Application for examination.

This approach would assist the DCO process, and looking ahead, EEAST wish to agree and secure suitable mitigation and management measures as part of the DCO Requirements and/ or via a Section 106 planning obligation (or Deed of Obligation) and reflect this position in advance of the Examination.

EEAST's principal areas of interest and concern are summarised below.

### EEAST Principal Areas of Interest & Concern

#### Information for Inclusion Within Scope of the Environmental Statement &/or within a Technical Assessment with Related Mitigation & Management Measures

The principal areas of Project interest which are likely to significantly impact on EEAST's operational capacity, efficiency and resources requiring necessary and appropriate mitigation and management measures are outlined below - in light of the information and assumptions presented in the EGET Scoping Report documentation.

#### Highways, Traffic, Transport & Articulated Indivisible Loads (AIL's)

It is evident that a major level of onshore construction works incorporating cable corridors, trenchless crossings, haul roads and works compounds, potentially requiring road closures and route diversions - along with the potential for significant HGV (and an unspecified number of additional/ AIL led) traffic movements are envisaged.

This would take place as part of an extensive 4-year construction phase program, required to implement the Sea Link Project.

Information to determine the effects arising from the construction phase of the Project and the likely impact on EEAST's operational capacity, efficiency and resources (including the likely highway disruption and delay) and any related mitigation measures, therefore need to be included within the scope of the ES and/ or within technical work accompanying an application for a DCO.

Once this information is presented and assessed, any necessary mitigation and management measures ought to be secured and implemented through DCO Requirements, and/ or via a Section 106 planning obligation or Deed of Obligation, as part of any Development Consent Order approval.

## Major Accidents & Disasters

It is evident that a significant level and duration of construction phase work reliant on the use of sea-based construction vessels, heavy lift plant and specialist machinery/ equipment, producing noise, heat, vibration and dust (with work carried out during potentially adverse weather conditions) is likely to present construction site hazards and dangers both at sea and on land.

Working at sea, and on coastal, cliff edge and uneven ground, with moving machinery lifting and transporting materials, and working at depth, including the potential for trench collapse, for example, underlines the risks associated with the construction related activities – requiring both urgent and other medical interventions and transport conveyance (including specialised airborne tasking/ conveyance) to be appropriately planned for and provided.

Indeed, HSE's construction publications (for Great Britain) indicate that work related incidents involving serious injury and fatalities, are statistically significantly higher for the construction industry as compared to the 'all industry' rate.

Information to determine the effect of the construction phase and its impact on EEAST's operational capacity, efficiency and resources is currently absent from the EIA Scoping Report, along with any potential mitigation measure parameters.

In the event of a construction phase accident, on land or at sea, appropriate procedures would need to be put in place for emergency access, on-site triage, medical assessment and patient identification, stabilisation and transfer to an appropriate healthcare setting.

The processes and procedures developed by NGET, and any outsourced construction organisations, should refer to legislation and technical guidance which places a duty on NGET to have its own response and medical mitigation to take the patient to a place of 'normal access' and handover to EEAST crews.

EEAST would expect any trench collapse to fall under the confined space regulations and EGET, the construction company and/or contractor(s) should have access to a confined space trained team that could extricate a casualty safely.

Plans and contingencies for facilitating emergency access, on-site triage, medical assessment, patient identification, stabilisation, clinical information, safe and efficient handover to EEAST responders, whilst sustaining operationally optimal attendance times (noting the likely delay factors above) which in urgent cases may require Helicopter Emergency Medical Services (HEMS) and/or Air-Sea Rescue/ RNLI access, is therefore considered to be necessary.

The incidence and impact of major accidents (and disasters) on EEAST and its HEMS partner operational capacity, efficiency and resources, including EEAST hazardous area response teams – HART, (which may also require co-ordination and joint tasking with the Maritime & Coastguard Agency and RNLI) needs to be presented and assessed, with any

necessary mitigation and management measures secured and implemented through DCO Requirements, and/ or via a Section 106 planning obligation or Deed of Obligation, as part of any Development Consent Order approval.

## Population Increase, Health & Wellbeing

It is evident that during the anticipated 4 - year construction period, a significant number of construction workers are required to implement the components of the Scheme.

Information to determine the nature of the construction workforce, their home origin, health status, clinical dependencies, location of any temporary accommodation, which are factors likely to directly impact on EEAST's operational capacity, efficiency and resources, including its co-ordinated response with healthcare and blue light partners, is currently absent from the EIA scope, and any related technical report scoping.

This information therefore ought to be presented and assessed, with any necessary mitigation and management measures secured and implemented through DCO Requirements, and/ or via a Section 106 planning obligation or Deed of Obligation, as part of any Development Consent Order approval.

## Joint Working With EEAST, Health & Blue Light Partners

### Transport, Community Safety, Health & Wellbeing Working Group

In the light of the above, EEAST recommend that appropriate Terms of Reference, Membership and a Communications Strategy for a Transport, Community Safety, Health and Wellbeing Working Group - is established at an early stage in the DCO preparation process, and in advance of the Examination.

This would help to inform and assist the management of relevant aspects of the Project requiring a coordinated response from 'health and blue light partners', incorporating representatives from EEAST, the SNEE ICB, Norfolk & Suffolk Constabulary and Suffolk Fire and Rescue Service, with liaison maintained with any other relevant organisations such as Air-Sea Rescue/ RNLI.

The South East Coast Ambulance Service NHS Foundation Trust would need to be contacted in relation to similar Project impacts arising within its own administrative area, covering Kent.

## Concluding Remarks

EEAST welcomes the opportunity to respond to the Sea Link EIA Scoping Report, and following review of the documentation, con that it is currently deficient in its proposed assessment of the potential Project impacts on EEAST as outlined above.

EEAST considers that the Project is likely to give rise to significant effects on its operational capacity, efficiency and resources (incorporating its staff, vehicle fleet and estate assets) which ought to be baselined and assessed in order to determine appropriate mitigation and management measures.

The Project is therefore considered likely to adversely affect EEAST's ability to meet and deliver its targets and priorities (statutory duties) as a key healthcare and emergency services provider.

Identified impacts arising from the Project should therefore be addressed by employing appropriate mitigation and management measures - to be secured and implemented through DCO Requirements, and/ or via a Section 106 planning obligation or Deed of Obligation, as part of any Development Consent Order approval.

This approach ought to be reflected in a Statement of Common Ground to clarify the position reached and inform the forthcoming Examination process.

The measures ought to include a process to assist EEAST and its health and blue light partners to plan for and implement co-ordinated responses to construction phase (and any operational and decommissioning phase) Project impacts and incidents, to optimise patient outcomes.

We trust this is of assistance and look forward to working with NGET to satisfactorily address the points raised.

Yours sincerely



Zoë May  
Head of Business Relationships

cc:

Roland Arbon, Suffolk County Council  
Jane Taylor, NHS Suffolk and North East Essex Integrated Care Board

## ANNEX 1

### EEAST KEY FACTS & SERVICE INFORMATION

**This section summarises EEAST's service remit, priorities, staff, vehicle fleet and estate assets, and co-working relationship with other healthcare and blue light partners and service targets**

#### Service Remit & Priorities

The East of England Ambulance Service NHS Trust provide accident and emergency services and non-emergency patient transport services across the East of England.

The Trust Headquarters is in Melbourn, Cambridgeshire and there are Ambulance Operations Centres (AOC) at each of the three locality offices in Bedford, Chelmsford and Norwich who receive over 1 million emergency calls from across the region each year, as well as 800,000+ calls for patients booking non-emergency transport.

The 999 service is part of the wider NHS system providing integrated patient care. Provision of 999 services is aligned closely with national and regional initiatives driven by:

- Sustainability and Transformational Partnerships
- Integrated Care System
- Integrated Urgent Care systems, i.e. NHS 111, Clinical Assessment Services, Urgent Treatment Centres, GP Out of Hours Services.

Additionally, regional Ambulance Trusts may collaborate closely with other ambulance services, the wider emergency services or wider system providers to deliver appropriate patient care.

To support the service transformation agenda, the key requirements are:

- To deliver the core response and clinical outcome standards as defined by the Ambulance Response Programme
- To fulfil statutory duties relating to emergency preparedness, resilience and response (EPRR)
- Optimisation of call handling and appropriate responses through virtual alignment of NHS 111/999 and call/CAD transfer between ambulance services
- Increase the percentage of lower acuity calls managed through “hear and treat” and “see and treat” options
- Utilise a virtual delivery model to support wider workforce integration for paramedics, call handlers and specialist staff with local urgent care delivery models
- Facilitate cross boundary working and the flexible use of ambulance service resources to support the development of regional Sustainability and Transformational Plans and Integrated Care Systems.

The 999 service is free for the public to call and is available 24 hours a day, 7 days a week, 365 days a year, to respond to the population with a personalised contact service when patients:

- Require rapid transportation with life threatening illness/injury or emergencies - category 1 and 2
- Present with lower acuity urgent and less urgent conditions - category 3 and 4 requiring clinical interventions
- Patients may be passed to 999 via other NHS health care systems, including NHS 111
- EEAST receives over 1 million emergency (999) calls per year and 800,000 calls for patients booking non-emergency transport.

EEAST also provides urgent and emergency responses to Healthcare Professionals requiring ambulance assistance, and inter-facility transfers between hospitals and other healthcare settings, where patients require treatment at alternative sites to their current setting.

Non-Emergency Patient Transport Services (NEPTS) provide an essential lifeline for people unable to use public or other transport due to their medical condition. These much-needed journeys support patients who are:

- Attending hospital outpatient clinics or other healthcare location
- Being admitted to or discharged from hospital wards
- Needing life-saving treatments such as radiotherapy, chemotherapy, renal dialysis or DVT treatment.

### Service Assets

EEAST clinicians:

- Emergency Care Support Workers
- Emergency Medical Technicians
- Paramedics
- Specialist Paramedics
- Critical Care Paramedics.

Types and models of response:

- Community First Responder (CFR)
- Patient Transport Service (PTS)
- Clinical See and Treat
- Clinical Hear and Treat (telephone triage)
- Early Intervention Team (EIT)
- Rapid Response Vehicle (RRV)
- Double Staff Ambulance (DSA)
- Hazardous Area Response Team (HART)
- Specialist Operations Response Team (SORT)

- Helicopter Emergency Medical Service (HEMS), EEAST utilise 5 aircraft across 3 charities within the region
  - Magpas – 1 x aircraft from RAF Wyton
  - East Anglian Air Ambulance – 2 x aircraft form Cambridge and Norwich Airport
  - Essex and Herts Air Ambulance – 2 x aircraft form North Weald and Earls Colne

Ambulance Operations Centre (AOC) staff:

- 999 Call Handlers
- Emergency Medical Dispatchers
- Tactical Operations Staff.

EEAST support services staff cover all other corporate and administrative functions across the region.

## Estates

The Trust is rolling out a Hub and Spoke network with up to 18 hubs to provide regional premises for delivery of operational responses to calls, flow of ambulance preparation via the Make Ready function (cleaning and restocking of ambulances) and despatch of ambulances to local spokes (reporting posts/response posts/standby locations). Support services such as workshop facilities, clinical engineering (medical equipment store and workshop), consumable product stores and support office accommodation are also provided from Hubs.

- Ambulance Station Central Reporting Post - A 24/7 - Permanent reporting base for staff and primary response location for one or more vehicles. Provision of staff facilities.
- Ambulance Station Response Post - A primary response location, which includes staff facilities but is not a reporting base for staff.
- Standby Location - Strategic locations where crews are placed to reach patients quickly. Facilities used by staff are provided on an informal basis only by agreement with the relevant landowner.

Ambulance Stations in the Sea Link Suffolk Onshore Project area are:

Saxmundham
------------

Ambulance Stations in the Sea Link Suffolk Onshore Project surrounding area which may provide support are:

Beccles
Lowestoft
Martlesham
Ipswich

## Vehicle Fleet

- 387 front line ambulances
- 178 rapid response vehicles



- 175 non-emergency ambulances (PTS and HCRTs vehicles)
- 46 HART/major incident/resilience vehicles located at 2 x Hazardous Area Response Team (HART) bases with a number of specialist vehicle resources.

## Workforce & Equipment

Approximately 4,000 staff and 800+ volunteers across 120 sites. Each resource has equipment specific to the operational function of the vehicle and skill level of the staff.

## Specialisms

EEAST works collaboratively across our blue light partners and have joint working groups with Police and Fire Services across the region, working in partnership managing responses to incidents and undertaking joint exercises with our dedicated resources to prepare for specialist rescue, major incidents and mass casualty incidents.

EEAST is a Category 1 Responder under the Civil Contingencies Act, 2004, playing a key role in developing multi-agency plans against the county and national risk registers. EEAST also works closely with the Military, US Air Force, Royal Protection Service, Stansted Airport and the Port of Felixstowe Police, Fire and Ambulance services.

EEAST's Emergency Preparedness Resilience Response (EPRR) team lead on the Joint Emergency Services Interoperability Principles (JESIP) working in close partnership with all blue light agencies, the Coastguard and Local Authorities. Specialist resources work with the Police in counter terrorism and developing response plans in the event of a major incident.

EEAST are an integral part of the locality's resilience response sitting on a number of safety advisory groups, east coast flood working groups and hospital emergency planning groups.

### Co-working Relationship with other Blue-Light and Healthcare Partners

EEAST is an integral part of the wider healthcare system working closely with the NHS Suffolk and North East Essex Integrated Care Board to deliver emergency and urgent care and are key stakeholders in supporting wider healthcare initiatives.

Within North Essex, EEAST work with the ICBs in delivering additional care pathways focussing on hospital admission avoidance, this is a partnership with the local acute providers and local authorities. EEAST operate Early Intervention Response vehicles and a Rapid Intervention Vehicle. These resources work collaboratively within the system to offer holistic care to patients whilst reducing pressure on Emergency Departments.

This is EEAST's response to the requirements of the NHS Long Term Plan, with the clear narrative that in order to bring the NHS into financial balance all NHS providers must find

mechanisms to treat patients in the community and out of the most expensive care setting, which are acute hospitals. This not only saves the NHS critical funding, but it also improves patient outcomes.

EPRR and Specialist Operations teams routinely train with other blue light agencies in preparedness for major incidents such as terrorist attacks and major incidents with statutory training obligations to respond to local and national incidents.

In continuing to respond to the COVID-19 Pandemic, EEAST is working collaboratively with Private Ambulance providers, the Military, volunteer Ambulance Services (such as St John Ambulance and British Red Cross) and local Fire and Rescue Services, to increase its capacity and maintain service delivery to meet the additional demand.

### **EEAST Service Targets**

All NHS organisations are required to report against a set of Core Quality Indicators (CQIs) relevant to their type of organisation. For ambulance trusts, both performance and clinical indicators are set as well as indicators relating to patient safety and experience.

NHS organisations are also required to demonstrate their performance against these indicators to both their commissioners and Regulators (NHS England/Improvement).

It is important to note that EEAST is also measured on how quickly a patient is transported to an appropriate location for definitive care, often in time critical circumstances.

Failure to deliver against these indicators will result in a Contract Performance Notice and could result in payment being withheld, as prescribed in NHS Standard Contract 20/21 General Conditions (Full Length) GC9 9.15.

## ANNEX 2

### EEAST Operational Standards & Thresholds Ambulance Service Response Times

Operational Standards	Threshold	Consequence of Breach
Category 1 (life-threatening) calls – proportion of calls resulting in a response arriving within 15 minutes	Operating standard that 90th centile is no greater than 15 minutes	Issue of a Contract Performance Notice and subsequent process in accordance with GC9. For each second by which the Provider's actual 90 <sup>th</sup> centile performance exceeds 15 minutes, £2.50 per 1,000 Category 1 calls received in the Quarter
Category 1 (life-threatening) calls – mean time taken for a response to arrive	Mean is no greater than 7 minutes	Issue of a Contract Performance Notice and subsequent process in accordance with GC9
Category 2 (emergency) calls – proportion of calls resulting in an appropriate response arriving within 40 minutes	Operating standard that 90th centile is no greater than 40 minutes	Issue of a Contract Performance Notice and subsequent process in accordance with GC9. For each second by which the Provider's actual 90 <sup>th</sup> centile performance exceeds 40 minutes, £2.50 per 1,000 Category 2 calls received in the Quarter
Category 2 (emergency) calls – mean time taken for an appropriate response to arrive	Mean is no greater than 18 minutes	Issue of a Contract Performance Notice and subsequent process in accordance with GC9
Category 3 (urgent) calls – proportion of calls resulting in an appropriate response arriving within 120 minutes	Operating standard that 90th centile is no greater than 120 minutes	Issue of a Contract Performance Notice and subsequent in process accordance with GC9. For each second by which the Provider's actual 90 <sup>th</sup> centile performance exceeds 120 minutes, £2.50 per 1,000 Category 3 calls received in the Quarter
Category 4 (less non-urgent "assess, treat, transport" calls only) – proportion of calls resulting in an appropriate response arriving within 180 minutes	Operating standard that 90th centile is no greater than 180 minutes	Issue of a Contract Performance Notice and subsequent process in accordance with GC9. For each second by which the Provider's actual 90th centile performance exceeds 180 minutes, £2.50 per 1,000 Category 4 calls received in the Quarter

For All Indicators:

<b>Method of Measurement:</b>	See AQI System Indicator Specification at: <a href="https://www.england.nhs.uk/statistics/statistical-work-areas/ambulance-quality-indicators/">https://www.england.nhs.uk/statistics/statistical-work-areas/ambulance-quality-indicators/</a> Review of Service Quality Performance Reports
<b>Timing of Application of Consequence</b>	Quarterly for all indicators
<b>Application</b>	AM



FAO Marie Shoesmith  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**Your ref:** Sealink Scoping Res  
**Our ref:** EN020026-000024-  
221025  
**Date:** 22 November 2022  
**Please ask for:** Naomi Goold  
**Customer Services:** [REDACTED]  
**Direct dial:** [REDACTED]  
**Email:** [REDACTED]

[southeastanglialink@planninginspectorate.gov.uk](mailto:southeastanglialink@planninginspectorate.gov.uk)

Dear Marie Shoesmith,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

East Suffolk Council (ESC) welcomes the opportunity to comment on the Sea Link Scoping Report dated October 2022. This letter comprises ESC's response under Section 43(1) of the Planning Act 2008. The Council's detailed comments in relation to the Scoping Report can be found in Appendix 1 of this letter.

ESC would like to highlight that the Sea Link project is one of several Nationally Significant Infrastructure Projects (NSIPs) currently proposed, or recently consented but not yet constructed<sup>1</sup>, within the district. It is therefore essential that the project is not considered in isolation, and the full cumulative effects of Sea Link with other projects and proposals is adequately and appropriately assessed, mitigated and where appropriate compensated. In addition to the NSIPs that are

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<sup>1</sup> Consented: Sizewell C New Nuclear Power Station, East Anglia One North, East Anglia Two and East Anglia Three Offshore Wind Farms

Proposed: Eurolink and Nautilus Multi-purpose Interconnectors, Sea Link Subsea Link, North Falls Offshore Windfarm, Five Estuaries Offshore Wind Farm

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LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT

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consented/proposed in the east Suffolk area, there are also several projects consented and proposed in the wider Suffolk and East Anglia region which also need to be considered in terms of the wider reaching impacts.

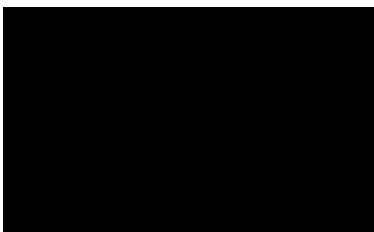
Since 2018, the Council has been engaging with the Government regarding the unstructured, non-collaborative approach to energy development. The Council would like to be supportive of well-developed coordinated projects, that enable the goal of Net Zero and the interim targets. This however cannot be at the expense of Suffolk's environment and communities. The succession of individual proposals impacting our communities without visible strategic over-sight, or collaboration to minimise impacts, creates a very challenging and unsustainable situation.

Notwithstanding the Council's overarching positions on the projects, ESC has previously requested National Grid comprehensively and robustly explore every opportunity for coordination of the Sea Link project with other proposed and consented projects at all stages of the development consent process. This is necessary to reduce the adverse impacts of the developments on east Suffolk's sensitive and valued environment and the local communities, who have been hit by a constant barrage of energy projects and will be subject to years of disruption from associated construction works, if they are consented.

ESC welcomes the work the developer has undertaken in conjunction with National Grid Ventures to consider opportunities for coordination. This work needs to continue and extend beyond the consideration of co-location to ensure that genuine coordination at all stages of the process is secured.

If you have any questions regarding the detailed comments provided in Appendix 1, please do not hesitate to contact me.

Yours sincerely,



**Philip Ridley BSc (Hons) MRTPI**  
Head of Planning and Coastal Management  
East Suffolk Council

## **Appendix 1 – ESC’s Detailed Comments on the Sea Link Scoping Report**

### 1. Volume 1 Main Text – Part 1 Introduction

#### *Need for the Project – 1.1.2*

- 1.1. Paragraph 1.1.2.3 identifies the potential additional generation, interconnectors, and energy storage which could be expected to connect in the East of England Region by 2035, established by the National Grid Electricity System Operator in the Future Energy Scenarios. Further information and clarification is required on whether the need relates to the current projects with grid connection offers in the district, future anticipated connections, or both. It would be helpful to clearly understand, based on the current known projects, at what point the reinforcements proposed are required. Whilst it is stated that the project aims to be delivered by 2029/30, that could potentially be after East Anglia One North, Two, and Three offshore wind projects are delivered, although it would be in advance of the Sizewell C project. Given the increasing difficulties developers are having identifying deliverable landfall locations along the east Suffolk coastline, the lack of offshore wind farm leasing options in the region in Round 4, and now the potential option for the Nautilus project to connect to the Isle of Grain, if the degree of predicted generation, interconnection and storage in the region is not realised, would this change the need case for the project or the date by which it is necessary?

#### *The Need for an Environmental Impact Assessment – 1.1.3*

- 1.2. ESC agrees and supports National Grid and their commitment to undertake an Environment Impact Assessment.

#### *Geographical Context – 1.1.4*

- 1.3. If site 3 is selected following further detailed review of the site and design options, it is noted that the potential temporary access which would be required during construction to prevent vehicles travelling through Saxmundham, has not been included within the Suffolk Onshore Scheme Boundary. Given that it is known this temporary access would be required, this is considered an omission which should be addressed.
- 1.4. It is important that all temporary and permanent access arrangements are included within the Suffolk Onshore Scheme Boundary, including means of access for any early works in advance of formal commencement.

### *Net Gain Commitment – 1.1.8*

- 1.5. National Grid has committed to a minimum of 10% Biodiversity Net Gain (BNG) across the project. Whilst this commitment is welcomed, as the project has two distinct geographic locations (Suffolk and Kent) it must be ensured that a minimum of 10% BNG is delivered in both areas. Delivery of greater BNG should not be proposed in one location at the expense of the other.

### *Key Legislation*

- 1.6. ESC fully supports the Secretary of State’s decision to issue a Direction that confirmed the project should be treated as a development for which a Development Consent Order (DCO) under the Planning Act 2008 is required. ESC requested that National Grid seek a Direction and provided a letter of support to be submitted with the application.
- 1.7. ESC notes the key legislation identified in section 1.2.2 and welcomes the recognition of the draft National Policy Statements EN-1 and EN-5, which ESC considers will be important and relevant, in addition to any further draft versions published.

### *Main Alternatives Considered – Section 1.3*

- 1.8. The converter station site options areas are all identified on the basis that the infrastructure should be within a 5km radius of the network connection point (paragraph 1.3.4.16). The connection sites explored were at Sizewell, the proposed Friston substation, and a new connection location on the existing 400kV overhead lines. Connection at the proposed Friston substation was identified as the Sizewell options were considered too constrained and *‘connecting into a new connection point in the area, with an associated additional substation, was not preferred’*. This however does not consider that the proposed Friston substation is subject to two legal challenges, the outcomes of which are not yet known. If for example, the East Anglia One North and East Anglia Two DCOs are quashed, the Friston site would also comprise ‘a new connection point in the area’ and therefore be considered in the same light as new connection points elsewhere.
- 1.9. It is essential that National Grid commits to further consideration of their site options assessment following the High Court’s decision on the Judicial Reviews, and dependent on the outcomes, this may require the assessment to be retaken. Without this commitment, the requirement to consider alternatives would be based on incorrect assumptions regarding the proposed Friston connection site.

## *Stakeholder Engagement*

- 1.10. ESC welcomes the additional work National Grid has undertaken to consider the concept of co-location of converter stations, shared cable corridors, and consolidation of landfalls (paragraph 1.3.4.67). ESC comments stated above similarly apply to the work undertaken; the site options considered for co-location are based on the assumption that the Nautilus and Eurolink projects are connecting to the grid at the proposed Friston substation. As the outcome of the legal challenges is not yet known, this work will need to be revisited and potentially re-assessed, dependent on the decision from the High Court.
- 1.11. ESC would like to emphasise that we requested all opportunities for coordination be explored during all phases of the development, both pre and post consent. This will extend beyond just co-location opportunities, although this is a fundamental consideration.

## *Project Description – Section 1.4*

- 1.12. Paragraph 1.4.2.4 states that the proposed works at the Friston substation would comprise the installation of one Air Insulated Switchgear (AIS) bay, alternatively paragraph 1.4.2.5 states that if the Friston substation consented under the East Anglia One North and East Anglia Two offshore windfarms does not come forward, a new AIS substation would be constructed. The comments made above regarding the Judicial Reviews on the East Anglia One North and East Anglia Two DCOs apply, and therefore the project description in paragraph 1.4.2.5 may need to be revisited subject to the High Court's decision.
- 1.13. If the High Court's decision is found in favour of the Secretary of State, or the decision does not affect the consented DCOs under which the proposed Friston substation is granted, it is considered that the project description should include the option to deliver an AIS or Gas Insulated Switchgear (GIS) extension/bay or new substation. The East Anglia One North and East Anglia Two DCOs included the option of delivering a GIS or AIS National Grid substation. It has not yet been confirmed publicly what technology the proposed Friston substation will utilise and therefore it would be appropriate to ensure both options remain available.
- 1.14. The inclusion of this flexibility is considered especially important with the potential development of GIS substations which are not reliant on sulphur hexafluoride (SF<sub>6</sub>). The assessment should include consideration of the use of GIS technology to reduce the footprint of the infrastructure.



- 1.15. Whilst it is appropriate that the assessment takes account of whether the proposed Friston substation comes forward under the East Anglia One North and East Anglia Two DCOs or as a new substation proposed under this project, the assessment should include consideration of the use of GIS technology to reduce the footprint of the infrastructure.
- 1.16. The comments provided going forward within this document are made notwithstanding the comments regarding the proposed Friston substation and the potential need for further consideration of the grid connection location and site selection options following the outcome of the Judicial Reviews, which will continue to apply.
- 1.17. Table 1.4.1 provides a summary of the typical characteristics of High Voltage Alternating Current (HVAC) cables in Suffolk. The Council welcomes the inclusion within the assessment of the provision of up to 12 ducts. Coordination of the corridors and cabling works for the HVAC cables between the converter station site and National Grid substation is essential. It would be helpful if details were provided as to the typical characteristics of a coordinated HVAC cable corridor above just that of the potential width.
- 1.18. Paragraph 1.4.2.10 states that the proposed converter station would be up to 10 hectares and 30m in height. ESC would like to take the opportunity to highlight that comprehensive and detailed justification will be required as to why the converter station for the proposed project is required to be this size when other similar converter stations for other projects are lower and occupy approximately half the footprint. Similarly robust justification will be required as to why the cable corridor for the project alone HVAC cabling needs to be 60m, ESC has experience of the East Anglia One North and East Anglia Two projects which proposed corridors widths of around half the width proposed by the Sea Link project.
- 1.19. ESC notes Table 1.4.2 provides details of the typical characteristics of HVDC underground cabling for Suffolk and welcomes the commitment in paragraph 1.4.2.13 to explore the ability to install cable ducts for other projects. Details of the characteristics of the coordinated HVDC cabling options would be welcomed. Also, similarly to the HVAC cabling, robust justification needs to be provided for the proposed cabling widths and why they cannot be reduced.

#### *Construction – 1.4.3*

- 1.20. ESC notes Table 1.4.5 provides an indicative construction programme for the Project based on the premise that the proposed Friston substation is constructed under the East Anglia One North and East Anglia Two DCOs. This identifies that construction could begin in 2026 and continue into 2030. The construction works could therefore coincide with the

construction works associated with several other consented and proposed NSIPs. The full cumulative impacts of the potential simultaneous or sequential construction programmes on the environment and local community needs to be carefully and robustly assessed.

- 1.21. ESC notes peak workforce is anticipated to be 300-400 across the project.
- 1.22. The enabling works and access and site preparation works identified within paragraphs 1.4.3.5 to 1.4.3.11 are noted. Given that enabling works are often sought to be undertaken pre-commencement, ESC would like to highlight at this early stage that the local authority is likely to require appropriate management of these works through a separate management plan, if the main management plans are not triggered until commencement.
- 1.23. Paragraph 1.4.3.9 discusses possible reuse of aggregate; in addition to removal of the aggregate to an appropriate facility, consideration should also be given to retention or reuse by another project in the locality.
- 1.24. ESC's comments in paragraphs 1.13 to 1.16 apply to paragraph 1.4.3.12 which describes the proposed Friston substation construction works.
- 1.25. Paragraph 1.4.3.15 states that the construction of a new National Grid substation at Friston would take approximately 18-24 months. It was understood under the East Anglia One North and East Anglia Two applications that this work could be spread over a four-year period due to the need to time the works with outages. ESC would welcome confirmation and clarification if there has been further refinement of the construction timescales since the granting of the East Anglia One North and Two DCOs.
- 1.26. Paragraph 1.4.3.29 states that the proposed HVAC and HVDC cables will typically be undertaken in an 80m and 40m wide working width respectively. ESC requires the minimal working width necessary to reduce the impact on the environment and local communities. Justification will be necessary to address to why 80m and 40m working widths are necessary when similar projects have demonstrated that they can achieve much narrower working widths. ESC also requests, as previously stated, that all opportunities for coordination are explored which includes consideration of the relative timings of the projects i.e., simultaneously or consecutively, and the potential for shared or coordinated cable corridors to reduce the impacts caused during construction.
- 1.27. Paragraph 1.4.3.46 confirms that no decision has yet been reached as to whether the landfall will be constructed using trenched or trenchless techniques. ESC supports further

investigations into trenchless techniques to reduce the impacts on the coastal environment and designated habitats.

#### *Decommissioning – 1.4.6*

- 1.28. Decommissioning of the proposed Friston substation (paragraph 1.4.6.1), dependent on the number of connections, could become quite complex and requires careful consideration of any decommissioning plans.
- 1.29. Further clarification is necessary to understand the relationships between the relative lifespans of the National Grid substation in comparison to the converter station. Paragraph 1.4.6.2 states that refurbishment and plant replacement could extend the life of the converter station beyond 40 years, whilst the lifespan of the National Grid substation is stated to be 40 years only. In addition to this, how will decommissioning of the National Grid substation also be managed when it connects multiple projects to the grid and is therefore subject to multiple DCOs.
- 1.30. Paragraphs 1.4.6.5 and 1.4.6.6 refer to different methods to decommission the onshore cables and marine cables. Full consideration of the impacts of the different techniques is required.

#### *EIA Approach and Methodology – Section 1.5*

- 1.31. Paragraph 1.5.2.3 references the need to identify environmental effects and, if any, propose project specific mitigation measures to avoid, reduce, or offset adverse environmental effects. The means to prevent the effect should also be included in this hierarchy.
- 1.32. The need for the Rochdale Envelope approach ahead of detailed design of the project is noted and accepted (paragraph 1.5.2.5). Whilst this is accepted to ensure a realistic ‘worst case’ assessment, it is essential that there is a commitment from the developer that all reasonable efforts will be made post consent to seek reductions in the parameters set on the ‘worst case’ basis. The developer should seek to achieve the delivery of a ‘best-case’ project to reduce the actual impacts of the project.
- 1.33. Further clarification will be required in relation to the definition of temporary and permanent effects provided in paragraph 1.5.3.7. Whilst there are some effects that will cease when the activity or work is stopped or removed, the activity will occur over such an extended period of time that they should be considered permanent in assessment terms.

1.34. ESC notes that major and moderate effects are typically considered to be significant in EIA terms whilst minor and negligible effects are not significant (paragraph 1.5.4.12). ESC welcomes the acknowledgement that when intra-project cumulative effects are taken into consideration, individual not-significant impacts could become significant when their interrelationship is assessed (paragraph 1.5.5.3).

1.35. ESC notes the approach to be taken to assessing inter-project cumulative effects. Whilst the approach to the Zone of Influence (ZOI) is noted, this is reliant on the original area within which potential effects of the project will occur being accurately set. Further comments on this will be provided within the topic specific sections of this response.

1.36. ESC has noted some errors and points of clarification in Appendix 1.5.A which have been outlined below. It would also be helpful in the future if the lists relevant to the Suffolk and Kent onshore areas could be more clearly separated.

- The distance identified between the East Anglia Two project and the Sea Link Suffolk Scoping boundary states 1.62km, this is incorrect as the two areas overlaps at specific locations, this also conflicts with the distance identified for East Anglia One North.
- The East Anglia One North project has been incorrectly identified as not being within the Suffolk Onshore Scheme ZOI.
- The distance between the Nautilus project and Suffolk Scoping boundary is 0.66km, again given the same connection location has been identified for both projects this needs clarification and amending.
- It is noted that Brightwell Lakes (DC/18/4644/VOC, DC/17/1435/OUT, DC/18/2774/ARM) has been scoped out of the cumulative assessment as the development is outside the ZOI. Dependent on where the construction vehicles for the Sea Link project originate from, there could be cumulative impacts on shared junctions on the A12 and therefore further consideration should be given to this project.

## 2. Volume 1 Main Text – Part 2 Suffolk Onshore Scheme

### Evolution of the Suffolk Onshore Scheme 2.1

2.1. As stated in paragraphs 1.9 and 1.10 of this response, the identification of the proposed Friston substation as the preferred grid connection location does not take into consideration the existing Judicial Reviews and their outcomes. The network connection point will need to be reviewed considering the High Court decision and any subsequent

decision made in the higher-level courts, should the matter be progressed. The converter station option areas were identified based on the grid connection at the proposed Friston substation, and therefore the siting options will need to similarly be reviewed and potentially a new siting and routing options assessment undertaken dependent on the outcome of the legal challenge.

- 2.2. ESC fully supports the undergrounding of the HVAC and HVDC cabling which is committed to in paragraph 2.1.5.21.
- 2.3. ESC welcomes the work that the developer has undertaken with National Grid Ventures to explore opportunities for coordination in terms of the converter site, landfalls, and terrestrial cable corridors.
- 2.4. Paragraph 2.1.9.1 does not include the connection infrastructure required for the development in the form of extensions to the proposed Friston substation or the potential construction of a new substation. The project description does not refer to the potential to lay ducting for future projects which was referenced in paragraphs 1.4.2.8 and 1.4.2.13.

## Landscape and Visual 2.2

- 2.5. The Scoping Report makes appropriate reference to relevant landscape related policy both at National level and District Council level (paragraphs 2.2.2.3 to 2.2.2.13). It is noted and accepted that the District Council's Settlement Sensitivity Assessments should be discounted because of their specific reference to housing and commercial development scenarios with no accommodation for energy related projects of the type under consideration (paragraph 2.2.2.11).
- 2.6. Due reference is also made to Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) planning practice guidance documents (paragraph 2.2.2.12), the AONB boundary line, the presence of Tree Preservation Orders, and Ancient Woodlands (paragraph 2.2.4.6). Other designations are also considered but scoped out of the Landscape and Visual Impact Assessment (LVIA) as not being of specific landscape relevance in respect of this assessment (paragraph 2.2.4.9). These assumptions are noted and understood.
- 2.7. The full suite of landscape character assessments from National level to District level is listed as part of the assessment, together with the relevant Seascape Character Assessments; also noted and accepted (paragraphs 2.2.4.12 to 2.2.4.17).

- 2.8. In addition to the seascape character documents identified, the developer should note and include reference to the Suffolk, South Norfolk, and North Essex Seascape Character Assessment ([LDA Report Template \(suffolklandscape.org.uk\)](http://suffolklandscape.org.uk)).
- 2.9. The scope of the visual impact assessment in terms of potential receptors is comprehensive and noted (paragraph 2.2.4.20).
- 2.10. The initial locations of representative viewpoints for the converter sites are shown in Figures 2.2.9 and 2.2.10 are noted but it is recommended that final positions are micro-sited on site to ensure that the given view is a genuine representation of the locality and not unnecessarily reliant on minor instances of screening vegetation that are not generally typical of the locality. Similarly, the limitations of using Zone of Theoretical Visibility (ZTV) for locating viewpoints should be understood and final positioning should be determined by on-site observation. ESC would therefore reserve the right to request the inclusion of additional or revised viewpoints.
- 2.11. The Council is concerned that Figures 2.2.9 and 2.2.10 show that same viewpoints for both Converter Station option sites plus their respective cable route options. This seems to suggest that viewpoint options for each alternative were compromised to achieve this uniformity across both main alternatives. The Council advises that this combined suite of viewpoints be reviewed to ensure that they have specific relevance to each project and that additional ones be added where it is apparent that there may be gaps in the informative.
- 2.12. None of the viewpoints relate to the grid connection works proposed. ESC recommends that the site of the proposed Friston substation is appropriately assessed, and viewpoints included for this purpose.
- 2.13. In addition to the representative viewpoints, the Council expects the inclusion of illustrative viewpoints including both photomontages and wireframes in order to demonstrate the widest understanding and depiction of the projects, not least of all for improved public understanding of what is being presented. Further, if new landscape planting is being relied on in mitigation for significantly adverse effects, this should be realistically shown in viewpoint illustrations. For the avoidance of doubt, anticipated growth rates of any new planting that is relied on to mitigate significantly adverse effects should be discussed and agreed with the Council prior to being depicted in illustrations.

### *Visualisations*

- 2.14. The principle of visualisations being based on maximum development parameters is noted and accepted (paragraph 2.2.4.31). The inclusion of any proposed mitigation planting must be realistic to ensure that the effectiveness of this planting is represented as accurately as possible. It is therefore requested that the growth rates for the planting are agreed with ESC prior to the preparation of the visualisations.
- 2.15. It is not accepted as stated in paragraph 2.2.4.32 that the extensions to the National Grid substation are minor, especially when considered cumulatively with the development consented under the East Anglia One North and East Anglia Two DCOs. Volume 1 of the Scoping Report also discussed the possibility, should the proposed Friston substation not come forward, for the application to include a new National Grid substation in this location. Appropriate visualisations should therefore be prepared to consider the landscape and visual impacts at this site.

### *Embedded and Control & Management Measures – 2.2.5*

- 2.16. The consideration of embedded and control and management measures in respect of potential mitigation provision is noted. Where reliance is placed on new planting to restore lost landscape fabric or to achieve screening benefit, full acknowledgement will need to be given to the potential limitations of achieving successful new planting in East Anglia given the recent trend for prolonged rainless periods of weather in the critical spring and early summer period. Such risks to successful plant establishment will need to be fully acknowledged and accounted for in planting strategies and specifications.
- 2.17. The outline control measures for protecting landscape features during construction are noted as the basis for further discussions. In paragraph 2.2.5.4 it is stated that a five-year aftercare period will be established for all reinstatement and mitigation planting. Whilst it is accepted that this may be an appropriate period for the hedgerow planting, a longer period is considered necessary to ensure the successful establishment of the landscaping which is likely to be necessary around the converter station sites and potentially proposed Friston substation. Due to the risks to successful planting establishment described above, ESC wishes to highlight the need to consider adaptive management measures.
- 2.18. It should be noted that all important hedgerows within the onshore area should be identified in accordance with the Hedgerow Regulations 1997.

2.19. In respect of potential impacts outlined in Table 2.2.6, the Council has some concerns regarding the following assumptions:

- *Operational lighting at converter stations* - This has been scoped out as being of limited potential for significant effects partly because of the context of existing settlements. This does not seem to be a safe assumption given the relatively isolated location of potential converter station sites away from existing settlements. This assumption will need further justification.
- *Operational extension to the proposed Friston substation* – This has been scoped out as it is considered there is less potential that significant effects will result on the landscape character or visual amenity. The Examining Authority took a different view when considering extensions to the proposed Friston substation in relation to the Nautilus and EuroLink projects during the East Anglia One North and East Anglia Two examinations. The Examining Authority’s conclusions taken from the Secretary of State’s letter (paragraph 5.21) are set out below:

*‘The extension of National Grid Substation Appraisal demonstrated a significant worsening of potential adverse effects for relevant VPs and for landscape character. The extension of the National Grid substation would intensify and worsen the effects of the Proposed Development on both the local landscape and on visual receptors.’*

There is also no consideration of the potential need for a new substation to be constructed should the proposed Friston substation not come forward under separate DCOs. It is essential that the cumulative impacts of the project with the consented East Anglia One North and East Anglia Two projects and proposed Nautilus and EuroLink Multi-purpose Interconnectors are understood and assessed ensuring that any further mitigation required is delivered. The scoping out of the impacts of the connection works is not accepted or considered justified.

2.20. The described Landscape and Visual Impact Assessment methodology is accepted. It would however be helpful to include a definition of short, medium, and long term.

2.21. A construction and operational lighting plan should be developed to consider, manage and mitigate the impact from temporary and fixed lighting associated with the construction and operation of the infrastructure.



## Ecology and Biodiversity – 2.3

- 2.22. ESC broadly agrees with the scope of the ecological assessments to be included within the EIA. The Council does however have some comments on the detail of some of the ecological receptors and proposed assessments identified within the Scoping Report which will need to be addressed in the assessments.
- 2.23. Paragraph 2.3.2.5 and 2.3.2.6 reference Biodiversity Net Gain and the Council's previous comments in paragraph 1.6 of this response apply.

### *Statutory Designated Sites*

- 2.24. It appears that there may be statutory designated sites missing from the list of those identified in Table 2.3.1, for example Snape Warren Site of Special Scientific Interest (SSSI) does not appear to be listed despite being within 5km of the Suffolk Onshore Scheme area. It should also be noted that The Haven, Aldeburgh is a Local Nature Reserve (LNR) not a National Nature Reserve (NNR) as referenced in Table 2.3.1.
- 2.25. Also, please ensure that all interest features of the identified designated sites are considered as part of the assessment. For example, section 2.3.4.26 identifies that the Outer Thames Estuary Special Protection Area (SPA) is designated for wintering red-throated diver (*Gavia stellata*), whilst this is correct the SPA is also designated for breeding common tern (*Sterna hirundo*) and little tern (*Sternula albifrons*) which must be included as part of the assessment.

### *Non-statutory Designated Sites*

- 2.26. It is noted that data on County Wildlife Sites (CWSs) and Roadside Nature Reserves (RNRs) is still being collected from Suffolk Biodiversity Information Service (SBIS), it must be ensured that this information is incorporated into the scoping considerations set out in Tables 2.3.4 to 2.3.8 so that potential impacts on such sites are fully assessed.

### *Protected Species (Surveys)*

- 2.27. Bats - Section 2.3.4.34 identifies that bat activity surveys will be undertaken on all habitats where permanent infrastructure will be built along the route. It is considered that such surveys must also be undertaken on all habitats which will be temporarily impacted by the proposed development as well, as such construction can result in temporary impacts which occur for relatively long periods of time (such as hedgerow removal and replanting as part of cable installation).

2.28. Hazel Dormouse – Whilst hazel dormouse is included as a consideration within Tables 2.3.4 to 2.3.8, they are not listed as a species to be surveyed for in section 2.3.4.3. It is noted that the consideration of this species in section 2.3.4.35 states that no records of this species were returned from the desk study area, however a record does exist from approximately 1km to the west of the Suffolk Onshore Scheme Scoping Area Boundary (Figure 1.1.2 Rev 6 in Volume 3) and therefore it is considered that surveys for this species should be undertaken where suitable habitat is present and likely to be impacted by the proposed development.

#### *Survey Methodologies*

2.29. All ecological surveys must be undertaken by suitably qualified ecologists following published best practice guidelines. Survey methodologies, coverage, and locations should be agreed with the Local Planning Authority prior to survey work commencing.

#### *Potential for Significant Effects*

2.30. Clarification is required as to why Tables 2.3.4 to 2.3.8 do not scope in protected and notable species as receptors for the permanent habitat loss (terrestrial) impact pathway. Given the number of options currently included, it appears that permanent habitat loss which impacts on protected and notable species could occur as part of the development and therefore this must be included as part of the assessment.

#### Cultural Heritage – 2.4

2.31. Paragraph 2.4.2.3 identifies the Local Policy Framework applicable to the consideration of heritage assets. Whilst the reference to the East Suffolk Council Local Plan is correct, the policies identified are not current. The relevant policies have been listed below:

- Policy SCLP10.4: Landscape Character
- Policy SCLP11.1: Design Quality
- Policy SCLP11.3: Historic Environment
- Policy SCLP11.4: Listed Buildings
- Policy SCLP11.5: Conservation Areas
- Policy SCLP11.6 Non-Designated Heritage Assets
- Policy SCLP11.7: Archaeology
- Policy SCLP11.8: Parks and Gardens of Historic Landscape Interest

2.32. ESC notes the 1km buffer boundary identified on Figure 2.4.1 and the heritage assets identified within this area listed within Appendix 2.4.A. There are however some assets

which have not been included within the tables which ESC considers should have been. These have been listed below:

- The Watch-House, Sizewell Gap, Leiston (Grade II Listed Building)
- Ogilvie Homes, Leiston Road, Aldringham (Grade II Listed Building)
- Southview, Mill Lane, Aldringham (Grade II Listed Building)
- The Ogilvie Almshouses, Church Lane, Aldringham (Grade II Listed Building)
- Church of St. Andrew, Church Lane, Aldringham (Grade II Listed Building)
- The Pantiles, Aldringham (Grade II Listed Building)
- The Watch-House, Sizewell Gap, Leiston (Grade II Listed Building)
- 24 Westward-Ho, Leiston The Watch-House, Sizewell Gap, Leiston (Grade II Listed Building)
- Fisher's Farmhouse, Abbey Lane, Leiston (Grade II Listed Building)
- Retreat House, Abbey Road, Leiston (Grade II Listed Building)
- Barn at Abbey Farm, Abbey Road, Leiston (Grade II Listed Building)
- The Guesten Hall at Abbey Farm, Abbey Road, Leiston (Grade II Listed Building)
- Moat Farmhouse, Moat Road, Theberton (Grade II Listed Building)
- Peakhill Cottages, Theberton Road, Kelsale (Grade II Listed Building)
- Elm Tree Farmhouse, Aldeburgh Road, Aldringham (Grade II Listed Building)

2.33. Although Conservation Areas have been identified within the criteria for assessing the value of heritage assets – Table 2.4.7 and mentioned briefly in paragraph 2.4.4.5, the potentially affected Conservation Areas have not been specifically identified within the Scoping Report. ESC wishes to highlight that it will be expected that Conservation Areas are considered within the assessment, specifically Saxmundham, Aldeburgh and Thorpeness Conservation Areas.

2.34. The sources of construction impacts are noted in paragraphs 2.4.6.5 and 2.4.6.6 which include both the converter station and substation impacts on the setting of heritage assets. Paragraph 2.4.6.7 identifies the sources of operational impacts and whilst the new converter station is highlighted, the extension to the proposed Friston substation is not, nor is the possibility of a new substation referenced. Table 2.4.1 however confirms that the converter and substation infrastructure has been scoped in. Consideration should also be given to the need for a new substation, should this be necessary.

2.35. Direct and indirect impacts through the alteration of the historic landscape should also be considered and scoped in. There is a significant amount of information available in relation to the historic landscape character of the Friston substation site submitted as part of the East Anglia One North and East Anglia Two DCOs. Appendix 1 of the Council's joint Local Impact Report written in relation to the East Anglia One North and East Anglia

Two projects provides an assessment of the historic landscape of Friston and Knodishall ([EN010077-002772-DL1 - Suffolk County Council - LIR.pdf \(planninginspectorate.gov.uk\)](#)). Whilst paragraph 1.4.A.3.2 in the Appendices has been noted. ESC requests that known non-designated assets not yet on the HER should be considered within the assessment.

- 2.36. ESC would also like to highlight Sloe Lane and Nuttery Lane, whilst also not recorded on the HER these are historic roads, the impact of the proposals on these assets should be considered.

#### Water Environment – 2.5

- 2.37. ESC will primarily defer to the Lead Local Flood Authority and the Environment Agency for their technical review of this section of the Scoping Report. The Council would however like to take the opportunity to highlight the importance of adequately and robustly assessing flood risk from all forms of flooding including surface water flooding. Reviewing the converter station sites on the Environment Agency's surface water flood map identifies several flow water paths which could be affected by the project.
- 2.38. In relation to the grid connection location, there is a significant amount of published material available on the Planning Inspectorate's website submitted as part of the East Anglia One North and East Anglia Two DCO examinations. Friston village has been subject to surface water flooding on a number of occasions. A Surface Water Management Plan (SWMP) for the catchment of Friston village was commissioned by Suffolk County Council (SCC) as the Lead Local Flood Authority. This includes a detailed assessment of the catchment topography and characteristics to accurately model surface water flow paths. Dependent on whether the Sea Link project seeks extensions to the proposed Friston substation or proposes a new substation, there is potential for the development to interact with the flow paths identified by the SWMP.
- 2.39. The project will also have implications for the drainage solutions identified at the Friston site including requiring the removal of one of the consented drainage basins to accommodate the National Grid extensions. It is essential the full cumulative impacts of the developments are carefully assessed and fully understood.
- 2.40. The Council notes that the operational impacts of the projects have been scoped out of the assessment. This is not supported or considered to have been sufficiently justified within the Scoping Report. Operational impacts associated with the projects should be scoped in.

## Geology and Hydrology – 2.6

- 2.41. ESC will primarily defer to the Environment Agency for their technical comments on this section of the Scoping Report in relation to groundwater matters.
- 2.42. There is an expectation that land within the development area will be subject to assessment for land contamination in line with relevant guidance and legislation (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) to ensure that contamination is identified and dealt with appropriately in respect of the development and sensitive receptors both onsite and offsite.
- 2.43. The developer should also develop a robust discovery strategy to cover the eventuality that unexpected contamination is encountered and appropriately addressed.
- 2.44. The developer should also take measures to identify Private Water Supplies in the vicinity of construction works so that they can be planned and undertaken in such a way as to prevent impact to those supplies.

## Traffic and Transport – 2.8

- 2.45. Whilst ESC defers to SCC as the Local Highway Authority for their technical input on this section of the Scoping Report, ESC would like to make some high-level comments.
- 2.46. The commitment within paragraph 2.8.3.3 to review the proposed study area for traffic and transport identified in Figure 2.8.1 is welcomed. ESC would like to be included in these discussions given the Council's detailed knowledge of the district and the linkages with effects on air quality. At present it is considered that the study area is too narrowly defined and further consideration of junctions outside of this area will be necessary. For example, the study area does not extend to the A12 and therefore excludes the junctions between the A12 and A1094 and A12 and B1121. The Council would have expected to see the transport impact modelled as far westward as, and including, the A12. It is also considered there is potentially the need to assess network locations beyond the point where the construction traffic would connect to the A12.
- 2.47. As previously identified, the site access to Site 3 has not been included within the Onshore Boundary which should be addressed.
- 2.48. The widening of the study area is considered particularly important due to the potential inter-project cumulative impacts during the construction phase of the project with consented and proposed NSIPs and other major projects. These impacts need to be

carefully considered and appropriately and adequately assessed and mitigated. Assessing the onshore study area only is considered inadequate.

#### Air Quality – 2.9

- 2.49. The developer has considered air quality in respect of vehicle emission issues locally and dust in respect of construction activities.
- 2.50. In respect of dust, the Outline Code of Construction Practice (OCoCP) includes dust in respect of the Construction Environmental Management Plan (CEMP). ESC would welcome inputting into this document. Given the soil conditions in the local area, it is likely dust could be a significant issue and so consideration should be given to Dust Management Plans to ensure that mitigation is designed and deployed appropriately, and these should be approved by the local planning authority.
- 2.51. The developer has stated that a detailed assessment of vehicle emissions is to be scoped out as traffic flows are expected to be below the Institute of Air Quality Management (IAQM) screening criteria but goes on to say that they do not yet know vehicle numbers (Section 2.9.3). As it is an unknown quantity this should remain scoped in. Furthermore, HGV and vehicle numbers are a sensitive issue in respect of cumulative impacts with other projects and so consideration should be given to detailed assessment in respect of that cumulative impact.
- 2.52. The developer has stated that Euro 6 will be the standard for HGVs (paragraph 2.9.5.3), which is welcomed, along with the Construction Traffic Management Plan (CTMP) providing for GPS monitoring of HGVs and the use of authorised construction routes (paragraph 2.8.5.6).
- 2.53. The developer has stated the Suffolk scoping boundary is outside or not close to the Air Quality Management Area (AQMA). This may be the case, but construction related traffic has the potential to cause impact further afield than that assessed, especially if traffic travels through the AQMA at Stratford St Andrew. ESC suggests a wider scoping boundary should be considered, as previously highlighted in this response, to include impacts on the wider road network and potential impacts on junctions, considering cumulative effects with other developments.
- 2.54. It is stated that emissions from Non-Road Mobile Machinery (NRMM) should be scoped out due to the transient nature and incorporation of “best practice measures”. This is premature as there is not yet sufficient detail to state that emissions from NRMM will not be an issue and this will need to be considered further.

## Noise and Vibration – 2.10

2.55. ESC considers that the developer has broadly considered the relevant areas in terms of noise and vibration impact, however further surveys are required moving forward and there is an expectation that the developer will design and manage this project with the minimisation and mitigation of noise and vibration impacts in mind.

### *Construction Noise and Vibration*

2.56. The proposed study area of 300m from construction areas is accepted (2.10.3.2), although this will not prejudice complaints from noise sensitive receptors from further afield in the event the project is consented and implemented.

2.57. The developer has stated that BS5228-1:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Noise and BS 5228-2:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Vibration (BS5228), and specifically the “ABC” methodology of those standards, are to be used in relation to impact from construction noise and vibration. This is accepted as suitable (paragraph 2.10.3.2).

2.58. The developer had committed to Best Practicable Means (BPM), as defined in the Control of Pollution Act 1974 and expanded upon in BS5228: 2009+A1: 2014, in respect of site operations and mitigation for noise and vibration and this is welcomed. It is important that all relevant sections of BS5228 are considered and implemented, including section 8 – Control of Noise.

2.59. The developer has provided an OCoCP which includes noise and vibration management as is expected for this type of development and should be secured in a requirement in terms of compliance. The OCoCP provides a relatively high-level view of noise and vibration management and mitigation and commits for CEMPs to provide the detail in respect of specific works. The local planning authority should have some input into construction activities in terms of mitigation and monitoring for noise and vibration and therefore should be included in approving the CEMPs, if this is not possible and that position is justified there may be a need for a more detailed Noise Management Plan (NMP) as an appendix to the CoCP and consideration of adopting a Control of Pollution Act 1974 Section 61 approvals process.

2.60. The developer should produce a detailed complaints and monitoring plan including when and how they intend to inform the local planning authority, this should form part of the OCoCP, CEMP, NMP, S.61 as appropriate.

- 2.61. The developer has considered noise and vibration from construction traffic, it is assumed this is in respect of highway noise and vibration which is a Highways Authority matter, and that site construction traffic noise and vibration will be considered in respect of the overarching construction noise and vibration requirements under BS5228 and in the OCoCP.
- 2.62. The developer has ascribed significance in respect of construction noise and vibration, and this should be in line with the BS5228 “ABC” methodology as proposed.

#### *Operational Noise and Vibration*

- 2.63. The proposed study area of 1000m from the proposed substation sites and the Friston site is accepted, along with the developer’s emphasis on closer proximity Noise Sensitive Receptors (paragraph 2.10.3.5). In respect to location, the developer is advised that the proposed Friston substation is included in the East Anglia One North and East Anglia Two rating level for the site and as such this is a site wide constraint that they will have to meet.
- 2.64. The developer has proposed BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound (BS4142) in respect of operational noise assessment, and this is accepted (paragraph 2.10.7.14). The developer has also stated that the DCO will contain a requirement with an appropriate noise level, and this will need to be determined as a rating level using BS4142 in order to take account of any acoustic character to sound emissions and importantly to take account of the local context.
- 2.65. In respect of that context, the developer has correctly stated that the majority of the area is quiet, rural, and residential in nature. Therefore, there is potential for the introduction of a 24 hour a day 7 days a week industrial noise source to have significant adverse impact, and this is to be avoided, along with adverse impact mitigated and minimised in line with NPS EN-1 and the Noise Policy Statement for England.
- 2.66. The developer is also required to consider cumulative effects with other committed or consented major projects, principally, but not necessarily limited to, Sizewell C, East Anglia One North and East Anglia Two, as well as other proposed major projects such as Eurolink and Nautilus where there is information available to consider. “Noise creep” is a significant issue with the number of projects both planned and consented and needs to be considered, minimised, and where possible prevented entirely.



2.67. The developer ascribes significance criteria to operational noise in line with NPS EN-1 and states that a significant adverse effect is considered to occur at large or medium magnitudes of impact which Table 2.10.9 describes as a rating level between 5 and 9dB above background and more than 10dB above background respectively. As Significant Adverse Effects are to be avoided it is therefore assumed the developer is expecting to achieve 4dB above background or less as a rating level.

2.68. ESC's current stance on noise from developments of this nature in this district may be summed up by the following condition used in Town and Country Planning Act 1990 applications but is equally relevant here and has been stated for other DCO projects we are involved with:

*Noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.*

2.69. Due to the size of this type of project, the 5dB below background is an aspirational target and one ESC asks developers to consider as the appropriate limit. Deviation from this level will require robust justification and the aim in all cases should be to achieve the lowest possible sound level which we will also require robust justification for. This should be in line with all relevant standards, guidance and policy. The developer is reminded of the overarching principles of NPS EN-1 in terms of noise and vibration; in particular the requirement to mitigate and minimise noise impact although they appear very familiar with these principles which is comforting at this stage. Section 2.10.7.20 also implies that adverse effects will be avoided, and the rating level will be set below background so that the impact is negligible as is "standard practice", if this is the case it is to be welcomed.

2.70. The overall expectation for operational noise is that a robust assessment will be undertaken using BS4142, that an appropriate rating level will be proposed relative to an appropriate representative background sound level, and that it will inform design and mitigation so as to reduce noise impact to an absolute minimum. A requirement in the DCO will be needed, and dependent on the rating level that is proposed, there may be a need for a further requirement with a commitment to reduce that rating level further should it be possible to do so at a later detailed design and implementation stage. The

need to keep impact from operational noise to an absolute minimum cannot be understated and we will require robust justification in reaching agreement.

- 2.71. In terms of scoping, operational vibration has been scoped out and this is accepted, all areas that have been scoped in are agreed. The developer has however stated that noise from switchgear and emergency equipment such as generators and compressors should be scoped out, this is currently not agreed as it will be dependent on the likely frequency, duration, and mitigation for these events and therefore further justification should be provided.

## Socio-economics, Recreation and Tourism – 2.11

### *Study Area*

- 2.72. The scale of the scheme, as indicated in the Suffolk Onshore Scoping Boundary, shows that irrespective of the preferred route and locations for the project, a large swathe of east Suffolk will be affected, whether on a temporary or permanent basis.
- 2.73. In considering the Suffolk Onshore Scoping Boundary, ESC would like to ensure that the impact of the project is not evaluated solely within the boundary limits nor in isolation from the wider district. The Council question whether the 500m and 1km assessment limits described are appropriate (paragraphs 2.11.3.4 and 2.11.3.5), particularly when considering the permanence of the converter station and substation, and the visual impact for example. It is therefore considered that greater distances should be considered. Consideration needs to be given to an assessment of this interdependency and the impacts (including reputational and perceptual impacts) beyond the Suffolk Onshore Scoping Boundary, and the current 500m and 1km assessment limits.
- 2.74. The visitor economy is one of largest economic sectors in east Suffolk and provides a good illustration of how the impact of the scheme extends beyond the boundary limits. There is a high degree of interdependency between visitor destinations, employment, and supply chains within east Suffolk.
- 2.75. A successful visitor economy in east Suffolk is dependent on its reputation as a holiday destination, and the overall experience offered to visitors. The East Suffolk Visitor Economy Strategy identifies that together, the coastline, towns and places, natural landscape, and cultural offer present a compelling experiential proposition for the visitor. Visitors move from destination to destination using the 'B' roads identified within the scoping boundary, employees need to access their employment, and the potential for the displacement of visitors during construction, should not be ignored.

2.76. ESC is concerned that disruption to the visitor experience will have a consequential impact on the perception of east Suffolk as a holiday destination and therefore negatively affect the visitor economy throughout the lifetime of the project.

#### *Planning Policy*

2.77. ESC has recently published two relevant economic strategies which should be considered within the assessment:

- East Suffolk Economic Strategy 2022 – 2027 (Link)
- East Suffolk Visitor Economy Strategy 2022 – 2027 (Link)

2.78. In addition, ESC has commissioned a Cultural Strategy which is due to be published in early 2023.

#### *Baseline Conditions*

2.79. The baseline assessments draw heavily on desk-based research and digital modelling for the identified receptors:

- Employment levels in East Suffolk
- Local economy within East Suffolk
- Users of public rights of way and recreational routes
- Local communities
- Residential properties
- Businesses
- Visitor attractions
- Development land

2.80. Whilst the identified receptors conform with expectations, ESC believes that there is a need for caution as an over reliance on desk-based research and digital modelling could present a 'two-dimensional' assessment of the baseline. Field assessments including visitor, business, and resident surveys should be conducted to establish a baseline for some of the more qualitative or intangible impacts of the scheme. Especially, the perception of business owners and visitors towards the scheme, the impact on the visitor experience and reputation throughout the project life cycle, and the impact on the movement of residents and visitors during the construction phase.

#### *Potential for Significant Effects*

- 2.81. The Council agrees with the identified sources and impacts that are likely to occur during the construction, operation, maintenance, and decommissioning of the project.
- 2.82. ESC agrees with the identified effects, and degree of effects, on the socio-economic, recreation, and tourism activities within east Suffolk. However, there needs to be additional consideration given to the combined or cumulative effect of other potential and confirmed construction projects such as Sizewell C, onshore infrastructure in support of the wind farms (East Anglia One North and East Anglia Two), and the proposed Eurolink and Nautilus projects. If the landfall at Aldeburgh is taken forward for Sea Link and the interconnectors and construction works overlap, there will be a significant concentration of construction work and associated vehicle movements in this honeypot location. If the timing of this work coincided with the peak tourist season, this would cause significant additional traffic pressures in the area. The resultant traffic pressure in addition to the disruption caused by the construction works could have significant impacts on local tourism. Consideration must be given to the timing of the works within the assessment. The implications of restricting the timings of the work would then need to be considered carefully within different topic areas of the EIA and balanced against any other associated impacts.

*Effects - Construction, maintenance, and decommissioning*

- 2.83. It is noted that the project will generate direct and indirect temporary employment, training, and apprenticeship opportunities, both on site and in the supply chain during the construction, maintenance, and decommissioning phases. The Council would like to be reassured that any direct or indirect employment opportunities are accessible to the resident population of East Suffolk, and that any potentially negative effects on employment within the visitor economy and wider business population are suitably assessed and mitigated.
- 2.84. It is agreed that the employment and wider economic activity created during the construction, maintenance and decommissioning phases will generate Gross Value Added (GVA) within the local East Suffolk economies. ESC would however need to be reassured that the additional GVA created through the scheme is not negated by adverse impacts on the wider economy. The Council also considers that the assessment should consider the net gain in GVA, and not only assess the direct and indirect contribution of the scheme but also examine any potentially negative impact on GVA within the wider economy.
- 2.85. It is noted that disruption to public rights of way network or other recreational routes during the construction maintenance and decommissioning phases would be avoided as far as possible. Where necessary, suitable diversions would be agreed with SCC. Whilst

diversions may be unavoidable, the impact of re-routing traffic, and potential delays needs to be explored, particularly regarding the impact on businesses, and the visitor experience.

- 2.86. ESC notes that a number of residential properties, local businesses, visitor attractions, community facilities, open spaces, and development land allocations have been identified within the study area which could be impacted by land take or amenity impacts. Any impacts should be temporary whenever possible and affected receptors should be suitably consulted and engaged with during the life cycle of the scheme.

### *Effects – Operation*

- 2.87. The Scoping Report states that the scale of operational employment generated is likely to be very limited. The energy sector, both onshore and offshore, is a significant employer in East Suffolk, and the opportunities to attract the current and future workforce into high-skilled, high-value employment within the sector should be explored during the operational phase. The scale of operational employment generated is identified as likely to be very limited and therefore any effect on GVA will be small. However, the lasting impact on indirect employment and business vitality within other key sectors should be explored, ensuring that the scheme delivers a net gain in GVA during the lifetime of the project.

### *Proposed Assessment Methodology*

- 2.88. ESC has commented on the data sources and requests that recent economic and tourism strategies are considered within the assessment. Consulting with local stakeholders is also important, providing additional qualitative dimension to the analysis. ESC strongly agrees that the assessment methodology should entail the following:

- *Assessment of the likely scale, permanence and significance of effects associated with socioeconomics, recreation & tourism receptors; and*
- *An assessment of the potential cumulative impacts with other projects within the surrounding area.*

- 2.89. ESC also agrees with the statement that the socioeconomics, recreation, and tourism effects of the scheme will be assessed on:

- *Consideration of sensitivity to impact... and that 'the assessment will need to take account of the qualitative sensitivity of each receptor and, in particular, their ability to respond to change based on recent rates of change and turnover (if appropriate); and*

- *Scale of impact: this entails consideration of the size of the impact on people or business in the context of the area in which effects will be experienced.*

#### Health and Wellbeing – 2.12

2.90. ESC refers back to comments made in previous sections of this response as this topic area is influenced by technical assessments made in a number of other chapters of the EIA. It is considered that flood risk should also be taken into account.

2.91. The developer will be aware that effective community engagement and complaint response (and where appropriate resolution) is a key part of all stages of large-scale projects, including Sea Link. The nature of community engagement by a developer can have a significant impact on the local communities' experiences. The project should have well developed community engagement and complaint procedures, the latter should include notification to the local planning authority within a reasonable time period.

#### Cumulative Effects – 2.13

2.92. The previous comments highlighted within this response which relate to cumulative effects are relevant to this chapter of the Scoping Report. Section 2.13.3 sets out the methodology to be used for inter-project cumulative effects. The commitment in paragraph 2.13.3.2 by the developer to regularly review and update the list is welcomed.

2.93. Further clarity is sought regarding the topics to be included within the inter-project cumulative assessment. Table 2.13.2 identified study areas for some environmental topics, not all the topics have however been included within the table. Further clarification is required as to whether if a study area has not been identified, this then scopes the matter out from consideration within the assessment? The Council would like to make it clear that all topic areas should be included within the inter-project cumulative assessment given the current proposals for co-location of infrastructure with the Nautilus and Eurolink projects, notwithstanding the recently consented NSIPs in the locality. The topic areas which currently appear to be missing from the assessment are socio-economic, recreation and tourism, and health and wellbeing. These should be included.

2.94. ESC considers that further justification is required for the ZOI identified. Previous comments within the topic specific sections of this response are applicable.

2.95. Paragraph 2.13.3.5 states a 20km ZOI will be utilised to establish the long list of developments. Whilst that may be appropriate for major planning applications it is

considered that a larger ZOI is utilised in relation to NSIPs due to their scale and associated impacts.

2.96. ESC considers that amendments are necessary to Table 2.13.3 in relation to the distances between the projects and Sea Link's Project Scoping Boundary, particularly in relation to those which would share a connection location under the current proposals. The table has omitted reference to East Anglia One North, although East Anglia Two has been included. As stated above, it is considered that this list should include NSIPs within a wider search area.

2.97. It is welcomed that the list of projects to be included within the cumulative assessment will be continually reviewed.

2.98. ESC wants to highlight within the section on cumulative effects that the grid connection site at Friston is subject of a masterplan. Any future connections or works at Friston will need to carefully consider the implications of the works on the masterplan for the site, in addition to carefully considering the in-combination effects of the proposals. It is essential that the developer understands the sensitivity of the connection site. In the Examiner's Report on East Anglia One North and East Anglia Two the Examining Authority observes:

*'... that effects of the cumulative delivery of the Proposed Development with the other East Anglia development on the transmission connection site near Friston are so substantially adverse that utmost care will be required in the consideration of any amendments or additions to those elements of the Proposed Development in this location.'*

2.99. To accommodate additional extensions to the proposed Friston substation, not only was it acknowledged at the time of the examination that the landscape and visual effects would be intensified, but the development would also remove the land currently identified for a drainage basin. This would therefore require fundamental changes to the masterplan for the site.

### 3. Volume 1 Main Text – Part 4 Offshore Scheme

#### *Physical Environment 4.2 - Coastal Management*

3.1. The size of the site required for the permanent landfall take or during construction has not been specified further clarification on this is required. Table 2.2.6 identifies the sources and impacts; it is essential that an assessment of temporary and/or permanent 'coastal change' as a potential impact on the receptors at the landfall is included.

- 3.2. ESC would like to highlight that the Environment Agency has coastal management responsibility for the shoreline between Thorpeness and Aldeburgh and therefore must be included as a key consultee going forwards.
- 3.3. ESC wishes to raise in reference to paragraphs 4.2.4.1 and 4.2.4.2 that it will be important that National Grid provides a clear methodology as to how the baseline conditions will be surveyed and monitored, in addition to describing how project-induced deviation from the baseline will be ascertained.
- 3.4. The Environment Agency guidance referenced in paragraph 4.2.4.12 seems ubiquitous across the UK, rather than specific to the East Anglian coast. ESC requires the application of site-specific data rather than generic figures within the assessment.
- 3.5. In reference to Table 5.3.1, the Coralline Crag is the key geological receptor and ESC would not support any avoidable disruption of this geological feature.
- 3.6. Paragraph 4.2.4.29 states '*At the preferred Suffolk landfall, there is a net northerly sediment transport. Aldeburgh is situated south of the promontory of Thorpeness, which restricts the southward net littoral drift.*' Further research is needed to support this statement (presumably adapted from SMP7 Appendix C Coastal Processes). Other, more recent, investigations suggest alternative sediment transport directions as listed below:

*The coast between Lowestoft and Orford Ness shows predominantly north to south transport. Localised reversal in net transport is evident at Benacre Ness and also at Thorpeness.* Burningham, H., and French, J. 2016. 'Shoreline – Shoreface Dynamics on the Suffolk Coast' The Crown Estate, 117 pages.

*Divergence of longshore transport may occur locally, likely influencing the high alongshore variability.* Alongshore Variability in the Response of a Mixed Sand and Gravel Beach to Bimodal Wave Direction by John Atkinson & Luciana S. Esteves, 2018.

*Since the net alongshore sediment transport from Sizewell Bay is directed to the south, there must be mechanisms that facilitate sediment to move around the Ness and thereby maintain the beaches at Thorpeness.* Mott MacDonald  
<https://www.coasteast.org.uk/assets/img/1414342.pdf>

- 3.7. ESC welcomes the research into trenchless cabling techniques such as Horizontal Directional Drilling (HDD) to minimise impact on the coastal environment, though some trenching is likely to be required.



- 3.8. Table 4.2.5 identifies erosion estimates for the Aldeburgh to Thorpeness coastline, and ESC requests the source of these erosion estimates be provided. ESC agrees that a desktop study be undertaken to investigate if the impact on the current coastline is significant. ESC would wish to see the desktop approach taken to coastal change assessment by Scottish Power Renewables (SPR) for the proposed East Anglia One North and East Anglia Two projects repeated in this scheme, as an example of good practice.
- 3.9. Paragraph 4.2.4.29 identifies further predicted erosion rates, and ESC requests the source for these forecasted erosion rates be provided.
- 3.10. Paragraph 4.10.4.16 states that there have been 17 bathing areas in the study area, none of the listed bathing areas are in Suffolk. The EA's official list of bathing waters (test sites) is not representative of the popularity of bathing beaches in Suffolk and especially between Aldeburgh and Thorpeness. Other recreational activities such as bathing and dog walking are also popular at Sizewell Gap. More research and consideration is required as to the impact of this scheme on coastal recreation in Suffolk.



The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

**Our ref:** AC/2022/131340/01-L01  
**Your ref:** EN020026  
**Date:** 22 November 2022

Dear Sir/Madam,

## **SEA LINK – SCOPING REPORT**

Thank you for consulting the Environment Agency on the EIA Scoping Report for Sea Link. We have reviewed the Scoping Report as submitted to the Secretary of State on 24 October 2022 and wish to highlight the following comments for consideration.

We note that Part 2 of 7 – Volume 1 – Suffolk Onshore Scheme contains five options for the location of onshore infrastructure in Suffolk. We have not provided a comparison or preference for any option, and instead offer advice that can be applied to the chosen option as appropriate.

### **Water Environment**

We have reviewed sections 2.5 Water Environment and 3.5 Water Environment in the Kent and Suffolk Onshore Scheme documents.

### Flood Risk

We are satisfied with the criteria that has been scoped in, and that the report has identified the relevant flood risk policies from both the East Suffolk Council – Suffolk Coastal Local Plan and the Dover District Council Core Strategy and the Dover District Local Plan. The report also confirms that a site-specific Flood Risk Assessment will be submitted, which will consider all sources of flood risk during both construction and operation and incorporate allowances for climate change.

The scheme incorporates main river crossings, including the Thorpeness Hundred and the River Stour. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

Environment Agency  
Bromholme Lane, Brampton, HUNTINGDON, PE28 4NE.  
Customer services line: [REDACTED]  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

We would oppose the culverting of any watercourses and instead prefer the installation of a temporary clear-span bridge crossing. This is in line with the Environment Agency's anti-culverting policy. We will normally only grant a permit for a culvert if there is no reasonably practical alternative, and if the detrimental effects would be sufficiently minor that a more costly alternative would not be justified or there are reasons of overriding public/economic interest.

### Water Quality

Sections 2.5.5 and 3.5.5 Embedded and Control & Management Measures identifies the measures relevant to the control and management of impacts that could affect flood risk and land drainage within the Outline Code of Construction Practice. We agree with these measures and note that designated shellfish waters are located on the North Kent coast, which increases the need for pollution prevention measures to controlled waters, including groundwater.

We welcome the reference to a Water Framework Directive (WFD) Screening Assessment, the scope of which will be agreed with the relevant stakeholders but will include all those WFD waterbodies with the potential to be affected. We note that 'the assessment will identify how the Project design will avoid waterbody deterioration, as well as any other mitigation necessary'. We consider preventing waterbody deterioration as the minimum requirement and would like the assessment to additionally consider ways that waterbody enhancements can be made through the Project design.

### **Ecology and Biodiversity**

We are satisfied that the appropriate topics have been scoped in. Trenchless construction techniques are proposed as the method for crossing main rivers. This is welcome, as open trenching of a watercourse does bring impacts on species present and potential geomorphological impact. Our concerns include impacts on water voles, direct impact on fish species, issues with diffuse pollution and creation of silt clouds. Opportunities for beneficial restoration at main river crossings should be explored in any construction scenario.

As of 1 October 2022, the Eurasian Beaver (*Castor fiber*) has been granted native species status and is fully protected as a European protected species under The Conservation of Habitats and Species Regulation 2017 in England. Any works that may impact beavers and/or their dwellings/ resting places may require a licence from Natural England.

All measures described within sections 2.5.5 and 3.5.5 Embedded and Control & Management Methods must be strictly adhered to, particularly when working in or near water. The Biodiversity Net Gain assessments for these works must also include a River Condition Assessment where the River Stour is likely to be impacted.

### **Benthic Ecology**

We are satisfied with the topics that have been scoped in which deal with the Physical Environment and Benthic Ecology for the Offshore Scheme, as shown in Tables 4.2.4, 4.2.5 and 4.3.6.

However, it is not clear what method will be used to bring the cables onshore from the subtidal to intertidal area. For all potential methods we request that the potential disturbances are scoped in. If a large vessel being grounded is the favoured option, then we advise that an assessment for this will be required in addition to the normal

assessment of the cable route. The intertidal impact assessment surveys for this must include the maximum potential footprint from a large, anchored vessel on the lower subtidal area of the shore in addition to the footprint of the cable burial corridor across the intertidal mudflats.

We requested a copy of “Environmental Survey Report: SEA Link Marine Survey. September – October 2021. National Grid | October 2022” that is referenced on page 43 of Part 4: Offshore Scheme. We also requested the full data for any subtidal and intertidal surveys that were used to inform this report, including a raw Benthic taxa list. However, we did not receive this before the EIA Scoping Report deadline. After we have reviewed this information, we may have further advice on what needs to be scoped in.

Additionally, we wish to reiterate the need for Horizontal Directional Drilling (HDD) methods crossing the salt marsh area in Pegwell bay. We would oppose a method other than HDD at the chosen landfall as previous trenching damaged features of the site and the site has yet to recover. If a different construction method is taken forward, we would welcome early engagement on this matter.

We are pleased that thought has been given to the cumulative effects of the project. We look forward to reviewing the intra-project and inter-project cumulative effects assessment for the whole lifetime of the projects in due course. We will be particularly interested regarding impacts on the Benthic Ecology and Salt Marsh habitats.

### **Geology and Hydrogeology**

We are satisfied that the appropriate topics have been scoped in which deal with groundwater protection and will provide further relevant details for assessment in the Environmental Statement.

Temporary physical disturbance and changes to watercourse flow regimes (for several months) are likely to require permits from the Environment Agency as temporary physical disturbance and changes to watercourse flow regimes could still have the potential to interrupt or reduce local licensed abstraction if at or upstream of a point of abstraction. Dewatering activities may also require an abstraction licence or transfer licence from the Environment Agency for the same reasons.

We note that the Potential Effect of ‘Changes to groundwater levels, quality and groundwater flow direction caused by dewatering’ to ‘Environmentally sensitive sites, groundwater, GWDTE, surface water’ has been scoped in to the Assessment, as shown in Tables 2.6.2, 2.6.3, 3.6.2 and 3.6.3. We look forward to reviewing this at the appropriate time.

We trust this advice is useful.

Yours sincerely,

**Eleanor Stewart**

**Sustainable Places - Planning Specialist**

Planning.EastAnglia@environment-agency.gov.uk

**Abbie Philpott**

**Sustainable Places – Planning Advisor**

KSLPlanning@environment-agency.gov.uk

**NOTIFICATION OF DECISION OF  
THE LOCAL PLANNING AUTHORITY**

**Date of Decision: 18<sup>th</sup> November 2022**



Email: [planning@folkestone-hythe.gov.uk](mailto:planning@folkestone-hythe.gov.uk)

The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

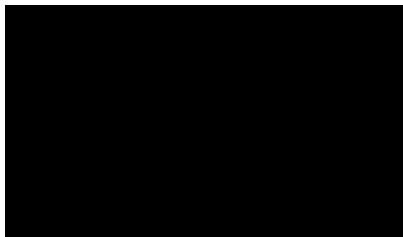
**Scoping Consultation under Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulation – Regulations 10 and 11.**

**Application No: 22/1822/FH**

**Development: Consultation request in respect of EIA Scoping Opinion under regulations 10 and 11 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

**Site Location: Sea Link, South East, Kent**

The Council does not have any comments on the above consultation, in accordance with your request dated 25/10/2022.



**Issued by the Chief Planning Officer**

*This decision notice consists of 1 pages*

**From:** [Jarvis, Neil](#)  
**To:** [South East Anglia Link](#)  
**Subject:** EN020026 - Sea Link - EIA Scoping Notification and Consultation  
**Date:** 09 November 2022 09:40:02  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Dear Mr. Brumwell,

Thank you for consulting the Forestry Commission on this proposal. As the Government's forestry experts we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient \semi natural Woodland as well as other woodland. We are particularly concerned about any impact on Ancient Semi natural Woodland and will expect to see careful consideration of any impact and any weightings which might be applied to any assessments of route options/or site choice. This is because Ancient woodland is an irreplaceable habitat, they have high biodiversity and a long history with many heritage features remaining undisturbed. Paragraph 180 (c) of the National Planning Policy Framework states ;

*'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'*

This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

The Sea Link Environmental Impact Assessment Scoping Report. Volume 1 Main Text. Part 2 Suffolk Onshore Scheme states on page 5, 2.1.5.6 that the Sub Station Site Options Area D and E include two ancient woodlands; Great Wood and Grove Wood.

In addition Table 2.3.4 Suffolk Site Emerging Preferences on page 105, the same ancient woodlands could be impacted by cable installation. Similarly Table 2.3.6. Suffolk Site 3 Emerging Preference on page 110, and Table 2.3.7. Suffolk Site 3 Preference Alternative (Option 1) page 115 and (Option 2) on page 120 all state that the same ancient woodlands could be impacted by cabling.

One of the most important features of Ancient woodlands is the quality and inherent biodiversity of the soil; being relatively undisturbed physically or chemically it is also a major seed bank. Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:

- damaging or destroying all or part of them (including their soils, ground flora or fungi)
- damaging roots and understorey (all the vegetation under the taller trees)
- damaging or compacting soil around the tree

roots

- polluting the ground around them
- changing the water table or drainage of woodland or individual trees
- damaging undisturbed archaeological features or heritage assets

It is essential that the ancient woodland identified is considered appropriately to avoid the above impacts that might be caused by routing cables, stock piles of construction materials. It is also essential that fuels, chemicals, or waste materials such as topsoil, minerals or hard-core are not stored on ancient woodland soils or under the woodland canopy, and due to the irreplaceable nature of ancient woodland most 'temporary' uses will result in irreplaceable damage. We particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

Local Nature Recovery Networks (LNRNs) are now a key part of the Environment Act (2021), and reflects the role of ancient woodland within these wider networks. It is important to recognise their function within the wider local ecological network.

### **Further Information**

In addition to protection of Ancient Semi natural Woodland the UK Forestry Standard (UKFS) sets out the UK government's approach to sustainable forestry and woodland management, including standards and requirements as a basis for regulation, monitoring and reporting requirements. The UKFS has a general presumption against deforestation. Page 23 of the Standard states that: "Areas of woodland are material considerations in the planning process...."

In addition, lowland mixed deciduous woodland is on the Priority Habitat Inventory (England). This recognises that under the UK Biodiversity Action Plan they were recognised as being the most threatened and requiring conservation action. The UK Biodiversity Action Plan has now been superseded by the UK Post-2010 Biodiversity Framework but this priority status remains.

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the scheme. A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce ecological value and natural heritage impacts due to habitat fragmentation, and a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change. Woodland provides habitat for a range of Section 41 Priority Species including all bats.

Included within that assessment should be an assessment of any woodlands under an existing woodland grant scheme and / or a felling licence agreement to ensure these agreements will not be negatively impacted and

*public money wasted.*

Where woodland loss is unavoidable, it is expected that there will be significant compensation and the use of buffer zones to enhance the resilience of neighbouring woodlands. These zones could include further tree planting or a mosaic of semi-natural habitats.

For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities you must take into consideration the Root Protection Zone. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals).

Effective and practicable proposals for managing the boundary of the woodland and any likely increased access, proportionate to the degree of likely future access, planned or unplanned will need to be planned carefully and hedgerows and individual trees within a development site considered in terms of their overall connectivity between woodlands affected by the development.

It is recommended that a mitigation hierarchy is applied with regard to all priority habitats including ancient woodlands. The hierarchy is :



The starting point should be a presumption against deforestation.  
Mitigation examples – dampening down tracks to minimise dust impacts in woodland, minimising lighting.

**Ancient woodland cannot be compensated for, once it is gone it's gone forever and its loss should be avoided.** However, if it is decided a development is necessary and that there will be loss of woodland (of all types) then compensation will need to be delivered. All loss of woodland should result in compensatory woodland.

**Mitigation** includes elements to reduce damage to woodlands that are not lost. The [CIEEM Guidelines on Ecological Impact Assessment](#) define Mitigation



as 6.2 "Mitigation includes measures to avoid or reduce the negative impacts of a project, for example careful timing of an activity to prevent an impact occurring." And Compensation as 6.5 "Compensation describes measures taken to offset residual effects resulting in the loss of, or permanent damage to, ecological features despite mitigation"

Yours sincerely,

[REDACTED]

Local Partnership Advisor

East and East Midlands

Mobile number [REDACTED]

My working days are Monday, Tuesday and Wednesday.

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**From:** [Friston Parish Clerk](#)  
**To:** [South East Anglia Link](#)  
**Subject:** Friston Parish Council Response to Sea Link Scoping Report  
**Date:** 22 November 2022 13:11:18  
**Attachments:** [FPC response to Sea Link Scoping final.pdf](#)  
[PINS Meeting Note 20622\[1\].pdf](#)

---

Dear Sir/Madam,

Please find attached the response to the Sea Link scoping report from Friston Parish Council. Also attached is the PINs meeting note from the 20th June 2022 which is referred to in our response.

Kind regards,

Phillippa Welby

Parish Clerk

Friston Parish Council

Bernard House, Narrow Way, Wenhaston, Suffolk, IP19 9EJ



*Please note this is a part time job and emails are not checked everyday.*

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**National Grid Electricity Transmission plc**  
**Sea Link project Scoping Report (EIA) submitted to the Secretary of State on**  
**24<sup>th</sup> October 2022**

**Comments by Friston Parish Council**  
**22<sup>nd</sup> November 2022**

**Introduction**

1. The Sea Link project is one of three projects being promoted by the National Grid Group to make connections at the proposed NG substation in Friston, which in itself was an NSIP included within the DCO Applications made by Scottish Power Renewables (SPR) for the East Anglia One North (EA1N) and East Anglia Two (EA2) projects. The proposed NG substation is more accurately described as a “connection hub” as this NSIP includes three large cable sealing ends at the same site plus realignment of the existing pylons involving the replacement of two pylons and one additional pylon. These DCOs were granted on 31<sup>st</sup> March 2022 but are currently subject to judicial review with the hearing taking place on 16 and 17 November 2022. Judgement is currently awaited. Should the judgement be to quash the grant of these DCOs the proposed NG connection hub will no longer have planning consent.
2. Following the Examination of the EA1N, EA2 and the NG connection hub NSIP, the Examining Authority (ExA) issued its Recommendation Reports on 6 October 2021, one report for each of EA1N and EA2 with the NG connection hub included in each report. References in this document to the ExA report will be to the EA1N report as the reports are identical in all material respects.
3. It should be noted that during the course of the examinations SPR sought to deny there was any certainty about the prospect of two or more other energy projects connecting at Friston. Further NG largely absented itself from the examination process despite one of the projects being examined being its own.
4. In Volume 2 of this Report, Chapter 28, Conclusions on the Case for Development Consent on page 274, the ExA state at paragraph 28.4.5
5. *“the ExA observes that effects of the cumulative delivery of the Proposed Development with the other East Anglia development on the transmission connection site near Friston are **so substantially adverse that utmost care will be required in the consideration of any amendments or additions to those elements of the Proposed Development in this location.**”*
6. Paragraph 28.4.6 goes on to say:

*“In relation to this conclusion, the ExA observes that particular regard needs to be had at this location to flood and drainage effects (where additional impermeable surfaces within*

*the existing development site have the potential to affect the proposed flood management solution), to landscape and visual impacts and to impacts on the historic built environment, should these arise from additional development proposals in the future.*

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010077/EN010077-009800-EA1N-Recommendation%20Report-Vol2\\_Ch18-31%20COMPLETED.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010077/EN010077-009800-EA1N-Recommendation%20Report-Vol2_Ch18-31%20COMPLETED.pdf)

7. It is clear from the Sea Link Scoping Report that NGET has not considered these substantial adverse effects at Friston and in fact is attempting to scope many of these issues out. This is unacceptable.
8. Further the scoping report shows a disturbing lack of familiarity with key determinations set out in the ExA report. NG has drafted the scoping report as if key topics had not been the subject of detailed consideration in the EA1N and EA2 examinations as reflected in the ExA report. For example landscape issues arising from the extension of the NG connection hub, the noise environment at Friston and what is acceptable in terms of construction hours and noise. Friston Parish Council does not necessarily accept all the findings of the ExA but many areas of the EA1N and EA2 projects were improved from the original applications submitted by SPR. Accordingly it would be much more efficient for all concerned, and less of a burden on the local community, if NG used the topic positions determined by the ExA in its report as the starting position for the scoping report and its ES to which further improvements should be made to reduce environmental impacts.

#### **Friston Parish Council's Position**

9. Friston Parish Council ("FPC") opposes the onshore elements of the Sea Link, Eurolink and Nautilus projects in East Suffolk. It should be noted that these projects do not generate any renewable energy. Further they do not improve energy security for the United Kingdom or reduce prices for consumers. However without prejudice to this position of opposition FPC has the following comments on the scoping report. Please note that FPC has not had the benefit of expert planning law advice or the advice of relevant technical experts. Accordingly FPC reserves the right should these projects proceed to examination to raise issues in relation to the environmental impacts of these projects which have not been referred to in this report including without limitation where FPC has misunderstood or not appreciated the potential environmental impacts of the Sea Link project. Further FPC relies on its members providing their time voluntarily to consider these projects, a situation which has not been helped by the limited time available to consider the scoping report and which has been exacerbated by National Grid ignoring the advice of the Planning Inspectorate referred to further below. FPC endorses the comments set out in the email from SASES dated 7 November 2022.

## **Projects being promoted by the National Grid Group (“NG”)**

10. National Grid Ventures’ (NGV) Nautilus Interconnector project held its initial Non-Statutory Consultation in Friston and the surrounding area in October 2021. No Scoping Report has yet been submitted by NGV for this project. A joint meeting was held by the Planning Inspectorate with Sea Link and Nautilus on 20 June 2022 to discuss onshore coordination of these projects. a copy of the Meeting Note is attached as Annex 1 or at this link:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN020026/EN020026-Advice-00005-1-220620%20SEA%20Link%20Nautilus%20Interconnector%20project%20update%20meeting%20note%20\(Final\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN020026/EN020026-Advice-00005-1-220620%20SEA%20Link%20Nautilus%20Interconnector%20project%20update%20meeting%20note%20(Final).pdf)

11. NGV is also promoting its Eurolink Interconnector and began its Non-Statutory Consultation on 24<sup>th</sup> October 2022 to run concurrently with the Sea Link consultation. Both consultations are due to conclude on 18<sup>th</sup> December 2022. However, no Scoping Report has been submitted in relation to Eurolink.

12. (FPC notes the intention in the Meeting Note of 22 June for Sea Link, Nautilus and Eurolink to connect to the proposed Friston Substation i.e. the NG connection hub. FPC also notes the following on page 2:-

*“The Inspectorate advised the Applicant (i.e. Sea Link) to wait for the consultation period to close **before** submitting its scoping request.”*

13. National Grid has not therefore followed the Inspectorate’s advice by submitting its Scoping Report on the day of the commencement of the Non-Statutory Consultation on 24<sup>th</sup> October 2022 with a deadline for responses of 22 November 2022, a month before the end of the consultation. FPC also refer to comments by PINS on 20 June 2022 as follows:-

*“The Inspectorate responded that considering the amount of consultation in the East Anglia region, the Applicant should be aware of what procedures can be taken forward in a combined matter to minimise resourcing pressures. Also, ensuring that parties understand the differences between projects, as well as the timelines between them is crucial for a successful consultation.”*

14. This advice has not been heeded and it now appears that FPC and other Councils will need to respond to each Scoping Report separately. This of course makes any assessment of cumulative impact of the three projects (in addition to the impacts of Sizewell C and the SPR projects) far more difficult for all stakeholders. Again this is unacceptable.

15. What is even more concerning is the cavalier way National Grid has chosen to ignore the considered advice of the Planning Inspectorate. Subject to the outcome of the judicial review if these projects proceed National Grid’s conduct so far does not bode well for the efficiency of the process for Sea Link, Eurolink and Nautilus.

16. FPC will however respond to the Scoping Report in so far as it is able at the present time given the consultation process is still going on, but will concentrate its comments on Volume 1, Part 2, the Suffolk Onshore Scheme, with emphasis on issues directly affecting Friston.

### **Site Selection**

17. NG has chosen a preferred landfall at Option S2 between Aldeburgh and Thorpeness despite this having numerous constraints in terms of nature conservation sites (SSSI and RSPB) and ground conditions which are extremely wet. No survey work has been undertaken to confirm that a trenchless technique is feasible. The choice of this landfall site is therefore premature and requires considerable consultation with the statutory bodies and extensive survey work.
18. The preferred converter station site is at Option area E (Site 1) as shown in Figure 2.1.2. with a further option at Site 3 near Saxmundham. Site 3 requires considerably more disturbance with cabling than Site 1 and would likely require a construction access to be built from the B1121 in the environs of Hurts Hall (Listed Grade II) due to the constrained and congested access to the site. There is no plan provided showing where this new access road would be built.
19. Site 1 would however require all traffic to follow the A1094, which is planned as access for the EA1N, EA2 and NG connection hub projects and would impact on residents of Snape, Friston and Aldeburgh in terms of increased traffic levels, including HGVs and general construction traffic.
20. The Scoping Report describes both sites and cable-routes to be capable of co-ordination with two further projects (Eurolink and Nautilus). However Scoping Reports for these two other projects are not available. FPC is therefore handicapped in its response to the Sea Link project and cumulative impacts cannot be properly assessed.

### **Landscape and Visual**

21. Of particular concern is the proposed extension to the Friston Substation by a 50M bay for Sea Link. This will be in addition to the extensions proposed for the Nautilus and Eurolink projects which are shown in the National Grid Substation Extension Appraisal submitted in the EA1N and EA2 examinations, see:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-004690-ExA.AS-32.D8.V1%20EA1N&EA2%20Extension%20of%20National%20Grid%20Substation%20Appraisal.pdf>.

22. NG states that the extension will be by a 50 metre bay which is presumably the width but do not set out what the length or height of that extension will be.

23. In its Scoping Report, Sea Link propose that the production of visuals showing the increased size of the NG substation to be scoped out. This is totally unacceptable, and it is essential that proper visuals of the extended NG substation are provided in order to assess the extent of the loss of mitigation landscaping provided for under the EA1N and EA2 consents as well as any further opportunity for planting and landscaping to mitigate the three new extensions.
24. Visuals for other views are proposed at 1 year and 15 years. This is insufficient and there should be visuals provided at 5 years, 10 and 20 years in addition.
25. In the ExA's Recommendation Report in relation to the SPR projects Volume 1, paragraph 7.5.58 (page 106) onwards, it discusses the Extension of National Grid Substation Appraisal and at para 7.5.60 it says:
26. *"The ExA therefore consider that the extension of the NG substation would intensify and worsen the effects of the Proposed Development on both the local landscape and on visual receptors. The ExA also consider that the extension of the NG substation would have an adverse effect on the landscape through other effects. **The western extension would remove land currently allocated for the proposed northerly SUDs basin.** This would presumably need to be re-located elsewhere and enlarged to accommodate the increased physical footprint of the NG substation. Whilst not considered or sited in the Appraisal, it is reasonably self-evident that an enlarged SUDs basin in the landscape would have adverse landscape effect and potentially adverse visual effects too.*
27. The proposed 5-year maintenance plan for planting is also wholly insufficient. East Anglia is an extremely and increasingly dry part of the country and the difficulty of establishing new planting is well-known. This plan is also completely inconsistent with the position in the Outline Landscape and Ecology Management Strategy accepted by the ESA for the NG connection hub together with EA1N and EA2 - see pages 48 – 50 which FPC still regards as inadequate given local knowledge about establishing and growing trees in this area.
- <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010077/EN010077-005607-8.7%20EA1N%20Outline%20Landscape%20and%20Ecological%20Management%20Strategy.pdf>
28. The Scoping Report states that the EIA is proposed to focus on the construction phase as the effects of the operational phase are not considered to be significant. This is wrong and both construction and operational phases should be equally considered. Arguably the operational phase is even more important since it is a permanent impact. Further such an approach is completely illogical as the purpose of the EIA is in part to determine whether or not environmental effects are significant.
29. The converter stations and extensions to the NG connection hub are substantial buildings which will be incongruous in the tranquil rural landscape and the greatest sensitivity is required as identified by the ExA in its Recommendation Reports for EA1N and EA2.

30. Sea Link’s Scoping Report proposes that the Operational Lighting at the Converter station should be scoped out of the assessment. FPC disagrees with this proposal and the effects and control of any lighting should be properly assessed, including its impacts on ecology. Again this shows complete unfamiliarity with the ExA report – see paragraph 13.2 .118, second bullet on page 244 where the ExA states:
31. *“The ExA concludes that important and relevant differences remain and resolved in the context of industrial sound sources introduced to Friston, a tranquil location with dark skies”*

### **Ecology and Biodiversity**

32. FPC is of the opinion that the landfall site between Aldeburgh and Thorpeness would be extremely detrimental to a wide range of wildlife and ecology and this must be thoroughly assessed by all relevant expert stakeholders, backed up by local knowledge and experience.
33. Friston currently enjoys a very rural landscape inhabited by a wide range of birdlife, bats, badgers, reptiles, insects etc. The proposal for three further industrial projects, in addition to those put forward by SPR, will yet further dramatically alter the balance of available habitats for wildlife. This has to be very fully and properly assessed.

### **Cultural Heritage**

34. It would appear that Wood Farm, immediately adjacent to the proposed Site 3 near Saxmundham, has been omitted for the proposed assessment. Details of its Listing are to be found here:  
<https://historicengland.org.uk/listing/the-list/list-entry/1231179>
35. Maintenance and de-commissioning of the Project has been scoped out of the assessment in relation to heritage assets. This is inappropriate and these matters should be assessed.

### **Flooding**

36. This topic is of extreme concern to the village of Friston, which already has a history of flooding, particularly surface water flooding. The Scoping Report is ambiguous as to what forms of flooding are to be considered and assessed. It is vitally important that all forms of flooding, including surface water and groundwater flooding are fully and properly assessed. EN1 requires all sources of flooding to be considered including as part of site selection where the sequential test should be applied to all sources of flooding. NG seems to be unaware of basic policy requirements.
37. The Scoping Report says at paragraph 2.5.5.2 *“The. Suffolk Converter Station would be situated to avoid areas of Flood Zone 2 and 3. This would ensure that Project infrastructure*



*is safe from flooding and would also avoid permanent losses of floodplain storage or disruption to floodplain flow paths, so avoid permanent impacts on offsite flood risk*". This is an incorrect assumption as simply avoiding Flood Zone 2 and 3 does not address areas of existing surface water flooding, which can have many causes. Pluvial flood risk must be properly taken into account in accordance with policy

38. Tables 2.5.2, - 2.5.6 (page 161 onwards) list the matters proposed to be scoped in or out of the EIA. Of the matters to be scoped out is *"Increased surface water runoff from the converter station during operation"* with the potential for significant effects reported as *"NO – no impact pathway given attenuation of runoff"*. It is vital that surface water runoff from the converter station is properly assessed and details of any attenuation properly agreed assuming of course that the relevant site is compliant with policy.
39. These tables also propose the scoping-out of the following matters in various locations:-
- Increased flood risk due to permanent loss of floodplain storage/impediment of floodplain flows.
  - Permanent physical disturbance and change to flow regimes (watercourses).
  - Pollution of watercourses and physical disturbance during maintenance.
  - Temporary loss of floodplain storage/impediment of floodplain flow due to spoil storage during construction and decommissioning
40. All these issues should be scoped into the EIA so that the full extent of any flooding from whatever source are properly examined. Again EN1 requires all sources of flooding to be considered including as part of site selection where the sequential test should be applied to all sources of flooding. NG seems to be unaware of basic policy requirements.

### **Geology**

41. The human health exposure to contaminants has been scoped out during operation and maintenance (page 195) with the reason *"Not likely to result in a significant effect due to the nature of the project and the incorporation of the mitigation by design"*. Human health exposure to contaminants should be scoped in and properly assessed.
42. The introduction of impermeable surfaces in terms of its effects in 'changes to groundwater levels and/or recharge rates' has also been scoped out, saying that it is *"not likely to result in significant effects due to the small surface area of the built parts of the project. Any new areas of hardstanding would be designed to meet current drainage standards"*. This is unacceptable and changes to groundwater must be scoped in and properly assessed.

### **Agriculture and Soils**

43. The temporary removal of land from agricultural production is scoped out of the EIA assessment citing compensation agreements with landowners. It is important,

particularly in the context of a global food crisis resulting from the war in Ukraine, that landowners and the productivity of their land should not be excluded from the proper determination of the Sea Link project and therefore land use in the construction phase should not be scoped out regardless of compensation agreements and landowner consent.

44. At paragraph 16.5.11 of the ExA's report in respect of the SPR projects, it is stated that the ExA concludes that the local impact of the substation/National Grid infrastructure site in respect of land taken out of existing use is *major adverse*. Land at the Friston substation site is Grade 2 or 3 and is all BMV land and any extension to the NG substation will take further BMV land permanently out of agricultural production. As indicated above the global food crisis requires much greater weight to be placed on the loss of agricultural land particularly the best and most versatile agricultural land.

### **Traffic and Transport**

45. The Scoping Report states that access links will only be assessed if there is a 30% increase in traffic. NG propose to assign *very low magnitude* to traffic as there is expected to be *fewer than 30 additional vehicle trips per hour*. This cannot be a correct assessment of magnitude and is not considering the traffic impact cumulatively with the Eurolink and Nautilus projects or other projects in the area. It should be noted that there are proposed to be AILs involved in the construction of the Sea Link project.

46. There is no information on where vehicles will access the NG connection hub at Friston for construction works. Presumably an option would be via the new "operational" access road to be constructed off the B1121 between Friston and Sternfield under the SPR projects. Use of this access road would lead to increased traffic through the village of Friston and also along the very narrow winding road through Sternfield village which also requires the negotiation of a single lane humpback bridge.

47. The SR proposes that the distribution of workers is to be assessed on the 2011 Census, saying the 2021 census data is unavailable. The Census website reveals that its 2021 Phase 1 summaries were released on 28 June 2022 and all results will be published before 21 March 2023. Sea Link's distribution of workers should be re-assessed as soon as the 2021 information is available (if not already) so that reliable data is used.

48. There is confusion in the Scoping Report as to how long construction is to take with the traffic section saying 2 years and the socio-economic section saying 4 years. The length of time shown in Table 1.4.A.1 on page 7 of the appendices containing the Outline Code of Construction Practice would suggest work will start in 2026 and finish in 2030.

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020026/EN020026-000047-EN020026%20-%20Scoping%20Report%20-%20Volume%20%20-%20Appendices.pdf>

## Air Quality

49. Non-road vehicles are proposed to be scoped out of consideration for air quality. It is important that construction plant is properly considered regarding air pollution and also assessed cumulatively with other projects.
50. Emissions from Construction Traffic are also proposed to be scoped out on the basis that the numbers of vehicles are not high enough. That is incorrect and emissions should be properly considered both for the project and cumulatively with other proposed projects, including Sizewell C and the other NG projects in the area. There is also a possibility of cumulative impact with the SPR projects.

## Noise and Vibration

51. Noise and vibration is an extremely complex technical subject as evidenced by the examinations for EA1N, EA2 and the NG connection hub. As noted above the ExA stated: *“The ExA concludes that important and relevant differences remain and resolved in the context of industrial sound sources introduced to Friston, **a tranquil location** with dark skies”*
52. The ExA also stated at paragraph 13.2.113 of its report that: *“**Friston is a quiet area** so the context must be considered in the respect of the introduction of new industrial sound sources” and *“the noise level is measured at SSR9 are consistent with **the inherently quiet rural noise climate of the Friston area**”**
53. Firstly, it must be fully understood that Friston is an extremely quiet rural area with very low background noise levels in some cases below those which can be measured by commonly used acoustic equipment. Second in this context it is wrong to exclude any noise source in this environment and therefore the scoping report should ensure that all sources of noise both during construction and operation are fully considered.
54. Third, FPC does not accept any of the statements made in the scoping opinion concerning technical noise matters. The policy requirement is as set out in EN1 with which Sea Link will have to comply and all sources of noise should be considered accordingly.
55. FPC makes a few specific points below:-
  - a. FPC notes that it is proposed to scope out switchgear noise in the operational stage. This is unacceptable as this impulsive noise is capable of waking people from their sleep (as given in expert evidence in the EA1N and EA2 Examinations) even though the ExA failed to consider this point, a matter which is at issue in the current judicial review. It is important that the nature and significance of the impacts are properly understood.

- b. The Scoping Report states the following *“Modern switchgear of the Sulphur Hexafluoride (SF6) type operates with a “dull thud”*. There is no statement as to how loud the “dull thud” is. National Grid are well aware that SF6 is a potent ‘greenhouse gas’ contributing to climate change and its use has been discontinued. SF6 is associated with gas insulated substations (GIS) whereas the Sealink project is proposed as an air-insulated substation not involving SF6. The comment made on modern switchgear of the SF6 type is therefore irrelevant and noise from switchgear must be assessed.
- c. With regard to the NG connection hub extension at Friston, it is important that the cumulative sound levels of the proposed NG connection hub plus EA1N and EA2 are also incorporated into the overall noise level. FPC notes from paragraph 2.10.7.20 that the aim of the project is to have a negligible effect and struggles to see how noise from the project can be kept below background noise, given the very low level of background noise in Friston.
- d. In respect of construction noise the scoping opinion again completely ignores the position which was reached in relation to the EA1N, EA2 and NG connection hub examinations. In relation to both noise and working hours the position in the EA1N and EA2 DCOs should be regarded as the starting point for construction noise impacts from which there should be further improvement in terms of lessening environmental impacts. The proposals for working hours and noise impacts in the scoping opinion are unacceptable.
- e. For example the Scoping Report also proposes to scope out auxiliary plant such as diesel generators and air compressors from the noise assessment. These produce a significant amount of noise and can be in use for long periods. For that reason the noise from plant should not be scoped out. This links with the proposed scoping out of emissions from Construction Traffic and Non-road Vehicles in the Air Quality section and both noise and emissions directly affect the health and well-being of people living in the affected areas.
- f. The assessment of vibration effect magnitudes at Table 2.10.7 is not acceptable. To suggest that a definition of a medium magnitude as *“likely that vibration of this level in residential environments will cause complaint, but can be tolerated if prior warning and explanation has been given to residents (SOAEL)”* is totally wrong. A level of vibration which leads to complaints cannot be described as medium magnitude. Residents should not be expected to tolerate that level of vibration, with or without warning or explanation.

### **Socio-economics, Recreation and Tourism**

- 56. The creation of permanent operation phase employment, training and apprenticeships has been scoped out on the basis that this is likely to be very limited. It is important that the lack of any meaningful jobs during operation is recognised and included in the assessment as this fact is pertinent in the planning balance.

57. There is no information in the Scoping Report on the numbers of construction workers needed for this phase and whether it will be local or imported labour. This is said to become available in the PEIR. The numbers of workers and their accommodation must be assessed in conjunction with other projects, current or proposed, in the area as there is a danger of the communities being swamped by imported labour.

### **Health & Wellbeing**

58. Electromagnetic fields (EMFs) are proposed to be scoped out of the assessment. Stakeholders should have the opportunity to comment on this issue to ensure that any new information can be assessed as the project progresses.
59. It is well known that substations/convertor stations can, and do, catch fire and the consequences for health and well-being of residents must be assessed. Further if a GIS option at the converter or NG connection hub were taken, then the use of SF6 gases would need to be considered in its impacts on climate change globally and the community locally.

### **Cumulative Effects**

60. NG propose to include Sizewell C, EA2, Nautilus, Eurolink and EAG in their cumulative impact report (page 396 of the report). No mention is made of EA1N or of the proposed NG connection hub. EA1N and the NG connection hub at Friston should clearly be included. Neither are North Falls and Five Estuaries included in the list of projects to be considered cumulatively and they should rightly be included as there is the possibility they will connect to the Friston substation.
61. By way of reminder the ExA stated:  
***“the ExA observes that effects of the cumulative delivery of the Proposed Development with the other East Anglia development on the transmission connection site near Friston are so substantially adverse that utmost care will be required in the consideration of any amendments or additions to those elements of the Proposed Development in this location.”***

### **Conclusion**

62. The Sea Link project is being promoted by NG, however it fails to recognise the issues which arose during the Examination of EA1N and EA2, including the NG connection hub NSIP, or in the Recommendation Report issued by the Examining Authority. Indeed, some important issues which arose are proposed to be scoped out. The ExA found that the “utmost care” should be taken. The scoping opinion does not demonstrate care let alone “utmost care”.

63. In this context the DCO process should not be treated as a “negotiating game” whereby NG puts forward an unreasonable position in the Scoping Opinion and any movement from that is regarded as NG demonstrating how fair and reasonable it is as a developer. This is a waste of time and resources for everyone. It is also unfair to local communities and local authorities who have limited time and resources as opposed to NG which has relatively unlimited time and resources.

**From:** [Kim Balls](#)  
**To:** [South East Anglia Link](#)  
**Subject:** Ref EN020026-000024-221025 - EIA Scoping Opinion Consultation - "Sea Link"  
**Date:** 21 November 2022 10:41:43  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)  
[image006.jpg](#)

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Dear Sir/Madam –

Thank you for consulting Great Yarmouth Borough Council on the EIA scoping opinion pertaining to the proposed Development Consent Order for the ‘Sea Link’.

I can confirm that Great Yarmouth Borough Council does not have any comments to make on the above.

Regards, Kim

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**Kim Balls MRTPI (He/Him)**

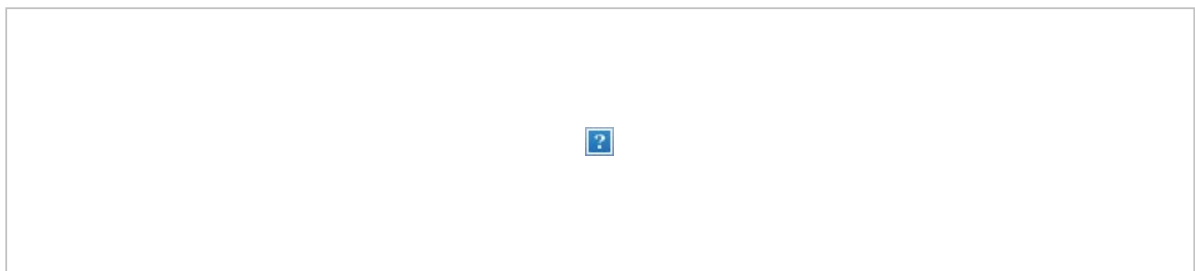
Principal Strategic Planner  
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21st November 2022

Dear SEALINK Team,

**Request for a Formal EIA Scoping Opinion for the 'Sea Link Project'  
Proposed by National Grid Electricity Transmission plc (National Grid)**

Historic England has been notified about a scoping request for the proposed Sea Link electricity interconnector project by the Planning Inspectorate via an email (dated 25<sup>th</sup> October 2022). The Sea Link Project is a proposal by National Grid Electricity Transmission plc to reinforce the transmission network in the South East of England and East Anglia.

The Project is primarily required to reinforce the transmission network in the South East of England and East Anglia and accommodate power generated by renewable and low carbon energy generation schemes in East Anglia. We also note referral to expectation of additional interconnection with European neighbouring states.

The letter is accompanied by the seven volume Sea Link Environmental Impact Assessment Scoping Report (Volume 1 - 7 dated Oct 2022).

Historic England, as the governments lead advisors on the historic environment would like to offer our comments on this proposal, taking into consideration the information provided by the applicant in the scoping report.



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We are aware that although not within the definition of a Nationally Significant Infrastructure Project (NSIP), a Paragraph 35 Direction under the Planning Act 2008 was granted by SoS Business, Energy and Industrial Strategy in March 2022 enabling this project to be determined under the Planning Act as an NSIP.

Furthermore, we note that although a cable project, such as Sea Link, is not identified within The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) which govern the EIA process for NSIP, it is clear that the Applicant considers the criteria in Schedule 3 to be applicable regarding the characteristics of the development and its location and will therefore produce an Environmental Statement. We support this approach.

## **Historic England Advice**

Our primary concern in relation to this proposal is the impact of the development upon the significance of designated heritage assets and non-designated heritage assets, both from construction and within the area surrounding the development. Our comments are set out in sections that correspond to the report structure. The two landfall areas and the marine cable elements will be dealt with separately (Parts 2-4).

### **Suffolk (Part 2)**

- Paragraph 2.1.9.1 summarises the onshore scheme elements, include underground cables and the construction of a convertor station. Elements of the scheme may also require trenchless cable installation approaches to minimise impacts to significant areas, such as the AONBs, SSSIs and RSPB reserve.
- It should be noted that all of these elements could directly impact the historic environment and we would recommend that appropriate evaluation measures are used to investigate and understand the potential and significance of the deposits that will be impacted, such as the development of deposit models, geophysical survey and intrusive investigations (boreholes, excavated trenches etc.).
- Paragraph 2.4.3 (Study Area) the project uses 1km for scoping; this is proposed to be refined to 0.5km from the proposed Order limits for detailed baseline and 2km for setting assessment. The 2km buffer will only be used in relation to areas with above ground infrastructure.
- Historic England supports the proposal to refine the study area from that used in the Scoping Assessment but cannot confirm if 2km is sufficient. The applicant should clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.



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- Paragraph 2.4.6.13 - This option for the route corridor includes scheduled monument '*Two bowl barrows on Aldringham Green*' (LEN 1011378) within the corridor and is potentially located in the setting of two other monuments (*Two bowl barrows in Square Plantation* – LEN 1011376; and *Bowl barrow on Aldringham Common* – LEN 1011440). We recommend the temporary impacts on the setting of designated assets during construction are assessed as medium because of the frequency of assets
- Paragraph 2.4.6.15 - Temporary impacts on the setting of designated assets during construction should be assessed as medium. Again, this option for route corridor includes the scheduled monument of *Leiston Abbey* (second site) – LEN 1014520; which is adjacent to the corridor.
- Paragraph 2.4.6.16 - Temporary impacts on the setting of designated assets during construction should be assessed as medium as this option for the route corridor include the scheduled monument known as *Two bowl barrows on Aldringham Green* (LEN 1011378). The corridor is also potentially located in the setting of two other monuments (*Two bowl barrows in Square Plantation* – LEN 1011376; and *Bowl barrow on Aldringham Common* – LEN 1011440)
- Paragraph 2.4.6.5 summarises the permanent impacts that may occur during the construction phases, including physical damage and the changes to setting. We would recommend that the impact of the development on groundwater levels is also considered. Changes to groundwater levels may result in changes to the local preservation conditions, which in turn could lead to the damage and/or loss of vulnerable waterlogged archaeological remains that may be present within the development areas or in adjacent areas. This could include items such as wood, leather or palaeoenvironmental remains. If there is potential for the proposed work to impact groundwater levels, additional work may be required to understand the water environment, the nature and scale of any potential changes and how any impacts could be mitigated. We would therefore recommend that the Historic England document '*Preserving Archaeological Remains*' (2016) is referred to for this issue (<https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>).
- Paragraph 2.4.7.1 - states that a Desk-based Assessment (DBA) will be produced, and that the findings of this work will be used to confirm whether any additional survey work is required. It would have been useful to outline here the sort of mitigation that may be required, such as geophysical surveys, borehole surveys and deposit modelling, Trial Trench evaluation excavations etc. We would expect to see the Written Schemes of Investigations (WSIs) for any elements of work.
- Paragraph 2.4.7.4 - We are pleased to see that geological mapping and borehole information held by the BGS will be used to inform the DBA. We would recommend that this information, along with any other useful stratigraphic information (including archaeological and geotechnical data) is used to



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construct preliminary deposit models to the areas of the scheme that could then be built on as further assessments are carried out. The deposit model would help to illustrate the depth, characteristics and potential of the deposits of archaeological interest and should inform any subsequent evaluation trenching, borehole sampling and/or geophysical survey. The deposit model will also help to guide elements of the proposed mitigation strategy, such as the choice of geophysical techniques that are utilised.

- We recommend that the Historic England document '*Deposit Modelling and Archaeology*' (2020) is referred to: <https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>
- We also recommend this report is prepared by a suitably qualified and experienced geoarchaeologist.
- Paragraph 2.4.7.4 – We support the proposed selection of the data sources to inform desk-based assessment.
- Paragraph 2.4.7.5 – We support the need for walkover survey; however, it needs to be recognised that its usefulness 'to determine the potential for previously unrecorded heritage assets' is limited to above ground remains only (such as historic buildings and landscape features, historic routes, etc.). We recommend the assessment of potential for unknown buried archaeological remains in the ES should be informed by different survey methods. This should include geophysical surveys, trial trench evaluation, etc.
- We recommend the walkover survey also include a Site Inspection of any heritage assets where a potential impact through changes to setting is identified; in order to inform the baseline setting assessment of heritage assets and impact assessment.
- Paragraph 2.4.7.10 – Table 2.4.9 contains Very High Heritage Value to demonstrate assessment of effect, however table 2.4.7 identified High Heritage Value as the highest possible category of significance of a heritage asset. The criteria for assessment of effects should be clarified.
- We recommend that the Historic England document *Preserving Archaeological Remains* (2016) is referred to aid the discussions of the potential impacts to the historic environment as well as the approaches used to investigate them: <https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>.
- The Historic England document *Piling and Archaeology* (2019) should be also referred to as some of the elements of the development may involve piling: <https://historicengland.org.uk/images-books/publications/piling-and-archaeology/>
- Overall Historic England support the presented methodology and conclusions in Paragraph 2.4.8 that impact on the designated and non-designated heritage assets should be scoped in for all five options under consideration. The scheme as presented in the scoping report is consistent with the early pre-app discussions and we are continuing to engage with the applicant directly.



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- Paragraph 2.4.8.2 - The presence of previously unknown assets in the landscape has been demonstrated by other infrastructure schemes and is acknowledged here. We agree with this conclusion, but also recommend the scope of additional archaeological surveys is discussed and agreed with Suffolk County Council Archaeological Services.
- Paragraphs 2.5 & 2.6, and Part 2, Chapter 5 - It is noted that several Paragraphs within the scoping report contain information that may also aid the assessment of the archaeological potential of the development area, for example, information about the Geology and Hydrogeology.
- In particular, it is important to understand how changes to the groundwater levels, water quality or the movement of water through deposits may impact the historic environment by altering the preservation of archaeological structures, features or remains, including palaeoenvironmental remains. This may be caused by construction activities, the compression of deposits, the reduction in recharge values, the need to dewater areas during construction, or the creation of pathways for contaminants or oxygen (see Paragraph 2.6.6).
- Paragraphs 2.5 & 2.6 - Additional works are planned to investigate the geology and hydrology/hydrogeology of the development area; we would recommend that the value of this information to inform the assessment of the historic environment should be considered and discussed with the project archaeological team.
- This will allow any opportunities to be maximised where possible, and it will also hopefully reduce any duplication of effort. For example, any intrusive works such as boreholes that are collected for ground investigation works or the development of a hydrogeological conceptual model (for example Paragraph 2.6.5.3) will potentially add to the understanding of the historic environment, as well as the likely preservation conditions that may be present on the site. The conceptual model will also add to the understanding of how the proposed development may impact the historic environment.
- We agree that maintenance and decommissioning phases can be reasonably scoped out.

### **Kent (Part 3)**

- Paragraph 3.1.9 summarises the onshore scheme elements, which include overhead lines and/or underground cables and the construction of a new convertor station. These elements could directly impact the historic environment and we recommend that appropriate evaluation measures are used to investigate and understand the potential and significance of the deposits that will be impacted. Appropriate techniques would include the development of deposit models, geophysical survey and intrusive investigations (e.g. boreholes and excavated trenches).



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- Paragraph 3.4.3 (Study Area) the project uses 1km for scoping; this is proposed to be refined to 0.5km from the proposed Order limits for detailed baseline and 2km for setting assessment. The 2km buffer will only be used in relation to areas with above ground infrastructure.
- Historic England support the proposal to refine the study area from that used in the Scoping Assessment but cannot confirm if 2km is sufficient. The applicant should clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.
- In particular we would consider it a requirement to include an assessment of the potential for harm to the scheduled monument '*A Saxon Shore fort, Roman port and associated remains at Richborough*' (1014642). Setting contributes quite highly to the significance of this site and although the monument is c. 2km away from the scoping boundary, the site is raised and has good visibility across the landscape. The LVIA recognises this potential through inclusion of a viewpoint near to the site (VP12).
- 3.4.4.3 (Baseline) Overall, we agree with the applicant's assessment, apart from Table 3.4.6 which is not complete and needs to be amended. It misses out potential significant effects scoped in in tables 3.4.1 and 3.4.2; namely temporary setting impacts during construction/from construction compounds on designated heritage assets.
- Tables 3.4.1 and 3.4.2 - temporary impacts during construction and from construction compounds on the setting of heritage assets has been scoped in for designated heritage assets only. In our view this would need to include non-designated heritage assets. This is because currently the value of these heritage assets remains to be fully assessed and significant effects could result.
- We agree that maintenance and decommissioning phases can be reasonably scoped out.
- Paragraph 3.4.6 summarises the impacts that may occur during the construction, operation, maintenance and decommissioning phases. These include physical damage and changes to setting. Given the location of the on-shore works, within the former Wantsum Channel, we recommend that the impact of the development on groundwater levels is also considered.
- Changes to groundwater levels may result in changes to local preservation conditions, which in turn could lead to the damage and loss of any vulnerable waterlogged archaeological remains present within the development areas or in adjacent areas. Such remains are rare and likely to be of considerable significance. This might include wooden structures and artefacts, leather or palaeoenvironmental remains.
- If there is potential for the proposed scheme to impact groundwater levels, additional work may be required to understand the water environment, the



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nature and scale of any potential changes and how any impacts could be mitigated. Therefore, we recommend that the Historic England document 'Preserving Archaeological Remains' (2016) is referred to (<https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>).

- Paragraph 3.4.7 states that a Desk-based Assessment (DBA) will be produced, and that the findings of this work will be used to confirm whether any additional survey work is required. It would have been useful to outline here the sort of survey that may be appropriate. Deposits of archaeological interest are likely to lie below the depth of standard geophysical survey across parts of the Minster Marshes and within the Head deposits on the valley side, as well as within Pegwell Bay.
- Standard geophysical survey and evaluation trenching will be appropriate for relatively shallow archaeological remains. However, boreholes and deep penetrating geophysical techniques are recommended where more deeply buried remains might be expected. Results should be informed-by and feed back into deposit models, to map the distribution and character of the buried deposit sequence. We would expect to be consulted on the Written Schemes of Investigations (WSIs) for any elements of work.
- Paragraph 3.4.7.4 - We are pleased to see that geological mapping and borehole information held by the BGS will be used to inform the DBA. We recommend that this information, along with any other useful stratigraphic information (including archaeological and geotechnical data) is used to construct a preliminary deposit model for the on-shore route.
- The deposit model will help to illustrate the depth, characteristics and potential of the deposits of archaeological interest and should inform any subsequent evaluation trenching, borehole sampling and/or geophysical survey. We recommend that the Historic England document 'Deposit Modelling and Archaeology' (2020) is referred to: <https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>. The KCC HER officers should also be contacted for relevant geoarchaeological reports from nearby sites that have provided information relevant to deposit modelling for the proposed scheme.
- As before we recommend this element of the application is prepared by a suitably qualified and experienced geoarchaeologist.
- Paragraph 3.4.7.5 noted the use of an archaeological walkover survey. This should just be a 'walkover survey'; reason: built heritage assets may be identified.
- The Walkover Survey should also include a Site Inspection of any heritage assets where a potential impact through changes to setting is identified; in order to inform the baseline setting assessment of heritage assets and impact assessment



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- We also recommend that a programme of archaeological evaluation is undertaken in consultation with the LPA archaeological advisor at an early stage in the process. Preferably to inform the EIA.
- Several other paragraphs within the scoping report contain information relevant to archaeological potential, for example: Water Environment (3.5): as well as Geology and Hydrogeology (3.6).
- To assess impacts on archaeological remains that owe their significance to waterlogging, it is important to understand how changes to the groundwater levels, water quality and the movement of water through deposits may impact the preservation of archaeological structures, features or remains, including palaeoenvironmental remains. Such changes may be caused by construction activities, the compression of deposits, the reduction in recharge values, the need to dewater areas during construction, or the creation of pathways for contaminants or oxygen.
- We therefore recommend that any additional works planned to investigate the geology and hydrology/hydrogeology of the development area (Paragraphs 3.5 & 3.6) should be discussed with the project archaeological team. This will allow opportunities to be maximised, reducing duplication of effort. For example, boreholes collected for ground investigation works or the development of a hydrogeological conceptual model will potentially add to the understanding of the historic environment, as well as the likely preservation conditions that may be present on the site.
- A hydrogeological conceptual model will also add to the understanding of how the proposed development may directly or indirectly impact the historic environment, by changing the water environment and as a result the state of preservation of buried archaeological remains.

#### **Marine Environment (Part 4)**

- We concur with the topics to be scoped into the EIA exercise for this proposed development
- We recommend that a draft archaeological Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries accompanies any Preliminary Environmental Information Report (PEIR) and Environmental Statement (ES);
- The draft Development Consent Order should provide for survey programmes conducted post-consent (should permission be obtained), but pre-commencement of any construction activities should be informed by archaeological advice through an agreed WSI.
- We understand that the proposed development will be located wholly within English Territorial Waters and spans the East Inshore and South East Marine



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Plan Areas. We also appreciate the objective regarding 'Avoidance of known wrecks and areas of archaeological importance'

- Paragraph 1.4.3.48 describes the possible use of cable installation requiring up to four trenches across the foreshore, each approximately 3m wide and between 1m and 5m deep depending on sedimentary conditions. It is also explained that temporary work structures might be required within the intertidal zone, which could be cofferdam or sheet-piled structure, installed using vibratory piling or percussive piling to achieve design depth. Acknowledgment regarding 'additional mitigation' is therefore important.
- Paragraph 1.4.3.54 describes installation of marine HVDC cables as requiring ground preparation within the intertidal zone at the preferred landfall sites; and pre-lay seabed preparation along the route below MLWS, such as route clearance, pre-lay grapnel run and any pre-sweeping.
- Paragraph 1.4.3.55 provides detail regarding survey techniques to be employed, inclusive of Multi-Beam Echo Sounder (MBES), Side-Scan Sonar (SSS), Sub-Bottom Profiler (SBP), Magnetometer, visual inspection and geotechnical. While we appreciate the importance to this project of route clearance, as explained in paragraph 1.4.3.56, the completion of a Pre-Lay Grapnel Run (PLGR) must only occur after archaeological analysis of survey data has been completed and reported within a timeframe whereby such information informs optimum route selection and burial.
- Paragraph 1.4.3.57 mentions pre-sweeping through 'areas of large sand waves' and we consider it important to highlight necessity for prior sub-bottom archaeological assessment to determine the presence of any presently concealed sites of known or possible archaeological interest.
- Regarding the attention given to the risk of this project encountering Unexploded Ordnance (UXO), we note the attention given to a desktop study to assess risk of UXO and corroboration with geophysical and geotechnical seabed survey undertaken in 2021.
- Paragraph 1.4.3.59 - the attention given to 'micro-routing' is also relevant to archaeological risk and we encourage optimisation of data use to select a preferred route and design (e.g. four cables installed within two trenches).
- However, we note a statement in paragraph 1.4.3.62, that if laid separately the gap between cables could be 30m to 60m depending on water depth, it is therefore important that all survey work and subsequent analysis includes all impacted seabed areas.
- It is also apparent that other vessels may be required such as a Cable Lay Barge and Jack-Up platform (paragraph 1.4.3.64) when close inshore, it is therefore important that all survey work and subsequent analysis includes any seabed area that could be impacted by anchoring as might be required by these barges and/or platforms.
- Chapter 4.7 (Marine Archaeology) Historic England broadly supports the approach taken in the report.



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- Paragraph 4.7.4 (Baseline Conditions), and paragraph 4.7.4.2 alludes to the known and presently unknown archaeological resources as might be encountered by this proposed project. Regarding the reference made to wreck recording through surveys conducted by the UK Hydrographic Office, it is important to highlight that these surveys will be focussed towards navigationally important routes. We therefore concur with the statement that there is potential for wreck, especially older and highly dispersed sites, to be discovered outside of defined navigation areas.
- The detail provided under 'UKHO records within the study area', 'NMHR records within the study area' and 'Suffolk records within the study area' provide important desk-based sources of information e.g. 151 records relating to possible shipwreck events and seven records relating to possible aircraft crash sites.
- Paragraphs 4.7.4.23 and 4.7.4.24 - The detail provided under 'Historic Seascape Characterisation' would need to be updated in any subsequent PEIR and ES as the data pre-dates the production of the national Historic Seascape Characterisation (HSC) consolidation in 2018. It is therefore necessary in the preparation of the PEIR and ES to use: [https://archaeologydataservice.ac.uk/archives/view/seascape\\_he\\_2018/index.cfm](https://archaeologydataservice.ac.uk/archives/view/seascape_he_2018/index.cfm).
- Paragraph 4.7.5 (Embedded and Control & Management Measures) – the description of 'embedded mitigation measures' includes the spatial identification of Archaeological Exclusion Zones (AEZs), which we appreciate can be identified as an embedded mitigation.
- The inclusion of geophysical and geotechnical survey data acquisition is however not embedded mitigation *per se* (*vis.* definition of embedded mitigation as included in the glossary in Volume 1, Part 1 Introduction). It is important that geophysical data acquired pre-consent should be subject to analysis and interpretation by an accredited, professional and experienced archaeological contractor and used within the PEIR and ES. Mention is made of using those data derived from geophysical or geotechnical surveys undertaken post-consent and post-construction.
- It is also important to clarify that such archaeological assessment and reporting procedures must be adequately provided for in any draft Development Consent Order (including Deemed Marine Licence) that supports any eventual application to the Planning Inspectorate. We would also recommend that archaeological specialists are included in the design of any geophysical or geotechnical/geoarchaeological survey campaigns to ensure that opportunities are maximised where possible.
- We therefore consider such measures to represent adaptive mitigation, especially survey campaigns conducted post-consent and pre-construction, as they should allow the project to be designed and delivered in full consideration



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of presently unknown elements of the historic environment which might be discovered.

- Paragraph 4.7.5.4 We note the statement made here regarding palaeogeographic features such as palaeochannels as may occur in the proposed development area and further investigation of existing geotechnical samples or undertaking further samples. However, we are aware that loss (discarded) of geotechnical vibro-cores of archaeological interest has already occurred and that if consent is obtained that any subsequent geotechnical survey will need to be conducted in the same locations as previously identified of high and medium priority status.
- We would also recommend that geoarchaeological specialist are included in the design of any future sampling campaigns, and that they are allowed direct access to the cores to record them. This is because it is better to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.
- Paragraph 4.7.5.7 (Anomaly investigation) mentions methods for ground truthing assessment and we encourage coordination with UXO investigation campaigns.
- Paragraph 4.7.5.9 describes watching briefs in the intertidal or marine areas with a methodology presented in a method statement for consultation with Historic England and the MMO. However, for any and all watching briefs conducted in an intertidal area, the primary consultee will be the respective local authority curatorial bodies that serve Suffolk and Kent.
- Paragraph 4.7.5.10 (Reduction of indirect impacts) states that 'Once the design of the Offshore Scheme has been confirmed, it may be possible to ascertain measures to protect heritage assets that could be indirectly impacted.' However, we take this opportunity to refer you to Volume 1, Part 1 Introduction, paragraph 1.2.2.8 which quotes Part 5 of EIA Regulations 2017 regarding indirect significant effects.
- We also draw your attention to paragraph 1.5.4.6 and action to determine the significance of the residual effects, inclusive of indirect effects. It therefore seems appropriate that in order to effectively confirm the design of the proposed project that such indirect impacts are assessed in the PEIR and ES, and the project designed accordingly to avoid impact.
- We also refer you to the provisions to assess indirect impacts within the Overarching National Policy Statement for Energy (EN-1), e.g. paragraphs 4.2.1 and 4.9.3 and National Planning Policy Framework (2021) e.g. paragraph 203.
- Paragraph 4.7.5.11 (Control and Management Measures) includes 'MA01 – a Written Scheme of Investigation (WSI) including a Protocol for Archaeological Discoveries (PAD)'. We note that the scoping document refers to 'method statements' (paragraph 4.7.5.9) and also 'management measures'. It is



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therefore important that the PEIR and ES adopts a consistent terminology, which should be achieved through consultation with Historic England.

- We also note the statement that the 'WSI would address unavoidable impacts associated with the worst-case scenario (Rochdale Envelope)'. However, the definition of 'Rochdale Envelope' used in the glossary (Volume 1) focusses on the benefits to the Applicant of a flexible approach i.e. 'some details of a project have not been confirmed'. Such matters and the approach to conducting an EIA exercise for this proposed development must be made clear in the PEIR and ES.
- We also recommend any marine geophysical or geotechnical surveys or other visual inspection surveys that occur post consent, should permission be secured, are to be assessed by a suitably qualified, experienced and accredited marine archaeological consultant in accordance with an agreed WSI and accompanying method statements.
- We also concur with 'MA02' whereby the WSI will detail the methodological approach to offsetting impacts by completing a palaeo-environmental assessment of deposits of high geoarchaeological potential which may be disturbed.
- We also agree with the matters as referenced MA03, MA04 and MA05. Regarding MPE01 (abandoned, lost or discarded fishing gear), we encourage the applicant to ensure that their archaeological consultant or retained archaeological advice service is directly involved in survey campaigns and data assessments to ensure, where possible, 'wreck' of possible or known archaeological interest can be avoided and left in-situ.
- Paragraph 4.7.6 (potential for significant effects) – we concur with Table 4.7.4 (sources and impacts) and the scoping in of the identified impacts. Paragraph 4.7.6.9 describes Table 4.7.5 as providing a summary of the impact pathways which are to be 'scoped into and or out of the benthic ecology assessment.' It is taken that this is an error and that referral should be to the marine archaeological assessment within any PEIR and ES to be produced. Overall, we concur with the matters to be scoped in as listed in Table 4.7.5.
- Regarding the inclusion of Historic Seascape Characterisation, we encourage the Applicant to focus assessment, ideally through a narrative approach, on deriving a perception of historic character by using the 2018 national database for the purposes of determining the capacity to accommodate change as proposed by this development. We make this point as it is not the same as equating change to impact *per se* and whether there is temporarily or permanently change in historic character as presently perceived.
- Paragraph 4.7.7 (proposed assessment methodology) – to enable an ES to be produced, further consideration is needed regarding additional coring as could be required to supplement the geoarchaeological evaluation of existing vibro-core logs. The seeking of 'grey literature' should include The Online System



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for reporting Archaeological Investigations and linking research outputs and archives (<https://oasis.ac.uk/>).

- Paragraph 4.7.7.4 mentions that a '...palaeogeography baseline summary will be based on the geoarchaeological review of geotechnical and geophysical datasets gathered for the Offshore Scheme.' Given the situation explained to us by the Applicant regarding the loss of geotechnical core materials that has already occurred before geo-archaeological analysis could be completed; it is our advice that the WSI prepared in support of this proposed project details the geoarchaeological data capture programme to be initiated should consent be obtained.
- We also take this opportunity to confirm that the HSC exercise is to use the 2018 dataset (as referenced above) as necessary to supplement the individual HSC reports as referenced.
- Paragraph 4.7.8 provided a summary which demonstrates the attention given to available desk-based sources of information within the Historic England National Marine Heritage Record (NMHR) and the attention given to actual identifiable sites as well as the potential resource. The acknowledgement of the potential for entirely new discoveries is particularly relevant in consideration of the geographic location of this proposed development in reference to prehistoric, maritime and aviation (vis. Control and Management Measure MA05).
- We concur with the summary provided in Table 4.7.9 (proposed scope of the assessment) and the identification of potential significant effect at each defined project phase which are to be scoped into the assessment.

## Summary

Overall, we are content with the applicant's approach to sources, baseline information and the assessment of heritages impact. We confirm however that historic environment represents a potentially significant issue in EIA terms, and confirm that the historic environment should be 'scoped in' to the assessment.

We note the applicant intends to produce an LVIA. We recommend the LVIA is supplemented with heritage specific viewpoints (both photographs and photomontages) that illustrate the ES and support the results of the heritage assessment. If these are to be presented in the Landscape and Visual chapter, then the assessment needs to be clearly set out and cross referenced with the heritage chapter. Ideally though a separate heritage viewpoints appendix should be produced.

The setting of heritage assets is not however just restricted to visual impacts and other factors should also be considered in assessments; in particular noise, light, traffic. Where relevant, the cultural heritage should also be cross-referenced to other relevant chapters, and as above we advise that all supporting technical heritage information is included as appendices.



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We strongly recommend that the applicant involve the County Councils specialist advisers on archaeological matters and we recognise that they are best placed to provide advice on non-designated heritage assets and to give advice on how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; and of any required mitigation measures. Likewise, the local Conservation Officer will need to be consulted in relation to the built environment.

Whilst standardised EIA matrices are considered in some planning practices to be useful tools, we consider the analysis of setting (and the impact upon it) as a matter of qualitative and expert judgement which cannot be achieved solely by use of systematic matrices or scoring systems. Historic England therefore recommends that these should be in an appendix and seen only as material to support a clearly expressed and non-technical narrative argument within the cultural heritage chapter.

The ES should also use the ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them. Alongside appropriate mitigation to offset adverse effects on heritage assets we are also looking for explicit and demonstrable heritage enhancements and benefits from the scheme to be set out clearly in the application. This could include Interpretation, public engagement in the archaeological discoveries, heritage education and heritage focus in relation to design and placemaking.

Given the designated heritage asset within the area, we would welcome further discussions with the applicant in order to refine the approach to the scope of the ES, to the assessment, enhancements and mitigation.

### **Recommendation**

We broadly accept the approach set out in the scoping report, but we have some concerns that would need to be addressed. These are set out in the specific bullets above. We consider further refining of the scope would be necessary taking these comments into consideration. This is to fully address heritage matters and to fully consider the impact on the historic environment in relation to policy.

We confirm the historic environment represents a potentially significant issue in EIA terms, and we would support the need for further work to support the publication of an ES.

If you have any queries about any of the above, or would like to discuss anything further, please contact me

Yours sincerely



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Will Fletcher

Dr Will Fletcher



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**From:** [JNCC Offshore Industries Advice](#)  
**To:** [South East Anglia Link](#)  
**Subject:** RE: EN020026 - Sea Link - EIA Scoping Notification and Consultation  
**Date:** 01 November 2022 10:45:34  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image003.jpg](#)  
[image004.gif](#)  
[image005.gif](#)  
[image006.jpg](#)  
[image011.jpg](#)  
[image007.png](#)

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Dear Todd,

Thank you for your e-mail and consultation request. Upon reviewing this Sea Link proposal JNCC has identified the route to be entirely inshore (within territorial limits) and therefore not within our remit. As such defer to Natural England for all comments regarding nature conservation advice including any related to the Southern North Sea SAC and Outer Thames Estuary SPA.

Kind regards,  
Thomas

**Thomas Fey (he/him)**

*Acting admin officer*

JNCC, Inverdee House, Baxter Street, Aberdeen, AB11 9QA



*Working days: Tuesday - Friday*



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---

**From:** South East Anglia Link <SouthEastAngliaLink@planninginspectorate.gov.uk>  
**Sent:** 25 October 2022 12:16  
**Subject:** EN020026 - Sea Link - EIA Scoping Notification and Consultation

CAUTION: Please remember your Cyber Security training. This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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Dear Sir/Madam

Please see attached correspondence on the proposed Sea Link.

Please note the deadline for consultation responses is **22 November 2022** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



**Todd Brumwell** | Associate EIA Advisor  
The Planning Inspectorate  
T [REDACTED]



@PINSgov



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<https://jncc.gov.uk/>

Dear Sir/Madam,

Kelsale-cum-Carlton Parish Council has been identified by the Planning Inspectorate as a consultation body that must be consulted before adopting its scoping opinion. As such, we are writing to inform the Planning Inspectorate of information we consider should be provided by National Grid in the Environmental Statement.

1. **Alternative locations for the onshore substation** – National Grid has failed to provide any analysis whatsoever of alternative sites other than the Sizewell area of the Suffolk Heritage Coast, including brownfield sites, in its voluminous scoping report. It is assumed that this is the only option that makes sense and that there is no other option, but no justification is given except the implication that it is less expensive and more convenient. Other sites, such as brownfield sites, must be examined and properly considered in the ES given that the scoping boundary includes part of the Suffolk Coasts and Heath Area of Outstanding Natural Beauty (AONB), Sandlings Special Protection Area (SPA) and Sizewell Marshes Sites of Special Scientific Interest (SSSI). Further, National Grid goes on to list several other international and national designations as well as non-statutory designated sites of importance in this area. A thorough investigation of other sites must be done so that the Planning Inspectorate can properly consider all options rather than relying solely on National Grid's assumptions.
2. **Cumulative impacts of the now 9 energy projects in this area** – Whilst National Grid has addressed cumulative impact in its scoping report, its analysis is insufficient and does not fully illustrate the scope of industrialisation of the area. There is no holistic visualisation of how the massive onshore substations proposed by both National Grid and Scottish Power will change the landscape in this tiny area of the Suffolk Heritage Coast. This visualisation must form part of the ES so that cumulative impact can be thoroughly assessed by the Planning Inspectorate.
3. **Size and scale of the onshore substation** – The size and scale of the onshore substation is addressed, but only in isolation. Together with the other proposed onshore substations, size and scale will have a massive impact on the landscape and the environment and must be addressed in its totality.

Kelsale-cum-Carlton Parish Council respectfully asks that the Planning Inspectorate require National Grid to address these issues in the Environmental Statement.

Kind regards,

Councillor Traci Weaver  
Kelsale-cum-Carlton Parish Council



Todd Brumwell  
Associate EIA Advisor  
on behalf of the Secretary of State  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

## Growth and Communities

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Phone: [REDACTED]  
Ask for: Alessandra Sartori  
Email: [REDACTED]

### BY EMAIL ONLY

22 November 2022

Dear Sir / Madam,

### Re: Sea Link – EIA Scoping

Thank you for consulting Kent County Council (KCC) on the Environmental Impact Assessment (EIA) and Scoping Report for the Sea Link project. The County Council is responding separately to the Non-Statutory Consultation and will provide comments direct to the Applicant on the 16<sup>th</sup> December 2022.

The County Council has reviewed the document and for ease of reference, has provided comments structured under the chapter headings within the Scoping Report. The response largely focuses on the onshore infrastructure that is being delivered as part of this scheme.

### Volume 1 Main Text – Part 1 Introduction

#### 1.3 Main Alternatives Considered

Heritage Conservation: Due to the rich archaeological landscapes of Thanet, on 8<sup>th</sup> February 2022 the County Council, from a heritage conservation perspective, expressed a preference for a landfall area in Pegwell Bay (Option K1) and a converter site located in and around Richborough/Cliffsend (Option A), in a consultation on the emerging preferences for the project. Although a landfall area in Pegwell Bay (Option K1) may have more intertidal impacts on archaeological assets, this is preferred to the other options which included a landfall area between Broadstairs and Margate (Option K1a) and on the north Kent coast (Options K2-K5) that would have required an extensive connection that runs through rich archaeological landscapes. A converter site located in and around Richborough/Cliffsend (Option A) was also preferred given the reduced connection cabling and less likely overall impact. The County Council has drawn attention to the high archaeological and historic landscape value of the area associated with this option.

## 1.4 Description of the Project

Heritage Conservation: The County Council notes the description of the works involved for each of the elements within the Kent Onshore and Offshore areas. The works involve 10 hectares of land for the construction of the convertor station and 40m to 60m working widths and trenching areas for the cabling. The convertor station may be up to 30m high and pylons may be included in the scheme. These works will be taking place in an area that is highly sensitive for archaeological remains, both those that are found as buried archaeological landscapes and others that are extant as earthworks and built heritage. Other remains will be found in marine and intertidal areas and may include wrecks and structures as well as submerged sites.

KCC recommends that a thorough study is needed to establish a detailed baseline and to understand the significance of the archaeology of the area. This would need to be supported by survey and evaluation targeted at the potential impacts of the scheme, including areas of potential temporary and enabling works. As a principle, the County Council encourages minimising the areas of land take for construction works and careful siting of the routes of cables to avoid significant heritage assets. The impacts of the scheme on the historic landscape should be carefully considered and taken account of in the development of the scheme. This would particularly include those of the Wantsum Sea Channel and the setting of designated and undesignated heritage assets, including the Scheduled Monument of the Roman port of entry at Richborough and the undesignated potential Caesarian enclosure at Ebbsfleet. The County Council would expect to see a Historic Landscape Assessment as a specific outcome of the study.

The County Council welcomes the inclusion of Cultural Heritage as a chapter in the Kent Onshore assessment and that Marine Archaeology is identified in the Offshore scheme.

### **Volume 1 Main Text - Part 3 Kent Onshore Scheme**

Public Rights of Way (PRoW): As a general statement, KCC is keen to ensure that its interests are represented with respect to the County Council's statutory duty to protect and improve PRoW in the County. The County Council is committed to working in partnership with the Applicant to achieve the aims contained within the KCC [Rights of Way Improvement Plan](#) and [Framing Kent's Future](#) Strategy (2022-2026).

Overall, KCC welcomes the inclusion of the PRoW network and the reference made to the ROWIP in the Scoping Report. Public Footpaths TE39, TE40, TE37, TE32, TE26, EE42 and TR32, Restricted Byways TE35 and TE36 would be affected by the development. It is noted that a Public Footpath carries pedestrian rights only and a Restricted Byway carries pedestrian, equestrian and all non-mechanical vehicle rights.

With reference to the [National Policy Statement for National Networks](#) (NPSNN), this project provides an opportunity to improve the existing PRoW network. KCC requires a specific Rights of Way Plan to be prepared as part of the application for Development Consent Order giving details of the impact on each affected route, including temporary closures, alternative routes, timescale and legal management. The County Council request that efforts should be

made to minimise path closures and retain popular routes during the project. Where temporary closures are required, convenient diversion routes should be provided to reduce disruption to path users. The Rights of Way Plan would be required to also address opportunities for enhancements to and development of the PRow network as part of the project.

KCC would request that a form of long-term Trust or Fund is in place to provide lasting mitigation through legacy projects and continued improvements as the project evolves in the region. This is in common with other Nationally Significant Infrastructure Projects (NSIPs) looking beyond the scheme itself.

The County Council requests continued engagement with the Applicant as the project progresses, to review these impacts and consider PRow network improvements which could be delivered to enhance the legacy of the project.

### **3.1 Evolution of the Kent Onshore Scheme**

Heritage Conservation: With respect to the options appraisal and reaching a preferred option, other than mentioning the location of Scheduled Monuments, it is not clear on the extent to which heritage assets and the potential for heritage assets has influenced the selection. This needs to be set out in the forthcoming study given the general high level of sensitivity of the historic environment on and around the Isle of Thanet.

### **3.2 Landscape and Visual**

PRow: The County Council supports the inclusion of PRow, the National Trail England Coast Path and Promoted Routes as viewpoints in Table 3.2.1. However, Figures 3.2.5 and 3.2.6 have wider inclusion for visual impact. The mitigation of screening and hedgerow planting is considered insufficient and the County Council would therefore advise a form of long-term Trust or Fund. This would provide substantial mitigation towards improvements and maintenance of the PRow network in the area as compensation for the impact and the timescale of the scheme, as the project evolves in the region. This has similarly been undertaken in the Richborough Connection Project.

#### *3.2.7 Proposed Assessment Methodology*

Heritage Conservation: KCC understands that the scheme lies within and on the edges of the former Wantsum Sea Channel that was an important historic sea way and ancient harbour that was reclaimed from medieval times. The landscape is an important heritage asset and contains patterns of drainage and historic sea walls that evidence the reclamation of the former marshlands and sea, and features associated with its exploitation and use. The effects of the scheme on the historic landscape need to be fully considered and may require visuals of the effects from key features identified during walkover work, both for the Landscape and Visual Impact Assessment and for the Cultural Heritage assessment. The County Council notes that the proposed data sources set out in paragraph 3.2.7.1 refer to Historic England, but use should also be made of the [Kent Historic Environment Record](#). The

former Wantsum Channel would fit within the landscape values outlined in paragraph 3.2.7.8.

### **3.3 Ecology and Biodiversity**

Biodiversity: The County Council recognises that the project is proposing to achieve Biodiversity Net Gain and carry out a full range of ecological surveys to assess the impact on the designated sites and protected or notable species, as a result of the proposed development. As nothing of significance has been scoped out of the proposed EIA, KCC has minimal comments to make at this stage.

In regard to mitigation, the County Council would recommend that the Applicant reviews any monitoring associated with previous pipeline or wind farms. The design of the proposed mitigation can therefore be based on the previous projects and be improved based on the findings of the on-going monitoring. This will enable the Applicant to demonstrate that the mitigation can be achieved.

### **3.4 Cultural Heritage**

Heritage Conservation: The County Council has been engaged with the Applicant during this pre-application stage of the processes and has had the opportunity to comment on the scope of the archaeological works alongside the Ground Investigation proposals, and provide archaeological advice to both District Councils. Impacts on the setting of Built Heritage will be led on by the District Conservation Officers and Historic England. It is also noted that Historic England will generally lead on advice with respect to Offshore archaeology below the Mean Low Water mark, while KCC's comments below also cover assessment of the Historic Landscape.

KCC notes the range of impacts that may affect heritage assets in Table 3.4.1. The construction impacts will need to consider temporary and enabling works as described in Volume 1 Main Text – Part 1 Introduction, and potentially any off site mitigation or compensation measures that may arise during the development of the scheme. The County Council is of the view that there remains some potential for maintenance and decommissioning works to affect heritage assets that may have been left preserved within the scheme areas or nearby and that this should not be scoped out of the EIA.

#### *3.4.3 Study Area*

Heritage Conservation: KCC notes that the study area for the Landscape and Visual Impact Assessment is set at 3km from the scheme boundary but at only 1km for the Cultural Heritage. This limitation would not include the important Scheduled Monument at Richborough and its setting. This monument is on an area of high land overlooking the mouth of the former Wantsum Sea Channel and the impact on its setting is an important consideration. It is also noted that a viewpoint is proposed from Richborough and this should be agreed with Historic England who manage the heritage site. The setting within the scheme from the Ebbsfleet Hill enclosure should be also considered.

The scoping boundary set out for the Cultural Heritage Study, both for the designated heritage assets in Figure 3.4.1 which shows the scoping boundary plus a 1km buffer, and the Non-Designated Assets in Figure 3.4.2, are not sufficient. The setting of designated heritage outside the 1km buffer is needed, especially as the setting of Richborough Castle Scheduled Monument has been highlighted. The scheme is set on low levels that are overlooked from both sides of the former Wantsum Channel.

The County Council considers that the limitations of the study area for the non-designated heritage will not provide a thorough enough understanding of the rich archaeological heritage of this area and the context for the heritage assets within the scheme. A wider understanding of the rich and unique archaeological heritage of the Isle of Thanet is needed and a study should be made of major archaeological works that have been undertaken on the island. KCC would welcome a discussion to advise further on this matter. The 1km buffer would provide an adequate study area for a detailed review of the non-designated heritage assets that can provide a more thorough understanding of the archaeological heritage and rich buried landscapes. KCC also notes the discussion of the study area in paragraph 3.4.7.3 and this needs to take account of the above comments.

#### *3.4.4 Baseline Conditions*

Heritage Conservation: KCC notes that the baseline described in paragraph 3.4.4 is limited by the boundary of the study area for the Scoping Report. Further baseline study needs to be thorough in examining aerial photographs, use of Light Detection and Ranging (LiDAR), analysis of investigation reports, including those which have not been added to the Historic Environment Record to date, and borehole records. This is particularly important within the area of the former marshlands where the modelling of the subsurface deposits is required to take place within the scheme area. The County Council advises early discussion with KCC with respect to available sources and the scope of the study.

#### *3.4.7 Proposed Assessment Methodology*

Heritage Conservation: The County Council supports the desk based assessment that will be prepared as a first step in the proposed assessment methodology and notes that KCC has generic specifications for a desk study that should be responded to.

KCC also welcomes the proposed walkover survey. It would be useful at an early stage for the County Council to visit the area with the Applicant's archaeologist. The walkover should be undertaken at an early stage and influence the final alignment, rather than checking it as set out in paragraph 3.4.7.5.

KCC have already provided some input into the scope of monitoring of geotechnical works and the results of this work and any modelling from it should be integrated into the study. Given the richness of the archaeological landscape, it is highly likely that further survey and evaluation, both intrusive and non-intrusive, will be needed to inform the assessment and identify significant heritage assets that may need to be taken account of in scheme design and layout. It will be important for continued dialogue to be maintained between the Applicant's archaeologists and the County Council throughout the study.

### 3.5 Water environment

Sustainable Urban Drainage Systems (SuDS): The County Council, as Lead Local Flood Authority, is pleased to note that this section details how the water environment assessment will be undertaken and notes that it will be supported by a Flood Risk Assessment (FRA) and Water Framework Directive (WFD) Screening Assessment.

Whilst KCC has no preference whether the Flood Risk Assessment forms part of an EIA or is a standalone document, the County Council would emphasise that the FRA should include a Surface Water Management Strategy to adequately demonstrate how surface water will be managed within the development.

In addition to the policies referenced in paragraph 3.5.5.4, the County Council would request that the following KCC policies are considered for designing a future surface water drainage scheme:

- Kent County Council's Drainage and Planning Policy Statement (2019) (Appendix A)
- Kent Design Guide Making it Happen - [Appendix C2 Drainage Systems](#)

The Drainage and Planning Policy Statement sets out how Kent County Council, as Lead Local Flood Authority and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major development. This document should be referred to for further details about the County Council's submission requirements.

Whilst further details of the drainage arrangements will be forthcoming within a future report, KCC would highlight that as of 10/05/2022, the Environment Agency's climate change allowances have been updated. As part of this update, revisions have been made to the '*Peak Rainfall Intensity Allowances*' that are used in applying climate change percentages to new drainage schemes. KCC would now expect all applications to adhere to this latest guidance and would draw attention to the following [webpage](#) for further information on the allowances and supporting allowances map.

### 3.6 Geology and Hydrogeology

Minerals and Waste: The County Council notes that the proposal would not significantly affect safeguarded land-won minerals in the Kent scoping area, however, there are some safeguarded Storm Beach (sand and gravel deposits) in the Minster area. There are safeguarded waste management facilities nearby, but none within the area detailed area of the scoping boundary.

Therefore, the land-won mineral safeguarding policies of the [Kent Minerals and Waste Local Plan](#) (KMWLP) (2013-30) will need to be addressed if any of the link structures would result in sterilisation of these deposits. Where the proposed development is coincident with safeguarded minerals, a Minerals Assessment will need to be undertaken if prior extraction is not possible or desirable. The Minerals Assessment will identify which exemption from the



presumption to safeguard the mineral resources is appropriate to invoke from Policy DM 7 of the KMWLP.

Waste Management: The County Council is pleased to note that reference has been made to the Cliffsend landfill, known as Pegwell Bay closed landfill site to KCC, in the Scoping Report, as the Kent Onshore Scheme looks to pass through or across this area. The County Council agrees with paragraph 3.6.6.6 which states that the potential for mobilisation of existing contamination shall be scoped in to the EIA. Detailed investigation and considered design will be required so that the potential risk from the closed landfill is managed and, where needed, mitigated as part of the project.

### **3.8 Traffic and Transport**

Highways and Transportation: The County Council, as Local Highway Authority, is satisfied with the provisions that have been made to fully assess and manage the highway impacts of the proposal.

PRoW: The County Council is supportive of the PRoW detailed to be considered in paragraph 3.8.3.5. However, it is recommended that reference to the England Coast Path in this paragraph and in paragraph 3.8.4.16 is amended from '*Promoted Route*'. The England Coast Path is a National Trail of which there are only 16 in the country, and are considered to pass through some of the best landscapes in England and Wales.

#### *Control and Management Measures*

PRoW: The County Council welcomes the inclusion of PRoW within the Construction Traffic Management Plan and, if applicable, would advise temporary closures applied for at the earliest stage. KCC, as Local Highway Authority would also request engagement with the Applicant regarding timescales and the project schedule, to ensure user safety has priority.

#### *Sources and Impacts (Step 1)*

PRoW: KCC notes that construction traffic forecasts will be confirmed in the Environmental Statement and Transport Assessment in paragraph 3.8.2.11. KCC would highlight that PRoW must not be used as construction routes and that all routes affected by construction should be reinstated to an improved standard as mitigation.

In reference to Table 3.8.1, the County Council would agree that PRoW should be scoped in for construction impact, operation, maintenance and decommissioning purposes. Regarding Table 3.8.2, KCC supports the inclusion of PRoW for construction and decommissioning, but would recommend that reference is made to Restricted Byways as well as Footpaths and Bridleways, such as TE35 and TE36. The PRoW use is therefore pedestrian, equestrian, cyclist and non-mechanical vehicles. It is also noted that national or regional walking and cycling routes are also, in part, PRoW and should therefore be scoped in.

### *Proposed Assessment Methodology*

PRoW: KCC recognises that paragraph 3.8.3.9 details potential traffic-related effects to be considered by other topics and notes that PRoW should be included in Noise, Air Quality, Socio-Recreation and Tourism.

### *Transport Assessment*

PRoW: The County Council notes that the existing baseline conditions in the Transport Assessment in paragraph 3.8.3.19 must include Restricted Byways.

KCC would draw attention to paragraph 3.8.3.31 and would note that all PRoW Diversions or Closures must have the approval of the County Council. It is also recognised that the Institute for Environmental Management and Assessment (IEMA) guidelines state that the magnitude of each impact should be determined as the predicted deviation from the baseline conditions. KCC notes that user numbers are not necessarily the baseline, it is the protection of the public rights.

It is noted that Table 3.8.5 in the Scoping Report categorises the overall magnitude of effect of a PRoW diversion or closure, and KCC would emphasise that there should always be an alternative safe route provided.

In reference to Table 3.8.7, all PRoW benefits and amenities, including those to National or Regional routes, will be impacted during operation and this must be recognised within the Scoping Report. The mitigation of these impacts should therefore be included.

## **3.9 Air Quality**

PRoW: The County Council would request the consideration of PRoW users in air quality, depending on the site layout and existing and temporary routes at all stages of construction and decommissioning.

## **3.10 Noise and Vibration**

PRoW: KCC requests that the impact of the development on the PRoW network in respect of noise and vibration must be included regarding the construction, operation and decommissioning stages of the development.

The County Council must also be kept informed as to the works schedule to inform PRoW users of any impacts. A Communications Plan must be provided in the form of a webpage and social media outlets to both update public information and promote enhancements to routes provided by the project, as demonstrated with the Richborough Connection Project.

KCC notes that Table 3.10.11 of the Planning Practice Guidance for Noise (PPGN) noise exposure hierarchy should include PRoW users.

### 3.11 Socio-economics, Recreation & Tourism

Provision of County Council Community Infrastructure and Services: The County Council, as key infrastructure service provider, welcomes the inclusion of the St Augustine's Cross Memorial site and the Pegwell Bay Country Park as important visitor attractions and open space that may be impacted by this project.

However, the area considered for socio-economic impact needs to be wider than it is currently. KCC would request that additional high-value economic tourism assets are scoped in, as these may be impacted by the schedule of works, including road closures and noise. The impact on tourist visitor numbers to the area may be significant.

The County Council would request that additional leisure areas and attractions are considered for inclusion in the scoping exercise for the impact on tourism and economic development. These attractions stretch across the Districts of Dover and Thanet:

- Sandwich and Pegwell Bay
- Royal St George's Golf Course, Sandwich (home to the British Open) and neighbouring golf clubs
- The Viking Ship Hugin
- Minster Abbey and Minster village
- Ramsgate Royal Harbour
- Sandwich historical centre and Sandwich Quay
- Richborough Roman Fort and Amphitheatre

It is requested that the Sea Link landfall works causing the most disruption would not be scheduled during the summer months when tourism numbers in this part of Kent are at their highest.

PRoW: The County Council welcomes the consideration of PRoW regarding potentially significant socio-economic, recreation and tourism effects in paragraph 3.11.1.5, and in the Local Planning Policy Guidance mentioned in paragraph 3.11.2.8. KCC also welcomes the inclusion of the County Council's PRoW map to inform the baseline for recreational routes, and PRoW in paragraph 3.11.4.2.

In reference to paragraph 3.11.4.12. the listed recreational routes and PRoW that intersect the study area should also include Restricted Byways.

The County Council is supportive of PRoW being scoped in for construction, operational, maintenance and decommissioning impacts, with all matters to be approved by KCC. The County Council agrees with the 500m radius mentioned for PRoW in Table 3.11.2 of the impact pathways, and also in Table 3.11.3 of the proposed scope of the assessment, which includes both a 500m and 1km radius.

Country Parks: Pegwell Bay Country Park is a public park and community asset that provides many recreation and leisure opportunities. The site is well managed with its large wildlife population, varied habitats and daily customers to the park, and is a former landfill

site. As the Applicant's preference is for a landfall area in Pegwell Bay (Option K1), the County Council considers that there will be significant noise and amenity impacts to the Country Park from the project, which should be scoped into the EIA. There would be considerable disruption to the accessibility of the site during construction, with the Applicant likely to seek access for works through and across the Country Park car park, coastal path and internal paths of the site. KCC notes that the paths are not suitable for vehicles and works undertaken to widen and surface the paths would impact the habitats of the site and affect user safety. It would also be more difficult to promote the park as fully accessible to all, particularly those using pushchairs, people with disabilities and young families.

The project will also impact the business during construction and post construction and without the appropriate mitigation at these stages, there may be a negative impact on the visitor numbers. This could result in reduced income from parking, and from the licence fee as a result of the catering, as the business could potentially experience falling sales. The County Council seeks to work with the Applicant to minimise the impact on users of the Country Park. Another possible consequence is the displacement of visitors to surrounding and more sensitive areas of habitat and landscape.

The County Council would also draw attention to the impact of the Nemo Link Project on the Pegwell Bay Country Park. This project had a highly disruptive construction process, which resulted in a chalk berm that significantly changed the sites topography and accessibility and negatively affected visitor satisfaction levels, as noted within the Local Impact Report for the Thanet Windfarm Extension DCO (PINS Reference EN010084). Limited communication and information was shared with Country Park Rangers regarding closures and temporary rerouting of internal access routes. The County Council would therefore welcome continued engagement with the Applicant as the development progresses. The introduction of another cable to Pegwell Bay Country Park, possibly crossing the Nemo Link structure, could considerably impact the ability to graze and manage the site for wildlife and landscape.

### **3.12 Health and Wellbeing**

PRoW: The County Council welcomes the inclusion of PRoW in paragraph 3.12.6.4, and in Tables 3.12.1 and 3.12.3. However, there should not be reference to the '*permanent*' closure of PRoW, as KCC would not agree to extinguishments or severance.

## **Volume 1 Main Text - Part 4 Offshore Scheme**

### **4.7 Marine Archaeology**

Heritage Conservation: The lead consultee with respect to the impact of the scheme on marine heritage will be with Historic England. The County Council will have a particular interest in the landfall area at Pegwell Bay (Option K1) where heritage assets are recorded within the intertidal areas, both buried within marine alluvials and as structures and wrecks / hulks. KCC draws attention to recent work by the [Coastal and Intertidal Zone Archaeological Network](#) (Citizan) Project that has focused on this area and is a useful source for information that may not yet be on the Kent Historic Environment Record.

KCC notes that Chapter 7 covers Marine Archaeology and heritage receptors are illustrated in Figure 4.7.1. The figure records only those features from the National Marine Heritage Record (NMHR) and UK Hydrographic Office (UKHO) data sources. The County Council recognises that in paragraph 4.7.4.21, the Scoping Report notes that there are no records on the Kent Historic Environment Record in or close to the study area. The intertidal areas will form part of the Kent Onshore assessment and will hopefully pick up heritage assets noted by Citizen and others that may not be on the Historic Environment Record. This information will inform the potential impacts in areas of Pegwell Bay below the low water mark. The County Council is supportive of paragraph 4.7.5.8, which notes that the intertidal area will be walked as part of the assessment.

The County Council welcomes the review of the geophysical and geotechnical survey data that will be undertaken for the purpose of the assessment. It would be useful for the marine archaeologists and geoarchaeologists working on the assessment to provide input into the scope and design of such surveys so optimum data can be acquired. KCC advises that there should be close liaison between geoarchaeologists and geotechnical specialists in scoping, taking, extracting and assessing bore hole samples.

KCC supports the proposed assessment methodology set out in paragraphs 4.7.7.2 to 4.7.7.8 that will identify heritage assets and their significance. Historic England will lead on considering the significance of marine heritage and the scope of assessment; however, the County Council welcomes the proposed scope in Table 4.7.9.

### **Volume 3 Figures**

PRoW: The County Council is pleased to note that the Scoping Report shows the PRoW network, the England Coast Path National Trail and countywide Promoted Routes.

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KCC would welcome continued engagement as this proposal progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely,



**Stephanie Holt-Castle**  
Director for Growth and Communities

Encs:  
Appendix A: Kent County Council Drainage and Planning Policy Statement

**Kent County Council**

# **Drainage and Planning Policy**

**- a Local Flood Risk Management  
Strategy Document**

**December 2019**

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Date	Revisions details
October 2016	Clarification on technical matters; submission summary form.; pre-application advice; post-construction verification reports; standard advice.
June 2017	Further clarification of technical matters and amendments to general wording including revised M5-60, 50% reduction for brownfield sites, runoff control per soil type, discharge to highway systems, off-site drainage improvements and developer contributions.
November 2019	Clarification of drainage submission requirements and revised drainage policies to reflect latest changes in NPPF and include the requirements for a verification report and any changes as a result of consultation.

The overall policy will be assessed biennially and reviewed when National policy or other relevant policy changes occur.



# 1 Role of this Policy

This policy sets out how Kent County Council (KCC), as Lead Local Flood Authority (LLFA) and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major development. It is consistent with the Non-Statutory Technical Standards for Sustainable Drainage (as published by Defra in March 2015) and sets out the policy requirements KCC has for sustainable drainage. It should be read in conjunction with any other policies that promote sustainable drainage, specifically:

- the National Planning Policy Framework and,
- any specific policy set out by the relevant Local Planning Authority

This policy is also supported by KCC guidance and policy provided in:

- Kent Design Guide Technical appendices ('Making It Happen') 2019;
- Water. People. Places - a guide for Masterplanning sustainable drainage in developments;
- KCC Land Drainage Policy

The aim of this policy document is to clarify and reinforce these requirements. It also includes references to other design considerations which impact sustainable drainage design and delivery.

This policy should be used by:

- developers when considering their approach to the development of new sites or redevelopment of brownfield sites;
- developers or their consultants when preparing submissions to support a planning application for major development;
- professionals involved in developing drainage schemes including engineering and urban and landscape professionals;
- development management officers when considering development applications,
- Local Authorities when developing local planning and land-use policy.

With this current update, we seek to ensure that multifunctionality of open space is now emphasised within development master planning. This provides an opportunity for Kent to look to wider benefits of sustainable drainage and strengthen policies for the delivery of drainage systems which are fully sustainable, thus providing quantity control, quality improvement, biodiversity enhancement and amenity. Changes to the National Planning Policy Framework (NPPF) in 2019 and Defra's 25-Year Environmental Plan<sup>1</sup> promote a robust approach to sustainable development.

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<sup>1</sup>25-year Environment Plan, published January 2018 on [www.gov.uk/government/publications/25-year-environment-plan](http://www.gov.uk/government/publications/25-year-environment-plan)

## 2 Introduction

### 2.1 Background

KCC was made a LLFA for Kent by the Flood and Water Management Act 2010 (the Act). As LLFA, KCC has a strategic overview of 'local flooding'. Local flooding is defined by the Act as flooding which is caused by:

- Surface water,
- Groundwater,
- Ordinary Watercourses

The management of surface water within new development is a key factor in managing local flooding.

Since commencement of the Act in 2010, the Government has assessed various means of promoting sustainable drainage systems. In April 2015, LLFAs were made statutory consultees in planning for surface water. Our understanding of local drainage and local flood risk presents a strong platform from which to provide advice and guidance to Local Planning Authorities on the management of surface water.

In undertaking this role KCC coordinates with the 12 local authorities as well as Kent's own planning department and the Ebbsfleet Development Corporation. Where appropriate we will also liaise with other relevant flood risk management authorities, such as the Environment Agency, sewerage undertakers and the county's Internal Drainage Boards (IDB).

## 2.2 Legislative Framework

As a LLFA within Kent, KCC is required under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 ('the Development Management Procedure Order') to provide consultation response on the surface water drainage provisions associated with major development.

Major development is defined within the Development Management Procedure Order as development that involves any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where:
  - (i) the number of dwelling houses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

As a statutory consultee, KCC must provide a substantive response within 21 days of consultation (Article 22 of the Development Management Procedure Order). A substantive response is one which:

- (a) states that the consultee has no comment to make;
- (b) states that, on the basis of the information available, the consultee is content with the development proposed;
- (c) refers the consultor to current standing advice by the consultee on the subject of the consultation; or
- (d) provides advice to the consultor.

The Planning and Compulsory Purchase Act 2004 describes the duty to respond as a consultee, including the duty to report to the Secretary of State on compliance with the provision of substantive responses.

The Town and Country Planning (General Development Procedure Amendment No. 2, England) Order 2006 introduces the concept of Critical Drainage Areas as *"an area within Flood Zone 1 which has critical drainage problems and which has been notified [to] the local planning authority by the Environment Agency"*. However, no Critical Drainage Areas have yet been defined within Kent and will not require further consultation.

## 2.3 Sustainable Drainage in Planning

Sustainable drainage systems are designed to control surface water as close to its source as possible. Wherever possible they should also aim to closely mimic the natural, pre-development drainage across a site. A well-designed sustainable drainage approach also provides opportunities to:

- reduce the causes and impacts of flooding;
- remove pollutants from urban run-off at source;
- combine water management with green space with benefits for amenity, recreation and wildlife.

The purpose of the planning system is to contribute to the achievement of sustainable development and deliver the requirements of the National Planning Policy Framework (NPPF). The use of sustainable drainage systems helps to achieve the sustainability objectives of the NPPF.

## 2.4 Design Strategies

Development has the potential to change surface water and ground water flows, depending upon how the surface water is managed within the development proposed. Planning applications for major development should therefore be accompanied by a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with KCC's sustainable drainage policies, as outlined within this document.

The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required.

## 2.5 Strategic Consultation

As a LLFA, KCC has a consultation role in relation to the preparation of local plans, neighbourhood plans, strategic flood risk assessments and other planning instruments produced by Local Planning Authorities<sup>2</sup>.

KCC will provide advice and guidance on local flood risks and appropriate policy for any area upon request.

KCC will also provide information to individuals and other organisations with respect to drainage and local flood risk for use in the preparation of other relevant planning documents upon request.

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<sup>2</sup> National Planning Policy Guidance, Flood Risk and Coastal Change, paragraph 2.

## 3 Planning policy and guidance for drainage

This section sets out the sources of planning policy relevant to the management of surface water. These policies will form the basis of KCCs assessment of any submitted drainage strategy. The drainage strategy will need to demonstrate how the development meets these requirements.

### 3.1 NPPF

The National Planning Policy Framework (NPPF) was published on 27 March 2012 with further revisions in 2019; it sets out the Government's planning policies for England and outlines how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the relevant Local Planning Authority's development plan, following public consultation and with due regard for other material considerations.

The NPPF is a material consideration in the determination of planning applications. At the heart of the NPPF is a presumption in favour of sustainable development, excepting where adverse impacts significantly outweigh the benefits (or where specific policies indicate that development should be restricted). Flooding and drainage may also be considered material considerations in the determination of planning applications as their management contributes to sustainable development.

Paragraphs 155, 157, 163, 165 and 170 of the NPPF (Appendix A) have particular relevance to flooding and drainage. These paragraphs include consideration for area of flood risk, incorporation of sustainable drainage systems, taking account of advice from LLFA, operational standards, maintenance requirements and multifunctionality.

The NPPF is supported by the **Planning Practice Guidance**<sup>3</sup> which provides further advice on how planning can take account of the risks associated with flooding in plan-making and the application process.

### 3.2 Water Environment Regulations 2003

The Water Environment Regulations 2003 make provision for the purpose of implementing in river basin districts the Water Framework Directive (Directive 2000/60/EC of the European Parliament) which established a framework for Community action in the field of water policy. These regulations will remain in place until such time that UK law is revised to reflect changes in EU membership. These Regulations require a new strategic planning process to be established for the purposes of managing, protecting and improving the quality of water resources<sup>4</sup>.

Therefore, this provides an opportunity to plan and deliver a better water environment, focusing on ecology. The WFD aimed for the water environment to reach 'good' chemical and ecological status in inland and coastal waters by 2015. Planning and programmes are continuing in six year cycles until 2027.

The WFD drives water quality improvement planning along total river catchment areas, with the production of River Basin Management Plans. The directive puts a duty on public bodies to have regard to river basin management plans (and associated supplementary plans) when exercising their functions where it may affect a river basin district.

Controlling water is inherent in the WFD's objectives, as uncontrolled surface flow or flooding can cause unmanageable water quality problems. Sustainable drainage principles are key to meeting the objectives of the WFD in its continuing cycles.

### 3.3 Habitats Regulation 2017

The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive<sup>5</sup>), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

The sites where habitats and species are legally protected due to their exceptional importance are known as Natura 2000 sites; this network protects rare, endangered or vulnerable habitats and species. The Natura 2000 network includes Special Areas of Conservation (SACs, identified under the Habitats Directive), Special Protection Areas (SPAs, identified under the Birds Directive) and Ramsar sites (wetlands of international importance designated under the Ramsar Convention). All Natura 2000, or 'European', sites are also classified as Sites of Special Scientific Interest (SSSIs) but not all SSSIs are Natura 2000 sites.

<sup>3</sup> The Planning Practice Guidance is a web-based resource which can be accessed from the Planning Portal at: [http://planningguidance.planningportal.gov.uk/?s=Drainage&post\\_type=guidance](http://planningguidance.planningportal.gov.uk/?s=Drainage&post_type=guidance)

<sup>4</sup> This framework became UK law in December 2003

<sup>5</sup> More information on the Habitats Directive can be found at: [http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm)

## 3.4 Defra's 25-Year Environment Plan

The 25 Year Environment Plan was published in January 2018; it sets out government action to tackle the growing problems we face in the environment and aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species, reduce risk of environmental hazards and promote sustainable development.

The plan is supported by the concept of natural capital, meaning it places value on natural assets, which includes geology, soils, water and all living organisms. Specific components of the Environment Plan are introduced in current updates of the NPPF.

The Environment Plan will need to be underpinned by law and enforced by a new legal framework for the environment to replace the system the EU currently provides. It is beneficial to be aware of the changes in legislation and policy indicated in this plan as it provides government direction to sustainable development.

## 3.5 Non-statutory technical standards for sustainable drainage

To support the LLFAs statutory consultee role, Defra published the 'Non-Statutory Technical Standards for Sustainable Drainage Systems' on 23 March 2015. These standards provide advice and guidance for the design, maintenance and operation of sustainable drainage systems<sup>6</sup>.

Further guidance on the application of the Non-Statutory Technical Standards will be provided by Defra and associated stakeholders.

A summary of the requirements of these non-statutory standards is provided in Appendix B. The policies in this policy are consistent with the Non-Statutory Technical Standards.

## 3.6 Local Authority Guidance

Local Planning Authorities are ultimately responsible for determining planning applications and have numerous planning and policy documents to support the delivery of sustainable development within their districts.

### 3.6.1 Local Plans and Neighbourhood Plans

National planning policy places Local Plans at the heart of the planning system. Local Plans set out a vision and a framework for future development of the area. Local Plans should be based upon and reflect the presumption in favour of sustainable development. They should also address housing provision, the economy, community infrastructure and environmental issues such as adapting to climate change and ensuring high quality design.

The management of flood risk and surface water can be dealt with through policies for sustainable construction, flood risk, open space, landscape character and green infrastructure. These policies may be supported by further Supplementary Planning Documents or guidance notes.

Neighbourhood planning is a right for communities introduced through the Localism Act 2011. Parish Councils and Neighbourhood Forums (where there is no Parish Council) and their communities can shape development in their areas through the production of Neighbourhood Development Plans. These plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications.

Any drainage strategy should make reference to relevant Local Plan and Neighbourhood Plan policies. It may also have to provide evidence which supports delivery of biodiversity, amenity and other benefits.

### **3.6.2 Supplementary planning documents**

Some local authorities in Kent have specific drainage guidance, policies and standards for development within their district areas, which may include specific surface water discharge rates. Other local authorities may introduce similar guidance. These documents provide substantive guidance on how drainage should be delivered.

### **3.6.3 Strategic Flood Risk Assessments (SFRA)**

Strategic Flood Risk Assessments are required to inform the development of Local Plans, as stated within the NPPF. A SFRA assesses the risk to an area from flooding from all sources, taking into account the effects of predicted climate change. They should also assess the impact that land use changes and development will have on flood risk within the district in question. Each Local Planning Authority in Kent has prepared and referenced a SFRA within their planning documents. These documents provide key information on the potential sources and magnitude of flooding and may provide information for specific site allocations.

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<sup>6</sup> The Non-statutory Technical Standards are published at: <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>



## 3.7 Kent County Council Guidance

The Local Flood Risk Management Strategy (the Local Strategy) for Kent sets out a countywide strategy for managing the risks from local flooding. One of the five objectives set out in the Local Strategy specifically states the importance of ‘ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts’.

To support delivery of this objective, KCC has developed guidance to define the approach to planning and design of drainage. When considering surface water drainage within new developments in Kent, it is therefore recommended that reference is made to specific guidance and wider information available:

### 3.7.1 Water. People. Places - a guide for masterplanning sustainable drainage into developments

This guidance outlines the process for integrating sustainable drainage systems into the masterplanning of large and small developments<sup>7</sup>. This guidance should be used as part of the initial planning and design process for all types of development, with specific reference made to the relevant development typologies.

### 3.7.2 Kent Design Guide Technical Appendices: Making It Happen

The Kent Design Guide was produced to ensure that all new development results in vibrant, safe, attractive, liveable places. ‘Making It Happen’ comprises technical appendices that provide advice and guidance on the design and construction of drainage systems which KCC may be adopting.

The sustainability chapter (drainage systems) has been revised in May 2019 and contains specific technical guidance for drainage design.

### 3.7.3 Land Drainage Policy

KCC has powers under Section 23 of the Land Drainage Act 1991 to consent works in an ordinary watercourse and to enforce the removal of unconsented works.

Land Drainage regulations are generally concerned with the physical condition of watercourses, including whether they are blocked or how they are modified, including the introduction of new structures to them. This policy sets out how Kent County Council exercises these land drainage functions.

### 3.7.4 Surface Water Management Plans

Surface Water Management Plans (SWMPs) have been prepared by KCC (in partnership with other relevant stakeholders) to identify specific local actions to manage local flood risk. They have been undertaken in areas which were identified as a potential risk from local flooding in the Preliminary Flood Risk Assessment. These studies may provide a greater understanding of the current flood risk. Any proposed development should include consideration of any findings and recommendations of the relevant SWMP for the area. The areas covered by SWMPs are regularly being updated and can be found on the KCC website<sup>8</sup>.

### 3.7.5 Kent Environment Strategy

As part of a county wide partnership, KCC has produced a Kent Environment Strategy– A strategy for environment, health and economy (KES) setting out how Kent and their partners propose to address significant opportunities and challenges from environmental change and development pressures (such as a need for improved air and water quality, decline in biodiversity and the impacts of climate change)<sup>9</sup>. It is accompanied by an implementation plan and includes partnership actions that will deliver against the priorities set out in the strategy. KCC adopted the strategy in January 2016 and has invited the District Councils to also adopt it to provide a basis for co-ordinated action.

The KES recognises that the environment is a key part of the infrastructure supporting the Kent economy. The strategy aims to make the most of environmental opportunities whilst addressing challenges arising from development pressures, need for improved air and water quality, decline in biodiversity and the effects of climate change.

## 3.8 Other Guidance & Tools

In approaching or reviewing design, technical aspects may need clarification and specification in order to satisfy KCC that it meets the required standard. KCC will make reference to good practice presented within the following documents, and would recommend that any designer also refers to:

### 3.8.1 CIRIA SuDS Manual (C753), 2015

This guidance document provides comprehensive information on the all aspects of the life cycle of sustainable drainage from initial planning, design through to construction and management including landscaping, waste management and costs.

### 3.8.2 Building Regulations

Building Regulations exist to ensure the health, safety, welfare and convenience of people in an around buildings. Part H of the Building Regulations specifically covers drainage. The consultation with the LLFA addresses flood risk to and from developments and does not replace any requirement for Building Regulation approval.

### 3.8.3 BS 8582:2013 Code of practice for surface water management for development sites

The British Standard gives recommendation on the planning, design, construction and maintenance of surface water management systems for new development and redevelopment sites in minimizing and/or mitigating flooding and maximizing the social and environmental benefits.

<sup>7</sup> The document can be found at: [www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems](http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems)

<sup>8</sup> SWMPs can be found at: [www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/surface-water-management-plans](http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/surface-water-management-plans)

<sup>9</sup> The Strategy can be found at: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kent-environment-strategy>

### 3.8.4 UK Sustainable Drainage Guidance

The UK SuDS Tools website which provides estimation tools for the design and evaluation of surface water management systems. The website has been developed and is supported by HR Wallingford. The web site can be accessed at: <https://www.uksuds.com/>. The website provides estimations for greenfield runoff, storage analysis and other tools.

### 3.8.5 Long Term Flood Risk Information

In 2013 the Environment Agency, working with LLFAs, produced the Long Term Flood Risk map, which depicts the risk associated with surface water flooding. The Risk of Flooding from Surface Water maps show flooding scenarios as a result of rainfall with the following chance of occurring in any given year (annual probability of flooding is shown in brackets): 1 in 30 (3.3%), 1 in 100 (1%), and 1 in 1000 (0.1%).

The Risk of Flooding from Surface Water map is published on the Gov.UK website on the "Long Term Flood Risk Information". This mapping is key to assessing overland flow routes and to identifying any locations at high risk of surface water flooding.

# 4 Drainage Consultation

## 4.1 Introduction

A drainage strategy should be submitted to the relevant Local Planning Authority along with any planning application for major development. It may either form part of a wider Flood Risk Assessment, or it can be submitted as a separate and dedicated standalone document.

Whilst consultation is not undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage do apply to all development, irrespective of scale (NPPF, Paragraph 163). Developers of sites for minor development are encouraged to consider the policies outlined in this document, as well as any local specific policy with respect to site drainage design. Applicants for these smaller developments are directed to guidance and standing advice on best practice to help minimise flood risk.

It is important that any consultation request we receive reflects the level of risk to a site (or the risk that may result from its development). Consequently, consultation may also occur for development, other than major development in areas of higher local flood risk, as described in Section 4.3.

Consultation on flood risk will also occur with other risk management authorities. For example, the management of tidal and fluvial flood risk and the prevention of inappropriate development in the associated flood-plain remains the responsibility of the Environment Agency. The Environment Agency is also responsible for the management of permitting regulations which may affect discharge to water bodies or the ground. Similarly, if any drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

Within Flood Zones 2 or 3 (areas of medium/high tidal or fluvial flood risk), a Drainage Strategy should be a component of a wider Flood Risk Assessment and should outline how the management of runoff will not exacerbate the existing flood risk to/from the development proposed.

A Flood Risk Assessment should also be submitted with any application for planning permission on sites in excess of 1 ha in Flood Zone 1 (low flood risk); in these instances the Flood Risk Assessment/Drainage Strategy should be primarily concerned with the management of surface water within the proposed development site.

Other third parties, including but not limited to the Environment Agency, IDB, The Highways Authority, the Sewerage Undertaker and adjacent landowners, could have an effect on the design of a drainage system. Consultation with relevant third parties is essential early in the design process. This information should be provided as part of the consultation process.

## 4.2 Consultation Process

### 4.2.1 Overview

Consultation with KCC will occur through the planning process. KCC will be notified of the submission of a major planning application by the Local Planning Authorities within Kent (as defined in Section 2.5).

A substantive response to the LPA is legally required from KCC within 21 days of consultation.

### 4.2.2 Pre-application Advice

Incorporating appropriate drainage is easier and more sustainable if it is planned and designed in from the start of a development. KCC encourages pre-planning consultation to ensure that the issues are appropriately addressed at an early stage.

Pre-planning advice from KCC can provide the following benefits:

- background information to identify constraints and matters in relation to flood risk and drainage pertinent to the application;
- an indication of whether a proposal would be acceptable in principle, saving time and cost within the planning process;
- reduced time to prepare the proposal;
- provides clarification of the guidance and policies that will be applied to the development proposal;
- identifies whether specialist input is required; and,
- identification and engagement of other key stakeholders.

KCC's pre-application planning advice in relation to new development is discretionary and is provided as a chargeable service. Details and forms for pre-application advice is found on [kent.gov.uk](http://kent.gov.uk). Standing advice for specific development scenarios and types is also available on Kent's website<sup>10</sup>.

We provide free advice to:

- individual homeowners who have specific drainage or flood related issues which may impact their own house for development; and,
- Parish councils, Local community groups, or Flood Forums on works proposed to improve local communities.

### 4.2.3 Planning application submission

The Local Planning Authority will confirm that a Drainage Strategy has been submitted with the planning application and pass it to KCC for consultation. KCC will review the submitted material for adequacy and, depending upon the submission, may request further information. This will be communicated to the applicant via the Local Planning Authority.

The drainage strategy submitted to support a planning application must reflect the development proposal (including site area, type of development, general arrangement and layout).

All elements of the proposed drainage strategy should be within the defined planning and development application boundary as defined by the development's "red-line" boundary. This ensures that planning approval and any subsequent conditions will apply to the entirety of the drainage measures. It would not be acceptable to have any drainage measures, most notably attenuation basins or soakaways outside of the planning application site boundary unless secured by other planning conditions, approvals or agreements.

In reviewing a drainage application, KCC will, in the first instance, confirm compliance with this policy, national planning policy (as defined in the NPPF), and compliance with the Non-Statutory Technical Standards. Local planning requirements (as set out in Local Plans or other local planning documents) and other site-specific land-use factors that affect surface water management will also be referenced, where appropriate. Additionally, KCC will consider adherence to wider environmental principles of the NPPF that may have a bearing on drainage design (for example, water quality, biodiversity and amenity).

A consultation response will be prepared and returned to the Local Planning Authority within the required 21 days following receipt of a suitably detailed submission. The consultation response may result in a request for further information or for planning conditions for subsequent determination.

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<sup>10</sup> [www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems#tab-3](http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems#tab-3)

## 4.3 Consultation Submission Requirements

### 4.3.1 Introduction

Detailed information will be required to demonstrate that a drainage design is appropriate and will operate effectively. This information may be required for all drainage measures, including (but not limited to) pipe networks, attenuation features, ponds, soakaways and control structures.

Key design information must be evidenced and assessed. Key information which may be needed to demonstrate the feasibility or applicability of a design philosophy includes:

- existing discharge rates and post development discharge rates;
- ground investigation information, groundwater levels and infiltration rates;
- condition and connectivity surveys of receiving watercourses and sewers;
- ground level and topographical survey;
- deliverability of discharge destination and right to connect.

Detail of this technical information is provided in Chapter 6 of Making it Happen C2: Sustainable Drainage Systems. The lack of detailed technical information may increase the level of uncertainty we may have about the effectiveness of a drainage strategy. If the degree of uncertainty is great, this is that the proposal cannot clearly demonstrate a functioning system in line with requirements, then KCC will have grounds to object to the drainage proposal or may delay return of a substantive comment to the planning authority.

We therefore encourage pre-application discussion to identify any areas which may need further investigation or clarification to reduce any uncertainty with respect to the functioning of the system.

The detail provided in the submission will reflect the type of planning application submitted, whether 'outline' (Surface Water Management Strategy) or 'full' (Detailed Drainage Strategy) or discharge of condition (detailed design). The submission requirements are provided in Table 1 and are read as minimum requirements. It is expected that later stages of planning submissions will provide greater detail (such as estimates of storage vs modelled network calculations).

KCC recommends the inclusion of a summary sheet which contains pertinent information to assist in ensuring sufficient detail is submitted and to simplify the review process. A Drainage Strategy Summary Form is included in Appendix C.

We recommend that applicants confirm the submission requirements through pre-application discussion with KCC, particularly to identify any needs for ground investigation.

**Table 1- Submission Requirements for stages of planning**

Information required	Outline	Full	Reserved Matters	Discharge of Condition	Verification condition <sup>11</sup>
Identification of discharge destination					
Development information including location plan, site layout, and drainage schematic					
Surface water drainage strategy report or statement					
Calculation assumptions and results including impermeable areas, infiltration rates, network calculations and models					
Existing and proposed drainage arrangements			12		
Existing and proposed discharge rates					
Ground investigation reports/survey and soakage testing results					
Maintenance programs and access arrangements					13
As built drawings or tender construction drawings				14	
Exceedance plan <sup>15</sup>					
Catchment plans					
Water quality index					
Watercourse condition and connectivity					
Proposed detailed drainage network plans and cross-sections including cover and invert levels, locations of flow controls (Critical Drainage Assets)					
Attenuation device details including cross-sections					
Landscape Plan					
Discharge agreements, consents and/or evidence of third-party agreement for discharge to their system					
Phasing plan					
Identification or designation of maintaining authority/ organisation					

<sup>11</sup> specific requirement for confirmation of drainage. Please see section 4.3.5

<sup>12</sup> as required, where not already demonstrated in the original application

■ require greater design detail than previous planning stage ■ Greatest amount of detail required

<sup>13</sup> Specific for each critical drainage asset

<sup>14</sup> Drawings of proposed construction

<sup>15</sup> includes conveyance, volume and depths



### 4.3.2 Large scale development

**Surface water management strategies** for large developments (with multiple phases) will require the submission of an overall drainage strategy at outline planning stage that provides the overall site drainage strategy and a framework for the delivery of the drainage in each phase of the site.

The Surface Water Management Strategy should set out the following for the whole site, and each phase:

- discharge destination(s);
- discharge rate and volume;
- catchment areas;
- estimated impermeable areas per phase and per catchment; and,
- phasing plan with timing of construction.

This Surface Water Management Strategy should act as an overall **drainage masterplan** for all phases of the development.

A Surface Water Management Strategy will be tied to a planning condition at the outline stage. Pre-application discussions are encouraged in the case of phased development to agree the level and detail of any strategic Surface Water Management Strategy and subsequent Detailed Drainage Strategies that will be required for each phase.

Depending upon the level of detail submitted at outline planning, it may be necessary to submit additional drainage information to accompany reserve matters associated with the layout to demonstrate that the Surface Water Management Strategy can be accommodated within the proposed layout.

Further details regarding the surface water management proposals for each phase of development should then be provided within a Detailed Drainage Strategy. Each phase must remain consistent with the overall site strategy and drainage masterplan.

Supporting information must be submitted to demonstrate that any variations can be accommodated within the site without exacerbating flood risk. The overall site Surface Water Management Strategy may be reviewed as different phases are delivered.

Large sites in close proximity or in one catchment are encouraged to cooperate or consult concurrently as there may be opportunities for combined solutions with mutual and greater benefit.

Any strategic drainage features that are required for the wider site's drainage strategy to function properly must be identified and delivered prior to the connection of the drainage from any phase or sub-phase. If a single site within a wider development (e.g. school or commercial site) is reliant upon the strategic drainage system, this must be clearly indicated within the phasing plan.

### 4.3.3 Consultation for minor and low risk development

Minor development will not normally be reviewed by KCC, unless specifically requested by the LPA due to local drainage concerns, existing or mapped surface water flood risk, or other matters identified by the LPA in relation to delivery of sustainable drainage.

In some instances, due to the size of the development or proposal, construction for drainage provision is not needed or substantial and therefore considered low risk. Low risk development for the purposes of consultation may be regarded, but not limited to:

- change of use<sup>16</sup>;
- limited external building envelope alterations;
- or which results in less than 100 m<sup>2</sup> of additional impermeable area and which is not located in an area of existing flood risk or drainage problems.

### 4.3.4 Easements and way leaves

If any surface water flows off site and is required to cross third party land, then information must be submitted which demonstrates that the applicant has the ability to deliver the outfall from the site. This may require confirmation of agreement from a third-party landowner or confirmation of an agreed easement way leave.

### 4.3.5 Maintenance and verification

The design of any drainage system must take into consideration the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work.

The continued operation of any drainage system is dependent upon ongoing maintenance, which may be undertaken by an adopting authority or management agent. Any drainage strategy must include details of the intended adopting authority or agent and specific details of appropriate and sufficient maintenance, and then be confirmed in the verification report.

Developers will be required to demonstrate that the drainage was constructed according to the approved plans through post-construction verification reports. These reports will also include maintenance and requirements specific to the drainage system constructed. Detailed drainage layouts will be required which also identify “critical drainage assets<sup>17</sup>”.

<sup>16</sup> change of use where vulnerability is not increased

<sup>17</sup> KCC’s definition of critical drainage assets would be those items of interest in relation to Section 21 (1A) of the Flood and Water Management Act (2010), namely any assets that are “likely to have a significant effect on a flood risk in its area” and could include items such as inlets, outlets, controls, attenuation structures etc... Further clarification can be provided by contacting KCC’s Flood and Water Management team.

## 4.4 Adoptable highways and drainage

Most major development would normally include some aspect of highway construction or improvement, which may be adopted or require approval by KCC as the Highway Authority. The provision of drainage to adopted highways is normally subject to Section 38 or 278 Agreement, with approval and inspection by KCC as the Highway Authority.

Highway matters may be reviewed within the consultation by KCC as LLFA. KCC will endeavour to seek internal consultation on such matters; however, the detail provided within a planning submission may not be sufficient. The response from KCC as LLFA does not commit KCC as Highways Authority to any particular highways arrangement. The nature and extent of adoption should be confirmed with the Highways team at an appropriate time within the planning and design process.

Any review provided by KCC as LLFA within the planning process does not constitute a technical approval; however the LLFA's approval may be required prior to any further adoption by KCC as the Highways Authority.

# 5 Policies for Sustainable Drainage

## 5.1 Introduction

A range of sustainable drainage techniques may be utilised across a site to manage the surface water runoff from the planned development; the use of more than one technique will often be appropriate to achieve the objectives of sustainable development on any given site (notwithstanding situations which may still arise where a conventional solution may be the most appropriate).

Given the range of design options to provide a drainage solution, KCC has defined:

- Drainage Policies (SuDS Policy 1 through 6) that set out the requirements for a drainage strategy to be compliant with the NPPF and guidance within the Non-Statutory Technical Standards for Sustainable Drainage.
- Environment Policies (SuDS Policy 7 through 9) that set out expectations to be considered within a drainage strategy in response to environmental legislation and guidance that KCC and the Local Planning Authorities have a duty to comply with.

These policies, summarised in Table 2, reflect the requirements of the Local Flood Risk Management Strategy, Surface Water Management Plans and Local Planning Authority Local Plans. Sufficient information must be submitted to demonstrate that the drainage proposals comply with these policies.

**Table 2: Kent County Council SuDS Policies**

Policy	Summary
SuDS Policy 1	Follow the drainage hierarchy
SuDS Policy 2	Deliver effective drainage design
SuDS Policy 3	Maintain Existing Drainage Flow Paths & Watercourses
SuDS Policy 4	Seek to Reduce and Avoid Existing Flood Risk
SuDS Policy 5	Drainage sustainability and resilience
SuDS Policy 6	Sustainable Maintenance
SuDS Policy 7	Safeguard Water Quality
SuDS Policy 8	Design for Amenity and Multi-Functionality
SuDS Policy 9	Enhance Biodiversity

## 5.2 Drainage policies

These policies are specified from the NPPF and the guidance within the Non-Statutory Technical Standards for Sustainable Drainage, as published by Defra.

### 5.2.1 SuDS Policy 1: Follow the drainage hierarchy

Surface runoff not collected for use must be discharged according to the following discharge hierarchy:

- to ground,
- to a surface water body,
- a surface water sewer, highway drain, or another drainage system, or
- to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker.

The selection of a discharge point should be clearly demonstrated and evidenced.

When development occurs, the urbanisation process within a catchment affects the natural hydrology; if the destination of the water is altered this may result in:

- a reduced supply of rainfall to groundwater;
- an accelerated passage of flow to the receiving watercourses; and
- water directed away from existing receiving catchments.

In order to maintain the natural balance of the water cycle, the above discharge hierarchy must be adhered to. Where development results in changes in runoff destinations, the design must account for how the surface flows are managed and demonstrate it does not exacerbate off-site flood risk.

Any development application must follow the hierarchy and be accompanied by evidence as to why infiltration is not utilised. Technical information on the uses of infiltration is provided in Kent Design Making It Happen, including testing methodology and design criteria. Infiltration testing must assess infiltration rates appropriate to underlying ground conditions and may require consideration of both shallow and deep infiltration.

If infiltration is not feasible further information is required from appropriate authorities indicating the acceptability of a discharge location, discharge rate and consent to connect. This agreement may be with the relevant owner or responsible body including IDBs, highway authorities, sewerage undertakers, riparian owners, port authority, Environment Agency, Canals and River Trust and others.

Any connection or discharge must be compliant with regulations or guidance governing the operation of the existing drainage system (e.g. IDB by-laws or standard specifications for public sewers). Correspondence with the relevant owner or responsible body should be submitted to demonstrate agreement in principle to the discharge and connection point as early in the development planning process as possible.

If we are aware of a capacity issue or a sewer flooding issue that a sewer connection is likely to exacerbate, we will inform the Local Planning Authority and the sewerage undertaker. We may oppose any such proposal until it can be adequately demonstrated that the receiving authority has confirmed the acceptability of the intended rate of discharge.

## Discharge to Ground

The drainage strategy may be constrained if the drainage discharges to the ground via infiltration in a source protection zone (specifically SPZ 1), area of low permeability or area with high groundwater. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in these areas, specifically in relation to groundwater contamination. We recommend reference to the EA's latest policy guidance on groundwater protection<sup>18</sup>.

## Discharge to Sewer

An existing connection to a sewer does not automatically set a precedent and it must be demonstrated why infiltration and/or a connection to a watercourse cannot be utilised. There is a presumption against any discharge of surface water to a foul sewer.

Combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding. In our commitment to ensuring development is sustainable, we will therefore seek to reduce surface water discharges to combined sewer systems.

We will encourage developers to look for available surface water systems within a radius of the proposed development before discharges to a combined sewer is agreed acceptable. For small developments surface water sewer connections should be assessed within 90m of the development site boundary. For larger development (over 100 units), a suitable distance for connection to a surface water sewer will be assessed at the time of planning, dependent upon the size and location of the development.

Where a surface water connection to an existing combined sewer is unavoidable, it must be undertaken in such a manner and at such a location to facilitate future separation of the surface water from that combined system.

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<sup>18</sup> The Environment Agency's approach to groundwater protection, February 2018 or latest version as published. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf)

## Discharge to Highway Drains

KCC may consider surface water discharges into highway drainage sewers in the following circumstances:

- a) the developer/property owner is prepared to upgrade the system where required to accommodate any increased flows; and,
- b) there is a proven existing connection to the highway drainage systems.

Highway drainage connections should be raised in pre-application discussion with KCC to ensure there will be appropriate arrangements in place for highways and drainage adoption, where appropriate. Highways advice for planning applications is provided on the County's website. Please refer to Kent Design Guide - *'Making it Happen'*.

## Other Consents

Other consents by regulation may be required in relation to the discharge location (e.g. Flood Risk Activity Permit and Ordinary Watercourse consent). KCC may recommend consultation with other authorities in these instances.

## 5.2.2 SuDS 2: Deliver effective drainage design

Any proposed new drainage scheme must manage all sources of surface water and should be designed to match greenfield discharge rates, and volumes as far as possible.

Development in previously developed land should also seek to reduce discharge rates and volumes off-site and utilise existing connections where feasible.

Drainage schemes should provide for exceedance flows and surface flows from offsite, ensure emergency ingress and egress and protect any existing drainage connectivity, so that flood risk is not increased on-site or off site.

### Design Criteria

The drainage system must be designed to be consistent with pre-development flow rates and designed to operate without any flooding occurring during any rainfall event up to (and including) the critical 1 in 30 year storm (3.33% AEP). The system must also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP) without any on-site property flooding and without exacerbating the off-site flood-risk. The choice of where these volumes are accommodated may be within the drainage system itself or within other areas designated within the site for conveyance and storage.

Flooding of the highway **may** be permitted in exceptional circumstances for rainfall events between 1 in 30 year and 1 in 100 year events provided that:

- depths do not exceed the kerb height;
- no excessive or prolonged ponding (beyond 10 minutes) so that the highway primarily operates as a conveyance route to another attenuation feature;
- flood extents are within the site boundary.

### Rainfall Simulation

KCC will generally require the use of the more detailed and up-to date FEH13 dataset within detailed drainage design submissions. Where FSR data is used to determine the extreme rainfall intensity values for a site, we would expect the FSR/FEH ratios depicted in Appendix 1 of the 'Rainfall runoff management for developments' report<sup>19</sup> (Environment Agency, 2013) to be used to adjust the calculated attenuation requirements.

If FEH13 is unavailable (and unless otherwise calculated), we will accept a rainfall depth M5-60 of 26.25 mm to be utilised in appropriate modelling software to account for this variation.

<sup>19</sup> [http://evidence.environmentagency.gov.uk/FCERM/Libraries/FCERM\\_Project\\_Documents/Rainfall\\_Runoff\\_Management\\_for\\_Developments\\_-\\_Revision\\_E.sflb.ashx](http://evidence.environmentagency.gov.uk/FCERM/Libraries/FCERM_Project_Documents/Rainfall_Runoff_Management_for_Developments_-_Revision_E.sflb.ashx)



## Runoff Rates

Greenfield runoff rates must be supplied. Preferred methods are loH124, FEH, ReFH2 or others as agreed with KCC. The rates must reflect soil conditions specific to the site and applied to an appropriate drainage area consistently through the drainage strategy.

- **Local District or Parish Greenfield Runoff Rates**

Local planning policy may identify preferred discharge rates to be utilised in place of greenfield rates based upon a strategic flood risk assessment. In these areas, the preferred discharge rates should be utilised in the design.

KCC may also set strategic discharge rates to contribute to flood risk management within a district or parish council area; or to provide a more efficient approach to surface water management within a local area. If a strategic assessment of greenfield runoff rates has been undertaken by KCC, these rates must be utilised in design.

- **Minimum discharge rates**

Small sites are associated with low greenfield runoff rates. Given advances in technology and design of flow controls, it is now possible to achieve controlled flow rates of 2 l/s. This should be considered the minimum rate to be set for small sites, unless agreed with KCC.

- **Capacity constraints**

If the proposed development contributes to an area or network with known local flood risk issues or capacity constraints, then discharge rates and volume control specific to the local conditions will be specified. Developers may be required to provide flood risk modelling/assessment to identify potential constraints.

- **Previously developed land**

Redevelopment on previously developed land or “brownfield land” has the potential to rectify or reduce flood risk. For developments which were previously developed, the peak runoff rate from the development must be as close to the greenfield runoff rate from the development as reasonably practicable for the same rainfall event, but must not exceed the rate of discharge from the development prior to redevelopment for that event. As a minimum we would expect to see evidence that a 50% reduction in the peak runoff rate from the existing site has been sought.

An assessment of the peak flow rate of an existing drainage system must consider: (a) the connectivity and condition of the drainage system; (b) the existing total impermeable area contributing to the drainage system; and (c) the pipe full capacity of the final 5m of the outfall pipe. Within all accompanying calculations, the post-redevelopment discharge rate must take account of the predicted effects of climate change.

Runoff characteristics for a previously developed site can be estimated by other methods as described within the CIRIA SuDS Manual (Chapter 24.5). It should be noted that if a simulation model for any existing network is utilised, the operation of the network must be confirmed by a network survey to establish the network arrangements, contributing areas and network condition.

## Runoff Volumes

Runoff volumes from the developed site will usually increase in comparison to the site in its natural condition; this may increase flood risk in natural receiving systems. Controlling the volume of runoff from the site is therefore vital to prevent flood risk in natural systems. Within Kent, the need and type of volume control will vary according to the soil type present, which can be broadly broken down into the following categories:

- Highly permeable soils – in areas underlain by chalk, we will expect that use of infiltration will be maximised. With no off-site discharge, additional volume control will not be required
- Intermediate permeability soils - in these areas infiltration should still be maximised; offsite discharge should be limited to QBAR, (the mean annual flood flow rate, equivalent to an approximate return interval of 2.3 years). Where sites are small and flows are calculated to be less than 2 l/s, the minimum flow rate will apply of 2 l/s.
- Low permeability soils - areas underlain by largely impermeable soils (e.g. Weald clay and London clay) will require “staged” discharge.

This requires that rates mimic existing greenfield runoff rates of the 1:1 year, 1:30 year and 1:100 year storm events as long as long term storage is utilised for flow volumes in excess of the greenfield volume for the 1:100 year 6 hour event.

The long term storage volume must discharge at a rate no greater than 2 l/s/ha and the total flow rate must not exceed the 1:100 year greenfield flow rate.

If long term storage is not designed for, QBAR should be applied to all events from the 1:30 year rainfall event.

## Exceedance

Exceedance flows that cannot be contained within the drainage system shall be managed in flood conveyance routes. The primary consideration shall be risks to people and property on and off site.

Exceedance should be considered in two parts; very high intensity storms to ensure bypass flows from overloaded pipework (including potentially blocked gullies due to debris), and overflowing of storage systems. Consideration of exceedance routes will ensure that any residual risk arising from either or these are safely managed.

## Emergency access arrangements

Access should be maintained into and through the site for emergency vehicles during all storms up to (and including) the critical, climate-change adjusted 1 in 100 year event. The drainage application must give consideration to flood risk vulnerability classifications (as defined through Planning Practice Guidance to the National Planning Policy Framework), as specific measures or protections may be assessed and need to be agreed with the appropriate authority.

## Unrestricted discharge rates

If the proposed system discharges to a watercourse or main river, consideration must also be given to any requirements due to high water levels in the receiving watercourse due either to tide (i.e. tide-locking) or flood flows. Attenuation volumes required onsite to manage flows must take into account the effects of high receiving water levels. This also applies to connection made to sewers.

If the proposed site is immediately adjacent to a watercourse or main river, there may be instances where direct discharge to the waterway is promoted without attenuation. This is only likely to be a recommendation on or immediately upstream from tidal areas. Direct discharge without attenuation or limited attenuation based on high (non-standard) discharge rates to a main river must be agreed in consultation with KCC and the Environment Agency.

## Phased Delivery

If a proposed development is to be delivered in phases, a commitment should be made for a surface water management strategy to be delivered with the first phase of development, designed to be capable of accommodating the runoff from each of the subsequent phases. If this is not possible, the runoff from each separate phase must be controlled independently.

Whichever approach is taken, the control of surface water runoff during construction should be considered. Temporary works may be required to accommodate phased construction. Any temporary drainage measure must be identified and clearly shown on a drainage layout drawing.

### 5.2.3 SuDS Policy 3: Maintain Existing Drainage Flow Paths & Watercourses

Drainage schemes should be designed to follow existing drainage flow paths and catchments and retain where possible existing watercourses and features.

By mimicking the natural drainage flow paths and working within the landscape, more effective and cost-efficient design can be developed. Working with existing natural gradients also avoids any reliance on pumped drainage, with its associated energy use and failure risk. The natural environment including woods, trees and hedgerows can play a part in water management.

KCC encourages maintenance of the existing flow paths and drainage connectivity. Where this is the case the following conditions apply:

- a) If the proposed development is reliant on an existing discharge point, then it is recommended that the condition and conveyance capacity is confirmed through CCTV or other survey with the discharge capacity confirmed.
- b) Outfalls to ordinary watercourses should not occur to “blind-ended” ditches and should be part of a wider and contiguous drainage network.

Some sites may lie in or near more than one hydrological catchment. Surface water flows should be continued through the pre-development catchments and not diverted to adjacent catchments, in order to preserve the hydrology of catchments and prevent an increase in flood risk.

#### Ordinary Watercourses

An ‘ordinary watercourse’ is defined as any channel capable of conveying water that is not part of a ‘main river’; Small rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) can all be classified as ‘ordinary watercourses’.

When considering the development/redevelopment of any site, existing ordinary watercourses should be identified and accommodated within any drainage strategy and site masterplan. They should be preferably retained as an open feature within a designated corridor, and ideally retained within public open space. Any outfall to an ordinary watercourse should be designed to ensure there is adequate erosion protection for the receiving channel and its banks.

It is not sufficient to undertake earthworks to the top of the bank of a boundary ditch. Any site improvements should include the channel itself. The landowner has riparian responsibilities for these ditches and new development provides an opportunity to address any existing ditch issues such as excessive vegetation, channel clogging, culvert improvements or bank stability.

It is recommended that any discharge to an ordinary watercourse or any modification to an ordinary watercourse be identified and agreed in principle with KCC (or other consenting

authority if required) prior to the submission of any planning application. The ability of a watercourse to convey water (and to function as an effective exceedance flow route, where appropriate) will always need to be maintained.

## Flood risk

For ordinary watercourses, developers may need to consider the potential flood risk arising from them, particularly where there are structures which might influence water levels. Where a risk from flooding has been identified, appropriate flood risk mitigation should be identified and agreed with the Local Planning Authority/ KCC; development should be avoided in any area likely to be affected by exceedance of the channel's capacity, reflecting requirements of SuDS Policy 4.

## Culverts

Culverting of open watercourses will not normally be permitted (except where demonstrably essential to allow highways and/or other infrastructure to cross). In such cases culverts should be designed in accordance with CIRIA C689: Culvert Design and Operation Guide, (2010) and KCC's Land Drainage Policy. Culverts will not be approved below/ beneath any proposed structure.

If a culverted watercourse crosses a previously developed site, it should be reverted back to open channel, wherever practicable. In any such case, the natural conditions deemed to have existed prior to the culverting taking place should be re-instated.

Measures should be in place to ensure that any future owner of a property through which a watercourse passes is aware of their maintenance responsibilities as a riparian owner.

Under the terms of the Land Drainage Act 1991, any works within an ordinary watercourse will require consent under Section 23 of the Act. This will be either from KCC or from an IDB (in the areas where they operate). Consents are unable to be amended once granted so any changes to design will need to apply for Land Drainage consenting again. Consents cannot be granted retrospectively if works are undertaken prior to approval.

If land drainage consent is required in relation to the proposed development, we recommend that the submission of any application for consent is delayed until planning permission is granted, (excepting instances when consents are required to construct or upgrade site access) as the proposed site layout may be subject to further change. Please refer to KCC web pages for guidance on ordinary watercourse consents<sup>20</sup>.

## Overland flow paths

Account should be taken for any overland flow routes which cross the site from adjacent areas. Flow routes may be indicated by reference to the EA's surface water flow mapping however the magnitude of the contribution from upstream catchments should be assessed to determine flows and the extents of flooding. It is usually preferred that these flow routes would be accommodated within the development layout; however, flood assessment or more detailed modelling may be undertaken if these routes are to be modified or channelised. It is not acceptable to culvert overland flow routes.

## 5.2.4 SuDS Policy 4: Seek to Reduce and Avoid Existing Flood Risk

New development should be designed to take full account of any existing flood risk, irrespective of the source of flooding.

Where a site or its immediate surroundings have been identified to be at flood risk, all opportunities to reduce the identified risk should be investigated at the masterplanning stage of design and subsequently incorporated at the detailed design stage.

Remedial works and surface water infrastructure improvements may be identified in the immediate vicinity of the development to facilitate surface water discharge from the proposed development site.

Paragraph 165 of the National Planning Policy Framework outlines how flood risk management bodies should seek to manage flood risk through using opportunities offered by new development to reduce the causes and impacts of flooding, taking the predicted effects of climate change into account.

As LLFA, KCC will endeavour to ensure that this principle is applied across the County. Where a developer's Drainage Strategy has identified that there are existing flood risks affecting a site or its surroundings, there would be an expectation that the developer manages the identified risk appropriately to ensure that there are no on or off site impacts as a result of any development. Similarly, where there are opportunities to reduce the off-site flood risk through carefully considered on-site surface water management, we will encourage developers to explore these fully.

### Avoiding areas of flood risk

All development should be preferentially located in the areas of lowest flood risk, irrespective of the source of flooding. At the earliest stages of masterplanning, an appropriate flood risk or drainage impact assessment should be undertaken to ensure that any vulnerable forms of development are located outside Flood Zones 2 or 3 and/or those areas identified as being at medium to high risk of surface water flooding. The Environment Agency's Flood Map for Planning and Long-Term Flood Risk pages should be referred to for this information.

Residential buildings should in the first instance not be located within any area indicated to be at high risk<sup>21</sup> from surface water flooding, according to the Long Term Flood Risk<sup>22</sup> maps or any local flood maps.

If development is unavoidable within a surface water flood risk or flow route, then the land use should be water compatible; designed and constructed to be flood resilient; having consideration of the estimated flow depths and be designed accordingly.

<sup>20</sup> [www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/owning-and-maintaining-a-watercourse](http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/owning-and-maintaining-a-watercourse)

<sup>21</sup> High risk means that each year an area has a chance of flooding of greater than 3.3% (i.e equates to 1 in 30-year risk of flooding), with flood depths over 900mm and velocities over 0.25 m/s.

<sup>22</sup> <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

## **Remedial works and infrastructure improvements**

Local flood risk “hot spots” may be known to KCC or the local council in the vicinity of the proposed development. If the receiving system is in a poor condition and unable to convey flow effectively, remedial works may be required prior to connection or discharge to the system.

A condition survey of the outfall location and of the receiving system may be required to confirm connectivity and capacity along with any potential works required to ensure discharge can occur without impedance.

Dependent upon ownership and responsibilities, these works may be recognised as part of the development description for the proposed development as would occur for any infrastructure improvement to accommodate strategic growth, new connections and new local development.

## 5.2.5 SuDS Policy 5: Drainage Sustainability and Resilience

The design of the drainage system must account for the likely impacts of climate change and changes in impermeable area over the design life of the development. Appropriate allowances should be applied in each case.

A sustainable drainage approach which considers control of surface runoff at the surface and at source is preferred and should be considered prior to other design solutions.

Drainage infrastructure normally has a defined design life. This varies depending upon the nature of the system's components. The drainage must be designed to function properly to protect the development and downstream from flooding over this timeframe. This includes accommodating predictable changes, including climate change and urbanisation.

### Climate Change

In 2016, the Environment Agency published new guidance on how to use climate change allowances in flood risk assessments. The guidance can be found at: [www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances](http://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)

KCC require that the drainage design accommodates the 1 in 100 year storm with a 20% allowance for climate change, with an additional analysis undertaken to understand the flooding implication for a greater climate change allowance of 40%.

This analysis must determine if the impacts of the 40% allowance are significant and lead to any unacceptable flood risks (it is not normally expected that the site would not flood in this scenario, only that if this storm were to occur the impacts would be minimal i.e no flooding of property or sensitive infrastructure and no flooding leaves the site). The design may need to be modified to avoid any unacceptable risks, but may also need additional mitigation allowances, for example a higher freeboard on attenuation features or provision of exceedance routes. This will tie into designing for exceedance principles.

### Sustainability

Design of drainage systems utilising a sustainable drainage design approach and reducing reliance on below ground systems in pipes and tanks, provides greater visibility for maintenance as well as many other benefits. Sustainable measures which control flow rates near to the source and which maximise natural losses through infiltration and evaporation are preferred. Operation of surface systems is also more easily observed.



## Urban Creep

To take account of possible future conversion of permeable surfaces to impermeable over time (e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas). Consideration of urban creep should be assessed for residential developments.

An allowance for the increase of impermeable area from urban creep must be included in the design of the drainage system. The allowances set out in Table 3 must be applied to the impermeable area within the property curtilage according to the proposed dwelling density.

**Table 3: impermeable area allowances for urban creep**

Residential development density(Dwellings per hectare) (% of impermeable area)	Change allowance
≤ 25	10
30	8
35	6
45	4
≥ 50	2
Flats & Apartments	0

## 5.2.6 SuDS Policy 6: Sustainable Maintenance

**Any proposed drainage schemes must be designed to be maintainable to ensure that the drainage system continues to operate as designed and must be accompanied with a defined maintenance plan.**

The drainage system must be designed to take account of the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work. Without maintenance, the function of drainage systems may alter. Increased leaf litter, sediments and colonisation of vegetation may clog drainage measures or impact the characteristics of operational controls.

### Design to be maintainable

The drainage strategy must demonstrate that adequate access is available and practicable for personnel and equipment either through an appropriate layout or legal agreement to provide agreed access arrangements in perpetuity. Consideration should also be given to the Construction Design and Management regulations for health and safety purposes.

Wherever possible, it is preferable that drainage schemes should be designed at the surface to allow easy inspection and maintenance. Drainage maintenance can usually be incorporated as part of a typical landscape maintenance specification.

KCC recommends that shared drainage measures or drainage measures serving the wider development are located within common land or public open space to facilitate easy access and maintenance. Drainage measures which serve more than one property should not be located within back gardens or other private areas.

If the proposed development incorporates existing field ditches or ordinary watercourses, we would normally require a minimum setback of 5 m to 8 m (depending upon the location, and whether the ditch/watercourse falls within an IDB regulated area). This will allow the safe access and operation of any tracked machinery that may be required to undertake any maintenance works to the banks or channels, and provides a reasonable buffer for any flora and fauna within the watercourse.

We would generally recommend that new development is designed to facilitate the maintenance of existing watercourses, with roads or walkways being provided alongside at least one bank for access. Closed fence-lines to the rear of properties bordering a watercourse should be avoided owing to the maintenance difficulties and the potential for the inappropriate depositing of material beyond property boundaries.

With surface water drainage systems, a careful balance must be struck over the creation of habitats. The encouragement of certain protected species or creation of protected habitats may conflict with the regular maintenance works essential to ensuring long term functionality of the drainage measures. An awareness of any biodiversity objectives or site wide strategic ecological management plan should be considered as part of a maintenance plan for the drainage measures, specifically timing of vegetation cuts and silt removal to ensure no conflict with nesting birds or specific life stages of biota.

Where, in particular circumstances, underground techniques are used, more extensive inspection processes will be necessary, for example where longer pipe runs are used, CCTV surveys may be required. All inlet, outlet and control structures must be indicated and known to the appropriate adopting authority to be protected from blockage and located near the surface, to allow for easy management during routine maintenance visits.

## **Maintenance Plan**

An operation and/or maintenance plan should be provided which indicates a schedule and time of activities, as well as critical controls or components of the drainage scheme. This plan should include an indication of the roles and responsibilities for each authority or organisation which may have a responsibility for maintenance activities. Any inter-connectivity with or reliance upon other drainage systems should be indicated.

KCC may work with LPAs to ensure that the drainage schemes associated with large, strategic, potentially problematic or sensitive sites have been established and are able to function in accordance with the approved plans and specifications.

Information on maintenance requirements will be required in early stages of planning submissions to demonstrate that adequate access is provided.

## **Verification report**

KCC may also require the submission of a Verification Report after development completion (Appendix D). This report will demonstrate that the constructed drainage system operates as approved; will include the identification of "critical drainage assets"; and, will outline specific maintenance requirements and obligations for each drainage measure.

As LLFA, KCC has a duty to maintain a register of structures or features which are likely to have a significant effect on flood risk. Drainage schemes within new developments may include structures or features that will be required to be included within the register. Critical drainage assets which are not adopted by others will be recorded.

## 5.2.7 SuDS Policy 7: Safeguard Water Quality

When designing a surface water management scheme, full consideration must be given to the system's capacity to remove pollutants and to the cleanliness of the water being discharged from the site, irrespective of the receiving system.

Interception of small rainfall events should be incorporated into the design of the drainage system.

Paragraph 170 (e) of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to (or being put at unacceptable risk from) unacceptable levels of water pollution or land instability. Development should whenever possible help improve local environmental conditions.

Additionally, the Water Framework Directive has been established to improve and integrate the way water bodies are managed throughout Europe. It provides a legal framework to protect and restore clean water throughout Europe to ensure its long-term sustainable use. In particular it will help deal with diffuse pollution which remains a big issue following improvements to most point source discharges.

The design of any drainage proposal should therefore ensure that surface water discharges do not adversely impact the water quality of receiving water bodies, both during construction and when operational. Sustainable drainage design principles have the potential to reduce the risk of pollution, particularly through managing the surface water runoff close to the source and on the surface. Below grade pipes and tanks which are efficient for drainage purposes may not provide appropriate water quality treatment.

The CIRIA SuDS Manual describes a methodology for determining the hazard posed by land use activities (refer to Chapter 26 of the CIRIA SuDs Manual). A simple index approach enables an assessment of the pollution hazard and value of mitigation provided by the sustainable drainage measure. This assessment will be required for all applications.

Runoff from small rainfall events can pose a particular problem for water quality. The 'first flush' of runoff contains the initial high concentration load of pollutants that has built-up on surfaces during the preceding dry period. It is possible to get a high initial pollution concentration for relatively small rainfall events.

Rainfall events that are less than or equal to 5mm in depth also comprise more than half of the rainfall events that took place. The volume of runoff from these small events therefore can cumulatively contribute significantly to total pollutant loadings from the site over a specified period of time. Interception of an initial rainfall depth of 5mm for all rainfall events would mimic greenfield response characteristics in that runoff from small rainfall events do not generally produce any run-off.

KCC would expect that developers demonstrate that the first 5mm of any rainfall event can be accommodated and disposed of on-site, rather than being discharged to any receiving watercourse or surface water sewer. This can easily be achieved through the inclusion of sustainable drainage measures such as infiltration systems, rain gardens, bioretention systems, swales, and permeable pavement.

Where it proves exceptionally difficult to achieve this principle, it must be demonstrated that any water leaving the site has been appropriately treated to remove any potential pollutants.

When discharging to the ground, ground conditions and protection of any source protection zones should be confirmed.

Discharge to ground shall only occur within clean, competent, natural and uncontaminated ground and information should be provided to demonstrate that a sufficient unsaturated zone has been provided above the highest occurring groundwater level. Advice may need to be sought from the EA Groundwater team in relation to these matters, particularly in SPZ 1 and may require specific mitigation. Infiltration into Made Ground will not be accepted.

## Construction Management Plan

The management and control of erosion and sediment should be considered throughout design and construction, operation and maintenance to ensure that no impact to offsite watercourses occurs.

Sedimentation can cause the loss of aquatic habitat, decreased fishery resources and can lead to increased flooding due to reduction in hydraulic capacity of the watercourse.

A Construction Management Plan will be required to demonstrate that erosion and sediment controls are adequately planned to protect water quality in receiving water environments. Any sites within a sensitive receiving catchment may require additional information. Situations in which this is a consideration will be confirmed through coordination with KCC's Biodiversity team and the Environment Agency.

## 5.2.8 SuDS Policy 8: Design for Amenity and Multi-Functionality

Drainage design must consider opportunities for inclusion of amenity and multi-functionality objectives and thus provide multi-functional use of open space with appropriate design for drainage measures within the public realm.

Local environmental objectives may identify other benefits which can be agreed to be delivered through appropriate design of the drainage system.

### Amenity and Open Space

Where land performs a range of functions it affords a far greater range of social, environmental and economic benefits than might otherwise be delivered (Landscape Institute Position Statement, Green Infrastructure). Open spaces are often multifunctional, fulfilling several different valuable roles; for example, in the main they may be for recreational use, but they may also provide valuable wildlife habitat, an attractive landscape, paths for walking and cycling and space for community events.

Well-designed, open, sustainable drainage measures may also provide this degree of opportunity, optimising all of these functions in a way which fits with the surrounding landscape. For example, park areas which can be used as temporary flood storage during heavy rainfall events, and wetlands being used to deliver amenity value and habitat as well as water treatment. The aim should be to create networks of high quality open space which adapt for attenuation of surface water, sports and play and enhancement of biodiversity.

The integration of sustainable drainage measures into open spaces can introduce open water and variable ground surfaces into the public realm with associated risks of: drowning; slips, trips and falls; waterborne disease; and bird strike if near airports. The majority of potential risks can be assessed and removed through good site design. Reference should be made to best practice for appropriate design is provided in CIRIA's 'SuDS Manual'.

### Multi-functional Design Benefits

Multi-functional design may also deliver other benefits as summarised in Table 4 (BS 8582 Code of Practice for Surface Water Management for Development Sites). New evaluation tools (B&EST Benefits Estimation Tool, CIRIA) may enable a full accounting of benefits to demonstrate economies and efficiencies to including specific design elements within the drainage provision. Simple elements such as inclusion of trees, or rain gardens within kerb build-outs may deliver other priorities being sought by the local authority.

Table 4: Multi functional surface water management design (Source: BS 8582:2013)

Infrastructure objective	Multi-functional surface water management system design and associated environmental value
<b>1. Recreational opportunities</b>	<ul style="list-style-type: none"> <li>• Subsurface attenuation storage systems can be sited below permeable surfaces used for recreation</li> <li>• Infrequently flooded detention zones can also serve as recreational/amenity areas</li> <li>• Vegetated conveyance and/or storage systems can be designed to promote education, play and amenity value</li> <li>• Intensive green roofs can provide amenity landscape in dense urban settings</li> <li>• Surface water management components can be integrated with sustainable transport corridors (e.g. cycle routes) to maximize benefits</li> </ul>
<b>2. Water resources conservation</b>	<ul style="list-style-type: none"> <li>• Surface water run-off from roofs and uncontaminated paved surfaces, can be captured and stored for use</li> <li>• Rainwater harvesting systems can be designed to deliver surface water management benefits in addition to water supply (see BS 8515)</li> </ul>
<b>3. Habitats/ biodiversity enhancement</b>	<ul style="list-style-type: none"> <li>• Vegetated surface water management components, which store or convey water either temporarily or permanently, can often deliver locally important habitat</li> <li>• Such areas can contribute to urban “corridors” and “networks” of green (vegetated) and blue (water) spaces that support the movement of species</li> </ul>
<b>4. Traffic management</b>	<ul style="list-style-type: none"> <li>• Appropriately designed roads can provide, during times of extreme rainfall, short-term effective management of flood waters, either for conveyance or storage</li> <li>• Local road surfaces and pavements can often be designed to be pervious and allow run-off to infiltrate into the sub-base</li> <li>• Bioretention/biofilter zones can be integrated within pavement design to provide both traffic calming and stormwater management units</li> <li>• Vegetated swales running alongside roads can be designed to treat and control road run-off</li> <li>• Tree pits can be included to intercept run-off (with additional subsurface storage included within or adjacent to the pit)</li> </ul>

<b>5. Car parking</b>	<ul style="list-style-type: none"> <li>• Where the car parking surface is designed to be pervious, surface water can be stored and treated within the sub-base, prior to either controlled discharge, infiltration to the ground, or use.</li> <li>• Car parks can store additional volumes of floodwater above the surface during extreme events.</li> <li>• Vegetated strips, swales, bioretention systems and basins can be designed adjacent to the car park to treat and control run-off</li> </ul>
<b>6. Public education/ awareness</b>	<ul style="list-style-type: none"> <li>• Local community engagement strategies can deliver:</li> <li>• an understanding of the functionality and environmental importance of the surface water management system in mitigating human impacts</li> <li>• a commitment towards contributing to the management of the drainage components</li> <li>• an understanding of the health and safety risk management strategy for the site in relation to surface water</li> <li>• ideas as to how the system could be used to promote children’s education strategies and increased local amenity benefits</li> </ul>
<b>7. Air temperature / urban heat island mitigation</b>	<ul style="list-style-type: none"> <li>• Urban cooling can be promoted via the return of moisture to the air through evaporation and evapotranspiration from vegetated surface water management features</li> <li>• Direct cooling can be provided by trees integrated within the surface water management system providing shade</li> <li>• Green roofs and vegetative surfaces reflect more sunlight and absorb less heat</li> </ul>
<b>8. Reduced energy use</b>	<ul style="list-style-type: none"> <li>• Green roofs provide good building insulation</li> </ul>
<b>9. Air quality improvement</b>	<ul style="list-style-type: none"> <li>• Trees, larger shrubs and vegetated surfaces used as part of the surface water management strategy can filter out airborne pollutants</li> </ul>
<b>10. Landscape character</b>	<ul style="list-style-type: none"> <li>• Well designed and integrated SuDS features can enhance aesthetic appeal and local landscape and townscape character and distinctiveness</li> </ul>
<b>11. Health benefits</b>	<ul style="list-style-type: none"> <li>• Green and blue space within developments promotes health benefits linked to increased outdoor recreation and a feeling of well being</li> </ul>



## 5.2.9 SuDS Policy 9: Enhance Biodiversity

Drainage design must consider opportunities for biodiversity enhancement, through provision of appropriately designed surface systems, consideration of connectivity to adjacent water bodies or natural habitats, and appropriate planting specification.

Biodiversity is defined as the variety of life on Earth; designing to protect and enhance biodiversity is therefore essential. As a direct result of human activity, the rate of species extinction over the last 200 years is far higher than in any period of the preceding 65 million years<sup>23</sup>. In the UK, freshwater ecosystems are at the most risk and populations of key species have declined significantly.

The NPPF requires that Local Planning Authorities set out a strategic approach to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (NPPF para 171). Maximising the ecological value of drainage systems is consistent with national and local policies which aim to conserve and enhance biodiversity. This is underpinned by a variety of legislation including the biodiversity 'duty' for public bodies which is enshrined in the Natural Environment and Rural Communities (NERC) Act 2006.

Working with the landscape to provide drainage may promote other opportunities with greater benefits for biodiversity but also provide greater attractiveness. The linear nature of many SuDS features can help create green corridors through developments; these are important for wildlife and ensure that the associated development is connected with its surrounding environment.

KCCs 'SuDS and Biodiversity' project (2014) has demonstrated that drainage schemes within residential areas contribute to the biodiversity of the local area and provide important habitats for animals and plants that would otherwise be absent. In some cases invertebrate species of significant nature conservation value have been found.

A number of key factors were identified to strongly influence the biodiversity value of the sustainable drainage features. These included:

- connectivity with other waterbodies and habitats,
- planting assemblage and cover,
- waterbody design,
- retained water,
- fish/wild fowl presence, and
- water quality.

When assessing drainage design, particularly surface systems, it is important to consider the drainage scheme in the context of the surrounding landscape character area. Effective integration will also require carefully researched and selected plants, which work to improve the local green infrastructure.

The design of any drainage scheme can provide an opportunity for increasing biodiversity value by including surface vegetated systems with some retained water and through ensuring appropriate edge treatments and gradients. Review of engineering design by an ecologist may identify simple improvements in pond design and planting specification that would maximise the biodiversity potential.

## Glossary

<b>Aquifer</b>	A source of groundwater comprising water-bearing rock, sand or gravel capable of yielding significant quantities of water.
<b>Adopting authority</b>	General term utilized in this guidance and relates to the authority that will ultimately manage the proposed drainage system
<b>Attenuation</b>	Attenuation is the process of water retention on site and slowly releasing it in a controlled discharge to a surface water or combined drain or watercourse. The amount of discharge will vary depending whether it is a brown or greenfield site. For brownfield sites the developer must determine the likely run off and agree an acceptable discharge with the LLFA, environment agency or water authority.
<b>Brownfield site</b>	Any land or site that has been previously developed.
<b>Catchment</b>	The area contributing surface water flow to a point on a drainage or river system.
<b>CIRIA</b>	Construction Industry Research and Information Association. <a href="http://www.ciria.org">www.ciria.org</a>
<b>Climate change</b>	Long-term variations in global temperature and weather patterns both natural and as a result of human activity (anthropogenic) such as greenhouse gas emissions
<b>Culvert</b>	A structure which fully contains a watercourse as it passes through an embankment or below ground.
<b>Development</b>	The undertaking of building, engineering, mining or other operations in, on, over or under land or the making of any material change in the use of any buildings or other land.
<b>EA</b>	Environment Agency. Government Agency responsible for flooding issues from main river, and strategic overview of flooding.
<b>Flood event</b>	A flooding incident usually in response to severe weather or a combination of flood generating characteristics.
<b>Flood risk</b>	The combination of the flood probability and the magnitude of the potential consequences of the flood event.
<b>Flood Risk Assessment</b>	An appraisal of the flood risks that may affect development or increase flood risk elsewhere
<b>Flood Zones</b>	Flood Zones provide a general indication of flood risk, mainly used for spatial planning.

<sup>23</sup> [www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/](http://www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/)

<b>Floodplain</b>	An area of land that would naturally flood from a watercourse, an estuary or the sea.
<b>Freeboard</b>	A vertical distance that allows for a margin of safety to account for uncertainties.
<b>Flood and Water Management Act</b>	The Flood and Water Management Act clarifies the legislative framework for managing surface water flood risk in England.
<b>Flow control device</b>	A device used to manage the movement of surface water into and out of an attenuation facility.
<b>Geocellular storage systems</b>	Modular plastic systems with a high void ratio, typically placed below ground which allow for storage of storm water to infiltrate or discharge to another system.
<b>Gravity drainage</b>	Drainage which runs through pipework installed to a fall, and not therefore under pressure.
<b>Greenfield</b>	Undeveloped land.
<b>Greenfield runoff rate</b>	The rate of runoff which would occur from a site that was undeveloped and undisturbed.
<b>Groundwater</b>	Water that exists beneath the ground in underground aquifers and streams.
<b>Groundwater flooding</b>	Flooding caused by groundwater rising and escaping due to sustained periods of higher than average rainfall (years) or a reduction in abstraction for water supply.
<b>Highway Authority</b>	Body responsible for the management and maintenance of public roads
<b>Impermeable</b>	Will not allow water to pass through it.
<b>Impermeable surface</b>	An artificial non-porous surface that generates a surface water runoff after rainfall.
<b>Infiltration</b>	Infiltration or soakaway is the temporary storage of water to allow it to naturally soak away into the ground. Because water soaks into the ground gradually, reduces the risk of flooding downstream. Infiltration may be used where there is no surface water sewer or where existing systems are at full capacity. Infiltration helps to recharge natural ground water levels.

<b>Internal Drainage Board (IDB)</b>	<p>An internal drainage board (IDB) is a public body that manages water levels in an area, known as an internal drainage district, where there is a special need for drainage. IDBs undertake works to reduce flood risk to people and property, and manage water levels for agricultural and environmental needs within their district. There are six IDBs in Kent:</p> <p>The River Stour Upper Medway Lower Medway Romney Marshes Area North Kent Marshes</p>
<b>Lead Local Flood Authority</b>	<p>Under the terms of the Flood and Water Management Act 2010, LLFAs are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of flood risk assets. They also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses. Kent County Council are the LLFA within Kent.</p>
<b>Local Flood Risk Management Strategy</b>	<p>Strategy outlining the Lead Local Flood Authority's approach to local flood risk management as well as recording how this approach has been developed and agreed.</p>
<b>Main River</b>	<p>A watercourse designated on a statutory map of Main rivers, maintained by Department for Environment, Food and Rural Affairs (Defra).</p>
<b>Mitigation measure</b>	<p>A generic term used in this guide to refer to an element of development design which may be used to manage flood risk to the development, or to avoid an increase in flood risk elsewhere.</p>
<b>National Planning Policy Framework</b>	<p>Framework setting out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.</p>
<b>Overland Flow</b>	<p>Flooding caused by surface water runoff when rainfall intensity exceeds the infiltration capacity of the ground, or when the soil is so saturated that it cannot accept any more water.</p>
<b>Permeability</b>	<p>A measure of the ease with which a fluid can flow through a porous medium. It depends on the physical properties of the medium.</p>

<b>Pitt Review</b>	An independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
<b>Rainwater harvesting</b>	Collection and Re-use or recycling of rainwater for the purpose of garden irrigation, car washing, toilet flushing etc.
<b>Runoff</b>	Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable, is saturated or if rainfall is particularly intense.
<b>Source Protection Zone</b>	Defined areas showing the risk of contamination to selected groundwater sources used for public drinking water supply.
<b>Strategic Flood Risk Assessment</b>	A study to examine flood risk issues on a sub-regional scale, typically for a river catchment or local authority area during the preparation of a development plan.
<b>Surface water flooding</b>	Flooding caused by the combination of pluvial flooding, sewer flooding, flooding from open channels and culverted urban watercourses and overland flows from groundwater springs
<b>Surface Water Management Plan</b>	A study undertaken in consultation with key local partners to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term.
<b>SUDS</b>	Sustainable (urban) drainage systems. A sequence of management practices and control structures that are designed to drain surface water in a more sustainable manner.
<b>Watercourse</b>	A term including all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows.

## Appendix A. National Planning Policy Framework (Extract)

155	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
157	<p>All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> <li>a) applying the sequential test and then, if necessary, the exception test as set out below;</li> <li>b) safeguarding land from development that is required, or likely to be required, for current or future flood management;</li> <li>c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and</li> <li>d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.</li> </ul>
163	<p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>50</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li> <li>b) the development is appropriately flood resistant and resilient;</li> <li>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</li> <li>d) any residual risk can be safely managed; and</li> <li>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</li> </ul>
165	<p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <ul style="list-style-type: none"> <li>a) take account of advice from the lead local flood authority;</li> <li>b) have appropriate proposed minimum operational standards;</li> <li>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</li> <li>d) where possible, provide multifunctional benefits.</li> </ul>

**170**

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## Appendix B. Non-Statutory Technical Standards for Sustainable Drainage

### Flood risk outside the development

**S1** Where the drainage system discharges to a surface water body that can accommodate uncontrolled surface water discharges without any impact on flood risk from that surface water body (e.g. the sea or a large estuary) the peak flow control standards (S2 and S3 below) and volume control technical standards (S4 and S6 below) need not apply.

### Peak flow control

**S2** For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

**S3** For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.

### Volume control

**S4** Where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

**S5** Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event.

**S6** Where it is not reasonably practicable to constrain the volume of runoff to any drain, sewer or surface water body in accordance with S4 or S5 above, the runoff volume must be discharged at a rate that does not adversely affect flood risk.

### Flood risk within the development

**S7** The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur on any part of the site for a 1 in 30 year rainfall event.

**S8** The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.



**S9** The design of the site must ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.

### **Structural Integrity**

**S10** Components must be designed to ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance.

**S11** The materials, including products, components, fittings or naturally occurring materials, which are specified by the designer must be of a suitable nature and quality for their intended use.

### **Designing for maintenance considerations**

**S12** Pumping should only be used to facilitate drainage for those parts of the site where it is not reasonably practicable to drain water by gravity.

### **Construction**

**S13** The mode of construction of any communication with an existing sewer or drainage system just be such that the making of the communication would not be prejudicial to the structural integrity and functionality of the sewerage or drainage system.

**S14** Damage to the drainage system resulting from associated construction activities must be minimised and must be rectified before the drainage system is considered to be completed.

## Appendix C. Drainage Strategy Summary



1. Site details	
Site/development name	
Address including post code	
Grid reference	E                      N
LPA reference	
Type of application	Outline <input type="checkbox"/> Full <input type="checkbox"/> Discharge of Conditions <input type="checkbox"/> Other <input type="checkbox"/>
Site condition	Greenfield <input type="checkbox"/> Brownfield <input type="checkbox"/>

2. Existing drainage		Document/Plan where information is stated:
Total site area (ha)		
Impermeable area (ha)		
Final discharge location	Infiltration <input type="checkbox"/> Watercourse <input type="checkbox"/> Sewer <input type="checkbox"/> Tidal reach/sea <input type="checkbox"/>	
Greenfield discharge rate (l/s) for existing site area	QBAR (l/s)                      _____ 1 in 1 year (l/s)                      _____ 1 in 30 year (l/s)                      _____ 1 in 100 year (l/s)                      _____	
3. Proposed drainage areas		Document/Plan where information is stated:
Impermeable area (ha)	Roof	
	Highway/road	
	Other paved areas	
	Total	
Permeable area (ha)	Open space	
	Other permeable areas	
	Total	
Final discharge location	Infiltration <input type="checkbox"/> Infiltration rate _____ m/s Watercourse <input type="checkbox"/> Sewer <input type="checkbox"/> Tidal reach/sea <input type="checkbox"/>	
Climate change allowance included in design	20% <input type="checkbox"/> 30% <input type="checkbox"/> 40% <input type="checkbox"/>	

<b>4. Post-Development Discharge rates, without mitigation</b>		<b>Document/Plan where information is stated:</b>	
Developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
<b>5. Post-Development Discharge rates, with mitigation</b>		<b>Document/Plan where information is stated:</b>	
Describe development drainage strategy in general terms:			
(a) No control required, all flows infiltrating <input type="checkbox"/>			
(b) Controlled developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
<b>6. Discharge Volumes</b>		<b>Document/Plan where information is stated:</b>	
	Existing volume (m <sup>3</sup> )	Proposed volume (m <sup>3</sup> )	
1 in 1 year			
1 in 30 year			
1 in 100 year			
1 in 100 year + CC			

All information presented above should be contained within the attached Flood Risk Assessment, Drainage Strategy or Statement and be substantiated through plans and appropriate calculations.

Form completed by	
Qualifications	
Company	
Telephone	
Email	
On behalf of (client's details)	
Date	

**Appendix D. Drainage Asset Record Sheet for Verification Report**

IDENTIFICATION	Type of Structure or Feature	
	Location Name	
	Drawing Identifier	
MANAGEMENT/ OWNERSHIP	Owners Name / Company	
	Address of owner	
	Owners Contact Number	
	Maintained By	
	Adoption proposed	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Name of Adopting Authority	
	Estimated Date of Adoption	
ASSET DETAILS	National Grid Reference (NGR)	
	Cover Level	
	Invert Level	
	Max volume	
	Height	
	Diameter/Width	
	Length	
	Depth	
	Designed Flow Rate	
	Any Additional Uses	









# Leiston-cum-Sizewell Town Council

Helen Greengrass, Town Clerk

Council Offices, Main Street, Leiston, Suffolk, IP16 4ER

Tel: [REDACTED] | Email: [REDACTED]

Your Ref: **EN020026-000024-221025**

Date: 22 Nov 2022

Dear Inspectorate,

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

Leiston-cum-Sizewell Town Council (LTC) welcomes the opportunity to comment on the information to be provided in an Environmental Statement and makes the following comments:

- Policy:** Has satisfactory consideration been given to change in Government Policy Change to look at offshore alternatives eg an Offshore Grid through the North Sea Corridor?
- Suitability of our rural area:** Has satisfactory consideration for the potential for brown field site development elsewhere?
- Overall impact:** This Council, unsurprisingly, has concerns on the impact on Leiston-cum-Sizewell itself, a parish of approximately 6,000 residents. The combined significant projects listed on Page 24 Vol 2 Appendice namely SEA LINK, EUROLINK, Nautilus Interconnector, Scottish Power Renewables and offshore windfarms (East Anglia One North and East Anglia Two) confirm a number of unprecedented and uncoordinated energy projects coming forward in the foreseeable future. We would urge the Inspectorate to take a holistic view. We request the Inspectorate considers these projects as a collective and does not see them in isolation, if it is to fully understand the impact on Leiston-cum-Sizewell and surrounding area. Leiston is in danger of being encircled by construction which will have a major impact on our community for more than a decade.
- Co-ordination of projects:** Has sufficient attention been given to exploring coordinated network design and coordinating projects? This Council has concerns about the capacity of existing electricity pylons and seeks reassurance that there will not be further disruption to the landscape of unsightly pylons.
- Traffic Concerns:** A combination of projects will collide with the peak construction of Sizewell C (predicted at year 5/6 estimated to be around 2027). This will mean considerable congestion and traffic movements on all routes in and out of Leiston. Whilst this Council accepts there will be designated routes, it is our opinion that there will be an increase in general traffic congestion on what are rural routes like the A1094 and the junction of the A1094 and the B1122 at Backheath Corner, which is already an accident blackspot. Such an increase in traffic and construction will result in years of disruption for Leiston's coastal-based community and a devastation of the surrounding rural landscapes. The likely impact will be that residents travelling North, South or East of Leiston, will encounter a landscape of continual construction. Equally, this will impact on commuter traffic from Leiston to workplaces in the wider area, Ipswich and beyond, once more acting as a deterrent to those considering a home in our parish.
- Social Impact:** As a result of all of the above, this Council believes that the result of an encirclement of Leiston by construction will lead to the social migration of residents to live elsewhere, and the moving in of construction workers. This suggests that when the construction projects are completed Leiston will have lost much of its inherent community and with it, its unique character. This was its experience during the construction of SZB and memories are long. With an outage at each nuclear reactor every 6 months and maintenance required to the offshore sector, this could lead to Leiston supporting nothing other than the nuclear industry and its supporting sectors, forcing others to live elsewhere.
- Access to Leisure and Tourism:** Whilst Council recognises Leiston-cum-Sizewell is not a tourist honeypot it does nevertheless have notable tourist attractions, including the popularity of the coastal walks within the parish. The Long Shop Museum celebrates Leiston's significant history and role in the Industrial Revolution. The Leiston Film Theatre, or Leiston Picture House as it was originally named, opened in October 1914 and has traded continuously for 105 years. The effect of encircling the town will impact on the



access to these notable sites and present both with significant challenges threatening their viability going forward. Leiston will find itself less able to compete with nearby honeypot towns. The Inspectorate are asked to consider this social impact alongside the environmental impact, which we believe go hand in hand. It was this Council's understanding that during the construction of SZC, Leiston would be protected in the South to access leisure amenities - Aldringham Walks, Thorpeness, Snape, all within the AONB. These projects threaten this access with the result that residents will have no choice but to travel further afield to enjoy any of the benefits of living by the sea and residing in a rural location. This will add to the impact of residents moving from the area. This Council would like to see greater depth as to the mitigation aspects for residents 'enjoying' where they live and the impact this will have on their quality of life and therefore their mental and physical health.

8. **Net Zero Leiston:** This Council is committed to achieving Net Zero Leiston ambitions. Visit <https://www.netzeroleiston.info> It has developed a route map to achieving Net Zero, the first rural town to do so. Whilst Council accepts that the result of these combined projects is to support carbon efficient resources for the East and South East of the UK, nevertheless, Council would like to see greater emphasis on the mitigation measures taken to keep carbon impact to a minimum. We refer the Inspectorate to the website. Council would want to see greater depth explored as to significant landscape scale mitigation opportunities to gain maximum impact in the shortest possible time.
9. **Protecting our local Environment:** Council will concur with the expertise of the AONB, RSPB, and others who are specialists in their field and will seek to endorse their views on the overall impact on habitats in the area. At the heart of this Council's concerns would be the industrialisation of an area of natural beauty.
10. **Pollution:** the cumulative impact of these projects on the air quality for our residents is of concern. We ask the Planning Inspectorate to consider the impact of these projects on the health of our residents – particularly the young, the elderly and those already suffering from chronic disease.
11. **Judicial Review:** Council understands that SASES (Substation Action, Save East Suffolk) has gone to a Judicial Review? The Inspectorate are asked to consider the outcome of this review in connection to the wider projects and impacts.

Yours sincerely

*Helen Greengrass*

**Helen Greengrass  
Town Clerk  
Leiston-cum-Sizewell Town Council**



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Marie Shoesmith  
Senior EIA Advisor  
South East Anglia Link Case Team  
Planning Inspectorate

Your reference: EN020026-  
000024-221025  
Our reference: DCO/2022/00008

Email: [southeastanglialink@planninginspectorate.gov.uk](mailto:southeastanglialink@planninginspectorate.gov.uk)

## By email only

21 November 2022

Dear Marie Shoesmith,

**Planning Act 2008 (as amended) and The Infrastructure Planning  
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) –  
Regulations 10 and 11  
MMO scoping consultation response on the application by National Grid  
Electricity Transmission plc (the Applicant) for an Order granting Development  
Consent for the Sea Link (the Proposed Development)**

Thank you for your scoping consultation dated 25 October 2022 and for providing the Marine Management Organisation (MMO) with the opportunity to share our comments with you on the Sea Link Project.

### The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring (“MHWS”) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects (“NSIPs”), the 2008 Act enables Development Consent Order’s (“DCO”) for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

<sup>1</sup> Under Part 4 of the 2009 Act

<sup>2</sup> Section 149A of the 2008 Act

As a prescribed consultee under the 2008 Act, the MMO advises developers during preapplication on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO’s [website](#). Further information on the interaction between the Planning Inspectorate and the MMO can be found in our [joint advice note](#).

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and MMO colleagues based in both the East coastal office and South East coastal office.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information please do not hesitate to contact me using the details provided below.

Yours Sincerely,

[Redacted signature]

Luke Harto  
Marine Licensing Case Officer

D (+44) 7880 016598

E [Redacted email address]

[Redacted contact details]



# Marine Management Organisation

## Scoping consultation response

**Title:** Sea Link

**Applicant:** National Grid Electricity Transmission Plc

**MMO Reference:** DCO/2022/00008

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# 1 Proposal

## 1.1 Project Background

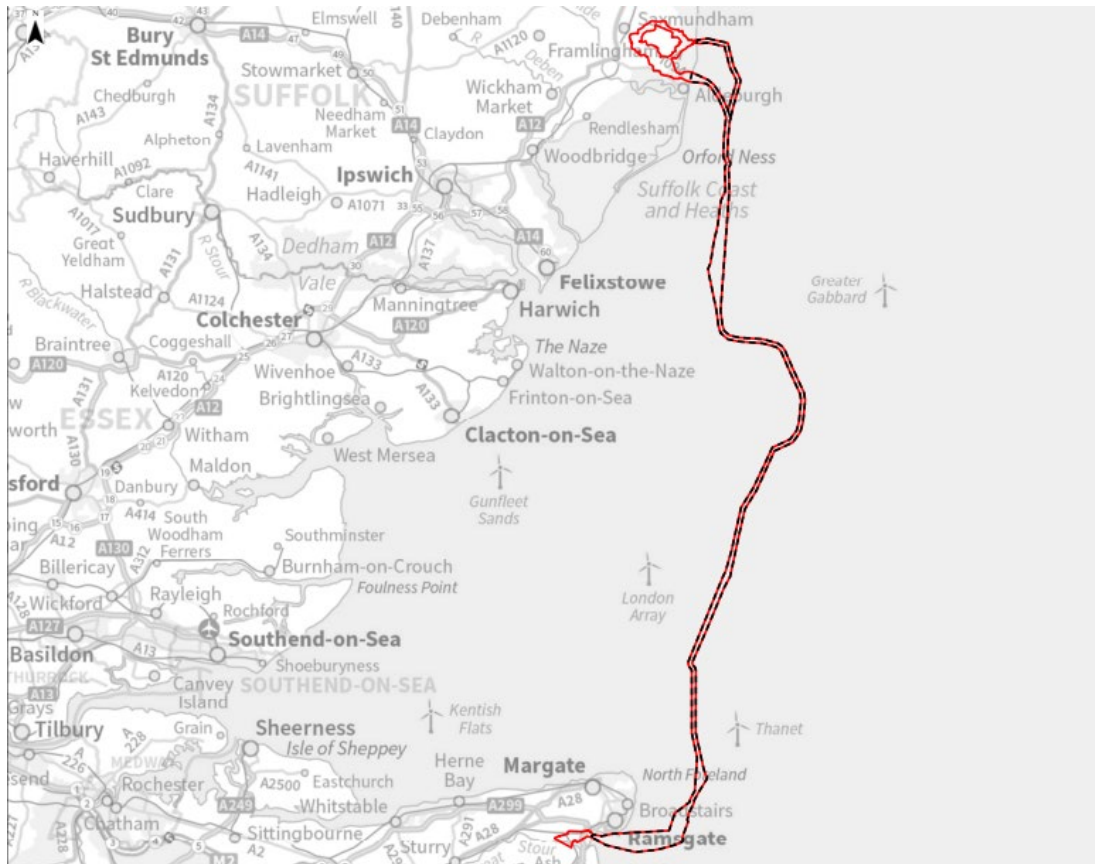
Sea Link (the Proposed Development) is a proposal by National Grid Electricity Transmission plc (the Applicant) to reinforce the transmission network in the south east of England and East Anglia. The Proposed Development is required to accommodate additional power flows generated from renewable and low carbon energy generation, as well as additional new interconnection with mainland Europe. The offshore element of the Proposed Development is located wholly within English Territorial Waters, and includes three distinct components:

- Suffolk Landfall: This is the area where the cable route transitions between the marine and terrestrial environment in Suffolk. This is located between Aldeburgh and Thorpeness with an alternative landfall currently also under consideration at Sizewell gap.
- Kent Landfall: this is the area where the cable route transitions between the marine and terrestrial environment in Kent, located in the Pegwell Bay area;
- Marine Cable Route: This is the cable route from landfalls in Suffolk up to Mean High Water Springs (MHWS) to the landfall in Kent up to MHWS, between approximately 120-128 km in length and located entirely within UK territorial waters.

## 2 Location

Sea Link is located between Kent and Suffolk which is displayed in Figure 1 below.

**Figure 1:** Proposed development (Project) and Offshore Scoping Boundary



### Legend



Project Scoping  
Boundary



Offshore Scheme  
Scoping Boundary

The MMO's scoping opinion relates to the elements of the project that fall below MHWS.

### **3 Scoping consultation response**

Pursuant of the Regulations, the Applicant has requested a Scoping Opinion from the MMO. In so doing a Scoping Report entitled “Sea Link, Environmental Impact Assessment Scoping Report” has been submitted to PINS for review for all stakeholders.

The MMO agrees with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the Environmental Impact Assessment (EIA) and must be included in any resulting Environmental Statement (ES).

#### **3.1 Nature Conservation**

3.1.1 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) on the suitability of the scope of the assessment with regards to Marine Protected Areas (MPAs).

#### **3.2 Benthic ecology**

3.2.1 The MMO consider the potential sources of impacts listed in Table 4.3.2 to be comprehensive; the MMO has not identified any omissions with respect to benthic ecological interests.

3.2.2 The MMO agrees with the scoping out of the three potential impacts as outlined in Table 4.3.2.

3.2.3 The MMO consider that the embedded measures outlined, particularly re-routing procedures to minimise the potential for the cable route corridor to interfere with habitats of particular importance, are defensible and each contribute to a reduction in the significance of residual impacts.

#### **3.3 Coastal Processes**

3.3.1 The scoping report is based on physical data from a variety of sources, including wind and wave data from the ABPmer SeaStates database, and bathymetry and seabed composition data from the EMODnet Bathymetry Portal and British Geological Survey. The MMO considers this to be a reasonable approach which will inform the identification of potential physical pathways for impacts.

3.3.2 The MMO agrees with that all potential physical impacts the Proposed Development could have, have been scoped in.

3.3.3 The MMO agrees that the potential impact of the project on the metocean conditions can be scoped out, however is pleased to see the Applicant plans to include the potential disturbance/change to seabed morphology and coastal processes at landfall locations due to the presence of cable protection measures.

### 3.4 Seascape / Landscape

3.4.1 The MMO defers to Historic England, Natural England (as the SNCB) and relevant local planning authorities on the suitability of the scope of the assessment with regards to Seascape and Landscape.

### 3.5 Fish Ecology and Fisheries

3.5.1 Appropriate data sources have been identified to inform a PEIR and/or ES. The MMO has noted that the scoping report has combined fisheries data from the Marine Management Organisation landings (MMO 2021) with other studies to identify local fish receptors.

3.5.2 Potential impacts to the Thames / Blackwater herring should be **scoped in**. This is a discrete population of spring-spawning herring which are known to have spawning grounds at Herne Bay in Kent, and at the Eagle Bank and Osea Island at the mouth of the Blackwater estuary. Thames / Blackwater herring are considered to be a separate population from the North Sea stocks. They also have distinct ecological differences from other UK populations that should be considered as such for the purpose of the EIA. Their spawning season is from late February to early May.

3.5.3 The MMO agrees that the Applicant has identified the main impacts and impact pathways to fish and fisheries receptors during the construction, operational and decommissioning phases. The MMO agrees with the approach to assess changes in marine water quality due to drilling fluids and accidental spills from vessels within the separate Code of Construction Practice.

3.5.4 The MMO has noted that the Guidelines for Ecological Impact Assessment in Britain and Ireland –Terrestrial, Freshwater, Coastal and Marine will be followed to inform the assessment of the Offshore scheme impacts on fish species. The MMO agrees with this approach. However, the proposed approach to determining potential herring spawning habitat (using the MarineSpace *et al.* 2013b approach), the MMO recommends that the Applicant uses a minimum of 10 years of International Herring Larvae Survey (IHLS) data to inform the assessment. Please note that until recently the Southern North Sea and eastern English Channel (SNS) IHLS surveys for the Downs herring population were conducted as three separate sampling event surveys; one in the 3<sup>rd</sup> quarter of each year undertaken by the Netherlands between 16-31 December, and two in the 1<sup>st</sup> quarter of each year; between 1-15 January undertaken by Germany, and between 16-31 January undertaken by the Netherlands. However, the latter survey (16-31 January) was discontinued in 2017 (ICES 2021) so this should be born in mind when downloading and using the IHLS data to inform the assessment. Please also note that no IHLS surveys are conducted at the Thames/Blackwater herring spawning grounds.



3.5.5 The MMO considers the embedded and control and management/mitigation measures proposed by the Applicant to be appropriate.

3.5.6 It is noted however, that a target cable burial depth of 1 to 2m has been set as a mitigation measure for commercial fisheries receptors to prevent snagging/interaction with fishing gear. In accordance with the Department of Energy and Climate Change report (2011), the MMO recommend a minimum cable burial depth of 1.5m (subject to local geology and obstructions) to minimise the effects of EMF for fish receptors.

3.5.7 The Applicant has proposed that 24-hour construction will take place and reduce the overall duration of the works. Conversely 24-hour construction will mean that there are no quiet periods of 'downtime' during the project's construction. This is likely to result in localised 'avoidance' impacts by a variety of marine receptors including fishes, this should be acknowledged in the upcoming EIA.

3.5.8 Should unexploded ordnance (UXO) clearance activities be required as part of the seabed preparation work, then it is likely that underwater noise (UWN) modelling will be required to determine the range of impact from explosions and any potential overlap with the Thames/Blackwater herring spawning grounds at Herne Bay and the mouth of the Blackwater Estuary, and the Downs herring spawning ground in the southern North Sea. Fish should be assigned into one of the four categories according to their hearing capabilities as described in Popper *et al.* (2014) and should be treated as a stationary (not a fleeing) receptor) for the purpose of UWN modelling. Popper *et al.* (2014) also provides noise threshold guidelines for explosions.

3.5.9 The MMO note that the results in 'Figure 4.9.2: Total Landed Weight (tonnes) and Value (£) of Catch by ICES Rectangle (2016 – 2020),' in Volume 1 Main Text, Part 4 Offshore Scheme, don't seem to correspond to what is stated in the text. This should be reviewed.

3.5.10 The MMO has noted that the Applicant is proposing to scope the cumulative and interrelated impacts for all marine receptors. A zone of influence (ZOI) of 31km has been used to identify these developments based on the potential inter-related acoustic impacts from detonation of UXO and piling. Please note that due to the large area over which UWN can propagate, a wider ZOI may be required for the assessment of cumulative and inter-related impacts arising from UXO and piling.

## **3.6 Shellfish**

3.6.1 The MMO agrees with that all potential impacts the Proposed Development could have on shellfish have been scoped in and that the methods described are sufficient to inform an impact assessment.

3.6.2 The MMO agrees that the impacts described in table 4.4.4 can be scoped out.

3.6.3 The MMO is content that a good range of data sources including project specific survey data and UK commercial fisheries landings by ICES rectangle. However, to improve the shellfish data the MMO would advise consultation with the respective Inshore Fisheries Conservation Authority (IFCA) who will be able to provide data for inshore shell fishers using boats under 10m which would otherwise be missed by the data sources planned for use.

### **3.7 Marine Mammals**

3.7.1 The MMO has provided comments on impacts on marine mammals from underwater noise below. The MMO defers to Natural England as the SNCB in relation to all other potential impacts to marine mammals.

### **3.8 Underwater noise**

3.8.1 The MMO welcomes the commitment that impacts of underwater sound on marine mammals during construction, maintenance and decommissioning phases will be scoped in for further assessment. The MMO welcomes further discussion on any mitigation measures deemed necessary during the EIA process.

3.8.2 It is noted that specific details of how the impacts of underwater noise on marine mammals will be assessed have not been provided at this stage. Desk based assessments should be supported by relevant, peer-reviewed literature where possible.

### **3.9 Archaeology / Cultural Heritage**

3.9.1 The MMO defers to Historic England on the suitability of the scope of the assessment with regards to archaeology and cultural heritage impacts.

### **3.10 Navigation / Other Users of the Sea**

3.10.1 The MMO recommends early engagement with any port authority where appropriate, to ensure that any mitigation measures regarding impacts on shipping and navigation are adopted appropriately.

3.10.2 The MMO defers to the Maritime and Coastguard Agency and Trinity House on the suitability of the scope of the assessment with regards to navigation of vessels and the safety of other users of the sea.

### **3.11 Water Quality**

3.11.1 The MMO defers to The Environment Agency on the suitability of the scope of the assessment with regards to water quality.

### **3.12 Seabed / Land / Soil Quality**

3.12.1 If any bespoke sediment sampling is required/undertaken for sediment quality, these should adhere to the MMO guidelines, especially with regard to the selection of a validated laboratory.

3.12.2 The MMO would recommend the applicant utilise the Cefas Sediment Management Framework app ([https://rconnect.cefas.co.uk/action\\_levels\\_tool/](https://rconnect.cefas.co.uk/action_levels_tool/)) to check if there have been any previous sampling undertaken within the vicinity of the scoping area and check the results which may indicate any areas of concern.

3.12.3 It is recommended that the applicant provide a KML file or workbook of coordinates for the project area to allow a robust assessment to be undertaken at the time of submission.

3.12.4 The applicant should check the MMO's data portal and download the disposal site shapefile from <https://data.cefas.co.uk/view/407> and provide justification within the subsequent environmental statement, regarding interference with other dredging and disposal operations.

3.12.5 The applicant should note that a disposal site, or sites, may be required to be designated for the cable laying operations (either pre-sweeping, cable laying and or post cable burial) and should consider this in their environmental impact assessment, and record any findings in the subsequent environmental statement.

### **3.13 Population and Human Health**

3.13.1 The MMO defers to the Local Authority and UK Health Security Agency on the suitability of the scope of the assessment with regards to population and human health impacts.

### **3.14 Cumulative Impacts & In-Combination Impacts**

3.14.1 The MMO is content with the proposal for cumulative impacts and in combination impacts.

### **3.15 Other**

3.15.1 The MMO note the 'Need for an Environmental Impact Assessment' in Volume 1, Part 1 of the Scoping Report support the approach taken by the Applicant despite none of the components which make up the Proposed Development being explicitly identified under Schedule 1 or 2 of EIA Regulations.

3.15.2 The applicant has correctly identified that the proposed development is within the East Inshore and the South East Inshore Marine Plan areas. The MMO expects the Applicant to produce a standalone document to demonstrate all relevant marine plan policies have been considered, as well as provide a statement whether the Proposed Development is compliant with the two separate marine plans.

## 4 Conclusion

The MMO has reviewed the Scoping Report and has provided advice for the applicant, noted corrections to be made, and also included comments that the MMO would expect to be addressed in the ES.

This statement, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of the Proposed Development, other work may prove necessary.



Luke Harto  
Marine Licensing Case Officer

D [Redacted]  
E [Redacted]



Maritime &  
Coastguard  
Agency

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[www.gov.uk/mca](http://www.gov.uk/mca)

Your Ref: EN020026

22 November 2022

Via email: [SouthEastAngliaLink@planninginspectorate.gov.uk](mailto:SouthEastAngliaLink@planninginspectorate.gov.uk)

Dear Marie,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your email dated 25 October 2022 inviting comments on the Scoping Report for the proposed Sea Link Project. The Scoping Report has been considered by representatives of UK Technical Services Navigation, and the MCA would like to respond as follows:

We note that the project would comprise of the following elements:

- Underground HVAC cable between the proposed Friston substation and a new converter station in Suffolk.
- New converter station in Suffolk.
- Underground HVDC cable between a new converter station in Suffolk and a landfall on the Suffolk coast, either between Aldeburgh and Thorpeness or at Sizewell Gap.
- Marine HVDC cable between a landfall on the Suffolk coast and a landfall in Pegwell Bay in Kent.
- Underground HVDC cable between a landfall in Pegwell Bay and new converter station in Kent.
- New converter station in Kent.
- A HVAC connection (either by overhead line or underground cables) between a

new converter station in Kent and the existing Canterbury to Richborough overhead line.

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations.


- 1) The MCA would expect any works in the marine environment to be subject to the appropriate marine licensing and planning consents before carrying out any marine licensable works. We note that the project will fall under Marine and Coastal Access Act 2009, and will cover all installation, commissioning, operational, maintenance and decommissioning activities of the project.
- 2) The development area carries a significant amount of through traffic to major ports, with a number of important international shipping routes in close proximity, and IMO routing measures. Attention needs to be paid to changes in vessel routing, particularly in heavy weather ensuring shipping can continue to make safe passage without large-scale deviations, and any reduction in navigable depth referenced to chart datum.
- 3) We note the commitment to undertake a Navigation Risk Assessment (NRA) with supporting marine traffic surveys. The NRA should establish how the phases of the project are managed to a point where risk is reduced and considered to be 'as low as reasonably practicable' (ALARP). A marine hazard identification workshop would also be welcomed as part of the NRA.
- 4) A range of potential project impacts on shipping and navigation have been identified which could occur during the construction, operation and maintenance, and decommissioning phases of the Proposed Development.
- 5) We note that the shipping and navigation chapter of the Environmental Statement will consider the potential impacts of the construction, operation and maintenance and decommissioning phases of the project within the shipping and navigation study area and will follow the IMO Formal Safety Assessment methodology. The information from the NRA will be fed into the shipping and navigation chapter. The MCA would expect the Environmental Statement to detail the possible impact on navigational issues for both commercial and recreational craft, specifically:
  - Collision Risk
  - Navigational Safety
  - Visual intrusion and noise
  - Risk Management and Emergency response
  - Marking and lighting of site and information to mariners
  - Effect on small craft navigational and communication equipment
  - The risk to drifting recreational craft in adverse weather or tidal conditions
  - The likely squeeze of small craft into the routes of larger commercial vessels.

- 6) We note the potential for a reduction of under keel clearance, which will be scoped into the assessment. Safe realistic under keel clearance (UKC) assessment should be undertaken for the maximum drafts of vessel both observed and anticipated. The MCA's Under Keel Clearance Policy paper can be found at the following link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/373456/Under\\_Keel\\_Clearance\\_paper\\_May\\_14\\_-\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/373456/Under_Keel_Clearance_paper_May_14_-_FINAL.pdf)
- 7) Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and, subject to the traffic volumes, an anchor penetration study may be necessary. If cable protection measures are required e.g., rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore and potential impacts on navigable water increase. Where this is not achievable, the licensee must discuss further with the MCA and Trinity House.
- 8) A study should be undertaken to establish the electromagnetic deviation, affecting ship compasses and other navigating systems, of the high voltage cable route to the satisfaction of the MCA. On receipt of the study, the MCA reserves the right to request a deviation survey of the cable route post installation.
- 9) We note in the report that as the design progresses, further assessments will be undertaken in order to assess the subsea cables protection against shipping and fishing activities (anchoring and trawling). Rock protection could potentially be utilised to cover the cable pending assessment from marine traffic and the NRA.
- 10) We note that the potential effects related to the construction, operation and maintenance, and decommissioning of the Proposed Development on shipping and navigation will assess the potential cumulative effects that could occur, related to alternate projects and/or activities that take place within the development area.
- 11) The MCA would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the NRA and further stakeholder consultation. We note that no impacts are proposed to be scoped out of the assessment related to infrastructure and other sea users.

Finally, we would expect emergency response arrangements to be considered as part of this project on the potential impacts to search and rescue (SAR) and emergency response in the area, to ensure there are no impacts on SAR operations.

I hope you find this information useful at Scoping Stage.

Yours sincerely,

  
Sam Chudley  
Maritime Licence Advisor  
UK Technical Services Navigation



# Ministry of Defence

Marie Shoosmith Senior EIA Advisor  
National Infrastructure Planning  
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# Defence Infrastructure Organisation

Safeguarding Department  
Statutory & Offshore  
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22 November 2022

Your reference: EN020026  
Our reference: DIO/10056900/2022

Dear Marie

**MOD Safeguarding –the Ministry of Defence (RAF Manston) Technical Site Direction 2017 and Military Practice and Exercise Areas (PEXA)**

Proposal: South East Anglia Link. The Sea Link project consists of; 1. Constructing a new converter station within 5km of the proposed Friston substation then HVAC underground cables between the substation and a converter station and then HVDC underground cables between the converter station and the coast; 2. Constructing a new offshore HVDC cable between Suffolk and Kent. 3. Constructing a new converter station within 5km of the existing Richborough substation with HVDC underground cables between the converter station and the coast at Pegwell Bay.

Location: Land from the Sizewell area in Suffolk to Richborough in Kent with a sub-sea cable between connection

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on the 25/10/2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant is seeking a Scoping Opinion in order to obtain information to inform an Environmental Statement (ES) relating to the Proposed Development.



Two converter site option areas were identified within the routing and siting study area. Area A is located adjacent to and encompassed by Richborough Energy Park and Area B is located to the north and south of the A299 and adjacent to Manston Business Park. The Area B location occupies the statutory safeguarding zone surrounding the Ministry of Defence (RAF Manston) Technical Site Direction 2017. In particular, the technical safeguarding zone surrounding the Ministry of Defence (RAF Manston) Technical Site Direction 2017. and is approximately 0.8km from the centre of the asset.

The safeguarded technical installation is a High-Resolution Direction Finder (HRDF) air navigational aid. The HRDF is used to precisely locate transmissions from aircraft and supports the delivery of air traffic control functions. However, its key role is to precisely locate transmissions from emergency transponder beacons on aircraft (both military and civilian) or military aircrew that have bailed out of their aircraft. In this role the HRDF most serves as an integral part of a UK wide network (the UK Diversion and Distress Facility) which is used to locate aircraft or personnel and direct rescue services. Maintaining the operational effectiveness of this technical installation is therefore critical to maintaining the UK emergency response capabilities for the management of air safety incidents.

### Offshore Safeguarding

The applicant should be advised to take account of the current published MOD Practice And Exercise Areas (PEXA) in preparation of their development proposal. The MOD has highly surveyed areas which maybe relevant to the installation of the export cables & associated infrastructure. The MOD would like to be consulted at the next stage of this application. Once further information is submitted, the MOD requests that we are consulted again in order to complete a more detailed technical assessment.

In order to conduct further assessment, grid references both in latitude and longitude (degrees, minutes and seconds) and also Easting and Northing (BNG) for the proposed export cable will be required.

Having reviewed the documents provided with this consultation we acknowledge that this is at the scoping stage of the proposal and therefore full details of the proposed plans are not available. The MOD will need to complete a more detailed assessment on the potential impacts of this proposal on technical assets at the Ministry of Defence (RAF Manston) Technical Site Direction 2017, once more detailed information is submitted. Further assessment will also be necessary to determine the potential for this development to limit or otherwise restrict offshore defence activity and/or MOD navigational routes.

**In summary, at this stage of the consultation process, the MOD advises we will need to complete a more detailed assessment once plans and further information become available. Once further information is submitted, the MOD requests that we are consulted again via the above email address in order to complete the necessary safeguarding assessments.**

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed above and in the emailed documentation titled EN020026 - Sea Link - EIA Scoping Notification and Consultation dated 25/10/2022.

Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Mr Chris Waldron  
Assistant Safeguarding Manager

Date: 22 November 2022  
Our ref: 410642  
Your ref: EN020026-000024-221025



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**BY EMAIL ONLY**

T [REDACTED]

Dear Marie Shoesmith,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your letter dated 25<sup>th</sup> October 2022 consulting Natural England on the Sea Link Environmental Impact Assessment (EIA) Scoping Report (October 2022). The following constitutes Natural England's formal statutory response; however, this is without prejudice to any comments we may wish to make in light of further submissions on the presentation of additional information.

The advice contained within this letter is provided by Natural England, which is the statutory nature conservation body within English territorial waters (0-12 nautical miles). Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

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<sup>1</sup> Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from

<http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

## **Summary of Main Points**

### **1. Approach to EIA scoping**

Natural England (NE) welcome the information provided in the Scoping Report. It must be noted that the Scoping Report is high level and based on a large area of search, in particular the location of landfall and converter sites in the Suffolk Onshore Scheme. Therefore, in the absence of sufficient information, it is difficult to provide targeted advice, including impacts on saltmarsh habitats at landfall locations. Furthermore, we also wish to fully understand the equal weighting of environmental factors used in the selection process for the preferred routes. The route selection approach and environmental factor weighting should be made more transparent and explained more clearly.

Our advice is, therefore, based on the information available at this time and at this stage of the EIA process. In order to assess potential impacts on designated sites, will require further information on, but not limited to; cable burial assessments; requirement for external cable protection; number of cables; proposed mitigation; feasibility of horizontal directional drilling (HDD) to avoid coastal impacts. We hope that some of this evidence will be available in the future and we look forward to having further opportunities to provide our comments.

As noted above, the information provided in the Sea Link EIA Scoping Report is very high-level. We note that there is very little information on the assessment of impacts to designated sites, how this will be undertaken, what information will be needed, and what impacts should be taken into account; namely Habitats Regulation Assessments (HRA) and Marine Conservation Zone (MCZ) Assessments. Therefore, we recommend that impacts on designated sites should be thoroughly assessed, and the best available evidence used to inform these assessments.

The current draft National Policy Statement (NPS) indicates coordination where possible and re-consultation is expected shortly. Natural England therefore recommend that the Environmental Statement should have consideration of anything in the revised NPS. We advise that early consideration should be given to policies in draft NPS updates in case these are adopted and this will protect the project from unexpected changes that could be required of them later in the application process.

There is a risk with premature EIA scoping, and submission of the Preliminary Environmental Information Report (PEIR) prior to the completion of the data collection and analysis, that consenting issues are identified late in the day and are not resolved in advance through pre-application discussions or data collection, and that Examinations are then unable to resolve these issues. This runs counter to the increased emphasis on 'front-loading' issues in the NSIP process, and the ambition of the British Energy Security Strategy as regards speeding up the consenting process.

In addition, Natural England highlight the risk that any additional data analysis later in the application process has the potential to change the conclusions of the ES from those set out in the PEIR. This could lead to delays to the project programme, both during consenting and/or in the pre-construction phase. More generally, Natural England advises that 24 months of survey effort is the minimum expected for bird and marine mammal data collection, in order to provide an adequate baseline upon which to draw conclusions and inform impact assessments and any requirements for mitigation..

### **2. Cumulative Impacts**

The cumulative effect of developments within the Zone of Influence (Zoi) of the proposed scheme should be adequately assessed in the Scoping Report, particularly with regards to Suffolk Coasts and Heath AONB (SCHAONB), Pegwell Bay and the offshore cable route. There are multiple ongoing and proposed projects which have the potential to interact with Sea Link and create cumulative adverse impacts on the environment such as:

- in combination with Sizewell C Nuclear Power Station developments in Suffolk Coasts and Heaths AONB and the Suffolk Heritage Coast,
- the offshore wind and interconnector cables which Sea Link could potentially cross and thus lead to impacts on benthic habitats,
- the combined impacts of cables landing in saltmarsh habitat at Pegwell Bay.

- the interaction between Sea Link and Euro Link, as these two projects appear to have very similar scopes, bringing electricity cables onshore in Suffolk and linking them into the National Grid onshore network. Both projects have considered a range of landfall options and it seems sensible to consider linking these landfall options and infrastructure to minimise the impacts on the coast within Sites of Special Scientific Interest (SSSIs), the overlapping international conservation designations (Special Areas of Conservation (SAC)/ Special Protection Areas (SPAs)), the SCHAONB, the Suffolk Heritage Coast and other identified areas of importance such as ancient woodlands.

We also strongly encourage a thorough cumulative review of National Grid's projects be carried out to assess their impacts on protected sites, species and habitats of importance, and ensure that they do not provide pathways whereby nature can deteriorate.

### **3. Landscape Impacts (Suffolk Coasts & Heaths AONB and Suffolk Heritage Coast)**

Natural England is concerned about the potential for adverse effects on the statutory purpose of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB), which is a nationally designated landscape, given the location of the Applicant's preferred landfall site, onshore cable route and preferred converter site are within SCHAONB. Therefore, an assessment should be completed on the potential impacts of the project on the statutory purpose of SCHAONB. We wish to emphasise that the statutory purpose of SCHAONB is to both conserve and enhance natural beauty. The enhance part of the statutory purpose should also inform an assessment of cumulative effects. The expectation should be that opportunities to reverse a decline in natural beauty should be sought, rather than the area being able to accommodate more development which:

- further limits or closes down future enhancement opportunities
- further erodes, in combination with existing development, the capacity of the affected area to contribute to the delivery of the statutory purpose, or even to detract from SCHAONB as a whole.

Natural England are concerned with the location of landfall and the location of the preferred converter site option 1, with option area E, to be within SCHAONB. Natural England have a preference for the converter site option 3 which is located outside of SCHAONB. The risk of using converter site option 1 should be fully assessed with equal weighting of the environmental factors. We advise that there should be clear confirmation that the value of SCHAONB's landscape and the sensitivity of its landscape and visual receptors should be given the highest rating within the Landscape and Visual Impact Assessment (LVIA).

Additionally, the effects of the coastal elements of the project will directly impact on the Suffolk Heritage Coast. An assessment of the project's impacts on the Suffolk Heritage Coast should therefore be provided. The purpose of a Heritage Coast is to define a stretch of undeveloped coastline, however this section of the Suffolk Heritage Coast is under pressure from the development of energy infrastructure.

### **4. Suffolk Onshore Preferred Route(s)**

The Scoping Report for the Suffolk Onshore Scheme encompasses a large area and is high level due to the route options, landfall and converter site locations still being considered. We encourage refinement of the site and route options, with avoidance of protected habitats and species, including Ancient Woodland, being considered as a priority. Where protected sites cannot be avoided, after equal weighting against other constraints, the sensitivity of habitats must be fully assessed, for example habitat and species recoverability, to reduce the impacts on protected features. We cannot, at this stage, provide targeted advice on protected species and habitats, due to broad scope of the Suffolk Onshore Scheme, and without detailed survey methodology within a confined route. We recommend that species and habitats are appropriately surveyed within the cable route, converter site and substation locations, along with functionally linked land, supporting habitats and buffer zones. We encourage engagement with local conservation groups, such as Suffolk Wildlife Trust and RSPB, for updated species records.

Without refinement of the scoping area and routes, and without detail on construction techniques and Horizontal Directional Drilling (HDD) feasibility, it is difficult to advise on which option would cause the least impact. Natural England's preferred approach for cable landing would be a

trenchless technique, however we are concerned that the preferred landfall options go through designated sites without HDD feasibility being confirmed. We recommend that the applicant considers worst-case scenarios when assessing the impact of the project on protected and important habitats and species, including protected sites and their designated features. We would welcome the inclusion of a map which details protected habitats and designated sites alongside the different cable routes, substation, and converter site options, as the figures provided only show this detail for the S2 and S3 landfall options.

### **5. Kent Onshore Preferred Route**

Natural England is concerned that there is the potential for adverse impacts associated with a preferred landfall in Pegwell Bay, considering the various protected sites within and adjacent to it. The assumption that any impacts on these sites and their designated features is temporary relies solely on the use of trenchless drilling methods, such as HDD, being feasible. However, the feasibility of HDD has not yet been confirmed. Therefore, we would welcome a commitment register with the commitment of trenchless techniques at Pegwell Bay and a feasibility study for trenchless drilling through Pegwell Bay. We would expect the Applicant to consider lessons learnt from previous projects, such as Nemo Link interconnector cable and Thanet Offshore Windfarm, if the preferred landfall at Pegwell Bay progresses. If HDD is shown not to be feasible for Pegwell Bay, we would advise that alternative landfall options be carefully considered, so that impacts to designated sites are avoided.

Natural England welcome National Grid's Biodiversity Net Gain (BNG) commitment and have included BNG guidance for Nationally Significant Infrastructure Projects (NSIPs) in Appendix C.

### **6. Marine Processes**

Natural England's overarching advice when selecting a cable route, is to use the avoid, reduce, mitigate hierarchy, in order to reduce environmental impacts. The proposed cable route currently passes through a number of protected areas and our preference would be, in the first option, to avoid these protected areas entirely. We also advise that this hierarchy should be used when considering construction activities, cable installation techniques and seabed preparation methods. Construction works, in shallow nearshore waters or within/near protected sites, that minimise seabed disturbance and the need for cable protection measures should be used, where possible. Total area of impact (direct and indirect) footprint should be provided for cable installation activities, and volumes of cable protection measures estimated. We would also advise that seabed mobility, temperature and salinity, sedimentology and sedimentary environments, bedform dynamics and stability, and sediment transport pathways and rates should also be investigated as part of the baseline characterisation. Furthermore, consideration should be given to a number of other receptors in this assessment, including significant morphological features such as mobile sandbanks, channels, the coastline(s), for example cliffs, dunes, saltmarsh, mudflats), and designated sites. There are also a number of potential significant effects which we would advise giving consideration to, including smothering of adjacent seabed, change of sediment type and persistence, modifications to sediment transport patterns and resulting morphological change.

### **7. Benthic Ecology**

In the absence of detailed construction techniques, we advise that underwater sound disturbance remains scoped in at this stage. Furthermore, we also advise that electromagnetic field (EMF) impacts remain scoped in for benthic ecology. Other information which will be expected, includes but is not limited to, the footprint of area affected by excavation for and laying the subsea cable, area affected by any potential external cable protection, estimation of EMF at the exterior of cables as well as at the surface above buried cables, cable laying and maintenance associated vessels. We advise that until more information is provided, such as the data from the intertidal benthic surveys at landfall locations (planned for 2023), we are unable to provide detailed advice on such matters. Furthermore, we recommend that best practice is followed when undertaking surveys and that you liaise with us regarding the planning on these surveys.

Natural England are also concerned about the proposed route through Goodwin Sands Marine Conservation Zone (MCZ), which is designated for benthic habitats and species, including *Sabellaria spinulosa* reefs, which are particularly sensitive to construction on the seabed and present low resilience to habitat changes. We encourage sufficient surveys to be carried out in

protected sites within the cable route to assess the presence of sensitive habitats and species. If, after careful weighting of environmental considerations, Goodwin Sands MCZ cannot be avoided, Natural England advise that the sensitive features of the site are avoided. Given recent decisions on NSIPs with similar impacts to designated sites we advise that there may be a need to discuss the production of an in principle Measures of Equivalent Environmental Benefit (MEEB) plan. Natural England is willing to work with the applicant during the pre-application phase to further discuss this issue.

### **8. Fish and Shellfish Ecology**

Natural England is pleased that a number of pathways for impact have been scoped in for fish and shellfish ecology. However, we recommend that changes in water quality are scoped in, as well as potential disturbance to habitats and species through the creation of new habitats. We are concerned about the potential for the works to impact fish and shellfish which spawn on the seabed in the study area and recommend sensitive periods are identified. We would like to highlight that, although MCZs within the study area are not designated for migratory fish, the impacts of the proposed works on migratory routes should be considered. There should also be consideration of potential impacts on poor cod, Mediterranean scaldfish and cephalopods. We cannot comment in detail on the impacts on fish and shellfish ecology due to the high-level information provided in the scoping report, however we look forward to engaging with the Applicant for future reports and assessments. The Applicant should be mindful of closed shellfish areas and areas closed to bottom-towed fishing gear, which are specified in our detailed comments in Appendix B. The relevant IFCA authorities can be contacted for more information and the following webpage provides detail on Marine Management Organisation (MMO) and Inshore Fisheries and Conservation Authorities (IFCA byelaw) areas [View all Restrictions \(kingfisherrestrictions.org\)](https://www.kingfisherrestrictions.org).

### **9. Marine Mammals**

The most significant potential for impact on marine mammals from this project comes from underwater noise associated with UXO (unexploded ordnance) clearance (and to a lesser extent from geophysical surveys), especially as the cable route is partially in the Southern North Sea (SNS) Special Area of Conservation (SAC) for harbour porpoises. When assessing the project for potential impacts on marine mammals, we recommend that the applicant review the most up to date literature and evidence, such as Carter et al 2022 for seals, to ensure that the appropriate screening distance has been used. We will continue to engage with the applicant through the pre-application phase to provide further advice for future reports and assessments.

### **10. Red Throated Diver (RTD)**

Natural England's primary point of concern is regarding the potential for displacement of red throated diver, a designated feature of the Outer Thames Estuary Special Protection Area (SPA). Works should be timed to avoid the overwintering period, especially the months of January March should be avoided. The impacts from these works will require assessment as part of any Environmental Impact Assessment (EIA) and Habitats Regulation Assessment (HRA) processes. If it is not possible to avoid the overwintering period, then the extent of the potential displacement on red throated diver, using a methodology agreed with Natural England, needs to be carried out as soon as possible to enable a full assessment of the impact on all the OTE's conservation objectives. This should be presented in the Environmental Statement/information to inform the Habitats Regulations Assessment. If construction was to take place in the Outer Thames SPA during the overwintering period, Natural England anticipate the need for significant mitigation. Should displacement effects on the SPA still not be reduced to a level where there is no contribution to in-combination effects, the Applicant will need to present a derogations case and bring forward compensatory measures. Further concerns are on the clarity of which designated species are considered scoped in and if operational and maintenance impacts have been scoped in. We will continue to engage with the applicant through the pre-application process to provide further advice on all issues.

Please see Annex A for guidance on EIA requirements. In Annex B we provide detailed comments on the project-specific aspects of the scoping report. Please see Annex C for Biodiversity Net Gain (BNG) guidance for Nationally Significant Infrastructure Projects (NSIPs).

### **Natural England Discretionary Advice Service (DAS)**

We would like to draw the Applicant's attention to the opportunity to obtain further advice from Natural England under our Discretionary Advice Service (DAS). The DAS provides additional non-statutory advice related to development proposals, in order to support sustainable development and achieve better environmental outcomes through the planning system. Further information including charges and how to proceed with an application can be found at:

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

We would be happy to comment further should the need arise but if, in the meantime, you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me using the details below. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Becca Turley  
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E-mail: [REDACTED]  
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## **Annex A – Advice related to EIA Scoping Requirements**

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full land/marine use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.174-177 on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers.

#### **2.2 Internationally Designated Sites**

The ES should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition, Paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to

compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website

<https://designatedsites.naturalengland.org.uk/>

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

The emerging preference for the offshore cable corridor falls within the following internationally designated nature conservation:

- Southern North Sea SAC
- Outer Thames Estuary SPA

The emerging preference for the Kent Onshore converter stations, landfall, and cable corridors fall within the following internationally designated nature conservation sites:

- Sandwich Bay SAC
- Thanet Coast & Sandwich Bay SPA
- Thanet Coast & Sandwich Bay RAMSAR
- Thanet Coast SAC

The emerging preference for the Suffolk Onshore converter stations, landfall, and cable corridors fall within the following internationally designated nature conservation sites:

- Sandlings SPA

The development site's study area overlaps with, and may have the potential to impact, the following internationally designated nature conservation sites:

Within the Offshore section

- Margate and Long Sands SAC

Within the Kent Onshore section

- Stodmarsh SAC
- Stodmarsh SPA
- Stodmarsh RAMSAR

Within the Suffolk Onshore section

- Alde-Ore Estuary SPA
- Alde-Ore Estuary Ramsar
- Alde-Ore & Butley Estuaries SAC
- Minsmere to Walberswick SPA
- Minsmere to Walberswick Ramsar
- Minsmere to Walberswick Heaths & Marshes SAC
- Orfordness Shingle Street SAC
- Staverton Park & The Thicks, Wantisden SAC
- Dew's Pond SAC

The following internationally designated nature conservation sites are in the screening distance for marine mammals and may need to be assessed for connectivity to the study area:

- Moray Firth SAC
- Humber Estuary SAC
- Bancs des Flandres SAC
- Ridens et Dunes Hydrauliques du Détroit du Pas-de Calais SAC
- Vlaamse Banken SAC
- Baie de Canche et Couloir des Trois Estuaires SAC
- Vlake van de Raan SAC
- Estuaires et Littoral Picards (Baies de Somme et d'Authie) SAC
- Voordelta SAC
- Wash and North Norfolk Coast SAC
- Grevelingen SAC

**Please note:** As the cable corridor is currently a study area, at this stage we are unable to provide a more definitive list of sites relevant to the project's assets.

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site <http://publications.naturalengland.org.uk/category/6490068894089216>

### **2.3 Habitats Regulations Assessment**

If the proposal outlined within the scoping document has the potential to significantly affect features of the internationally designated sites and the activity is not directly connected to the management of any designated site, it should be assessed under regulation 63 the Conservation of Species and Habitats Regulations (2017). Should a Likely Significant Effect on an Internationally designated site be identified or be uncertain, the competent authority (eg. the Marine Management Organisation or Local Planning Authority or Government Department) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

If during the EIA process the potential for a Likely Significant Effect on the conservation objectives of the sites cannot be ruled out the competent authority for the marine licence (MMO / Government Department) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives. Noting recent case law (People Over Wind<sup>3</sup>) measures intended to avoid and/or reduce the likely harmful effects on a European Site cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63).

### **2.4 Nationally Designated Sites, inc. Sites of Special Scientific Interest (SSSI) and Marine Conservation Zones (MCZ's)**

**Sites of Special Scientific Interest (SSSIs)**- Further information on the location of SSSIs and their special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk). The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

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<sup>3</sup> People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17).

The emerging preference for the Kent Onshore converter stations, landfall, and cable corridors fall within the following nationally designated nature conservation sites:

- Sandwich Bay to Hacklinge Marshes SSSI
- Thanet Coast SSSI

The emerging preference for the Suffolk Onshore converter stations, landfall, and cable corridors fall within the following nationally designated nature conservation sites:

- Leiston - Aldeburgh SSSI
- Sizewell Marshes SSSI

The development site's study area overlaps with, and may have the potential to impact, the following nationally designated nature conservation sites within the Suffolk onshore scheme:

- Alde-Ore Estuary SSSI
- Minsmere to Walberswick Heaths & Marshes SSSI
- Sandlings Forest SSSI
- Iken Wood SSSI
- Blaxhall Heath SSSI
- Gromford Meadow SSSI
- Snape Warren SSSI

**Marine Conservation Zones** - Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species. You can see where MCZs are located and their special interest features on [www.magic.gov.uk](http://www.magic.gov.uk). Factsheets that establish the purpose of designation and conservation objectives for each of the MCZ's are available at <https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england>

The emerging preference for the offshore cable corridor falls within the following nationally designated nature conservation:

- Goodwin Sands MCZ
- Thanet Coast MCZ

The development site's study area overlaps with, and may have the potential to impact, the following nationally designated nature conservation sites within the offshore scheme:

- Kentish Knock East MCZ
- Orford Inshore MCZ
- Dover to Deal MCZ

The ES should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link:

<http://publications.naturalengland.org.uk/category/1723382>

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website

<https://designatedsites.naturalengland.org.uk/>

## **2.5 Regionally and Locally Important Sites**

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The ES should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of

any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

#### **Locally Important Sites within the Suffolk Study Area:**

- Westleton Heath NNR
- Orfordness Havergate NNR
- Registered Common Land – Aldringham Common
- Registered Common Land – Knodishall Common
- North Warren RSPB Reserve
- Minsmere RSPB Reserve
- The Haven, Aldeburgh LNR
- Grove Wood Ancient Woodland
- Great Wood Ancient Woodland

#### **Locally Important Sites within the Kent Study Area:**

- Sandwich and Pegwell Bay NNR
- Princes Beachland LNR
- Ash Level and South Richborough Pasture Local Wildlife Site

#### **2.6 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)**

The ES should assess the impact of all phases of the proposal on protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises whales), fish (including seahorses, sharks and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link <https://www.gov.uk/government/publications/protected-marine-species>. Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, [NBN Atlas](#), groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information, there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. **For Land Based Impacts** Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

#### **2.7 Habitats and Species of Principal Importance**

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England

therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

### **For Developments with a Land based element**

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

### **2.8 Contacts for Local Records**

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

## **3. Designated Landscapes and Landscape/Seascape Character**

### **3.1 Nationally Designated Landscapes**

As the development site is within Suffolk Coasts and Heath AONB and the Suffolk Heritage Coast, consideration should be given to the direct and indirect effects upon these designated landscapes and in particular the effect upon its purpose for designation within the environmental impact assessment, as well as the content of the relevant management plan for Suffolk Coasts and Heath AONB and Suffolk Heritage Coast.

Natural England's priority in providing landscape advice is to uphold the statutory purpose of Nationally Designated Landscapes, which is to conserve and enhance the area's natural beauty. We provide this advice as the national landscape agency for England and the designating authority for the SCHAONB. We believe that the advice presented within this response is commensurate with the national designation status, importance, and sensitivity of the AONB, and the need to uphold its statutory purpose.

### **3.2 Landscape/Seascape and visual impacts**

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape/seascape assessment methodologies](#). We encourage the use of Landscape and Seascape Character Assessment (LCA/SCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA/SCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape / seascape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape / Seascape Character Assessment at a local level are also available on the same page.

<https://www.gov.uk/government/publications/seascape-assessments-for-north-east-north-west-south-east-south-west-marine-plan-areas-mmo1134>

<https://data.gov.uk/dataset/3fed3362-2279-4645-8aaf-c6b431c94485/mmo1037-marine-character-areas>

#### **4. Access and Recreation**

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green/blue infrastructure. Relevant aspects of local authority green/blue infrastructure strategies should be incorporated where appropriate.

#### **England Coast Path**

The England Coast Path (ECP) is a new National Trail that will extend around all of England's coast with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both landowners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals have to be approved by the Secretary of State. We would encourage any proposed development to include appropriate provision for the England Coast Path to maximise the benefits this can bring to the area. We suggest that the development includes provision for a walking or multi-user route, where practicable and safe. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Consideration for how best this could be achieved should be made within the Environmental Statement.

As part of the development of the ECP a 'coastal margin' is being identified. The margin includes all land between the trail and the sea. It may also extend inland from the trail if:

- it's a type of coastal land identified in the Countryside and Rights of Way Act 2000 (CROW Act), such as beach, dune or cliff
- there are existing access rights under section 15 of the CROW Act
- Natural England and the landowner agree to follow a clear physical feature landward of the trail

Maps for sections of the ECP and further proposals for adoption are available here: <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

### **Rights of Way, Access land, Coastal access and National Trails**

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the adjacent/nearby [Click here to enter text](#). National Trail. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

### **5. Water Quality**

Increases in suspended sediment concentrations (SSC) during construction and operation (e.g. future dredging works) have the potential to smother sensitive habitats. The ES should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The ES should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The ES should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

### **6. Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

### **7. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 174), which should be demonstrated through the ES.

### **8. Contribution to local environmental initiatives and priorities**

Due to the lack of detail available at this stage, Natural England is unable to provide any information on how this development first with local initiatives and priorities such as the delivery of green/blue infrastructure, biodiversity opportunity areas or biodiversity enhancements.

### **9. Cumulative and in-combination effects**



A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England's advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Please refer to best practice advice for Cumulative Impact Assessments: *Parker et al. (2022c). Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards. Phase III: Expectations for data analysis and presentation at examination for offshore wind applications. Natural England. Version 1.2, 140pp*

## Annex B - Detailed Comments

Document: Volume 1 - Part 1 Introduction				
Section	Paragraph/ Table	Comment	RAG	Recommendations
Chapter 1.3 Main Alternatives Considered				
1.3	1.3.4.28	Shortest route possible to minimise cable length		How has this been assessed, has equal weighting been applied to assess cost vs environment?
1.3	1.3.4.28	Avoidance of environmentally sensitive areas, where possible		Has mitigation hierarchy been applied here? Natural England's advice is to use the avoid, reduce, mitigate hierarchy to reduce environmental impacts.
1.3	1.3.4.28	Limiting need to cross		What will be the impact of cable crossings? Has this been quantified so proposed external protection for crossings been included as part of the assessment?
1.3	1.3.4.67	Potential for converters for the proposed Nautilus and Euro Link schemes to be co-located with the Sea Link facility		A robust assessment of the LVIA impacts of these projects to the AONB should be clearly presented in the PEIR both alone and in combination.
Chapter 1.4 Description of the Project				
1.4	1.4.2.8	Installation of cable ducts (12 ducts considered within EIA)		Support the coordinated options for cable installations to minimise environmental impacts as long as the overall environmental outcome is better.
1.4	1.4.2.28	Up to four cables, with maximum of two trenches		Has the worst-case scenario been considered throughout the document? Until a definitive decision has been made with regards to the number of cables and crossings, the maximum area of impact needs to be assessed in the ES. Natural England would like to see the worst-case scenario for each <u>activity</u> , and associated impacts, provided and assessed for the construction, operation and decommissioning stages. Furthermore, we advise that the number/length of cables per project should be minimised through project design in order to minimise the overall area of impact. In this project, the footprint of impact is significantly greater if two trenches are required for this project.

1.4	1.4.3.45	Transition Joint Bays (TJBs) will be located as close to the coast as possible. There are a number of protected areas, sensitive habitats and features near the landfall locations (e.g. saltmarsh at Pegwell Bay) which could be affected by the TJB siting.		Natural England's advice when selecting a cable route, is to use the avoid, reduce, mitigate hierarchy to reduce environmental impacts. Therefore, it is important that TJB siting avoids protected areas, sensitive habitats or features, if possible.
1.4	1.4.3.48	Access to the landfall installation site could be gained terrestrially. This could lead to direct impacts to the beach due to construction vehicle traffic or to the hydrodynamic and sediment transport regimes due to the presence of access ramps.		We would advise that beach access impacts should be scoped in and assessed.
1.4	1.4.3.49	Up to 4 open cut trenches could be excavated through the intertidal zone. This could lead to direct impacts on sensitive coastal and intertidal habitats and features.		We advise that cable installation techniques that minimise sediment disturbance and the need for cable protection measures inshore are preferable, in order to avoid direct impacts on sensitive coastal and intertidal habitats and features. These impacts should be scoped in and assessed.
1.4	1.4.3.50	If temporary work structures are required within shallow nearshore waters, such as cofferdams, sheet piling or floatation pits, their presence could cause morphological change through modification of the nearshore hydrodynamic regime or diversion of sediment transport pathways.		Potential impacts due to the presence of temporary work structures within shallow nearshore waters should be scoped in and adequately assessed.
1.4	1.4.3.51	Horizontal Directional Drilling (HDD)		Horizontal Directional Drilling (HDD) is a strongly preferred method for installation of the cable through the intertidal zone, as it eliminates physical disturbance of the intertidal area. Natural England welcomes this approach and we support the undertaking of feasibility studies and ground investigations in a timely way to inform the methodology and environmental assessments. However, Natural England is aware that the use of HDD relies heavily on local site and environmental conditions and so cannot be guaranteed. We recommended that an alternative methodology is identified in advance and is suitably assessed for environmental impacts, to minimise disruption and environmental risks should HDD become unfeasible at short notice. Additionally, the risk of potential contamination of notified habitats, from the use of chemicals for lubrication of the HDD

				drill, will need to be considered in the ES and HRA.
1.4	1.4.3.51- 1.4.3.53	Whilst we recognise that a decision has not yet been confirmed regarding the chosen cable installation technique at landfall, consideration should be given to the extent of sensitive areas of seabed/substratum that could potentially be disturbed during cable installation at landfall.		We advise that in order to reduce environmental impacts, careful consideration should be given to the cable burial technique so as to reduce sediment plumes or to avoid sensitive areas. A realistic worst case scenario should be detailed and the impacts assessed.
1.4	1.4.3.51	If Horizontal Directional Drilling (HDD) is used at either landfall, associated activities may have direct or indirect impacts on the nearshore hydrodynamics and morphology.		We advise that consideration needs to be given to the whole HDD compound and extension of activities. This includes access routes from the intertidal up to the exit pits, and also impacts arising from the placement of infrastructure and machinery movements. The works and their potential impacts should be considered scoped in.
1.4	1.4.3.56	No information has been provided regarding the anticipated locations or total area of impact (both direct and indirect) for pre-lay grapnel run, boulder clearance, or other route clearance activities.		We advise that the total area of impact (both direct and indirect) should be provided for cable route clearance activities. For boulder clearance in protected sites, this should also include where the boulders are placed and where they have been removed from. Specific locations should also be provided for these activities and any sensitive habitats identified. We also advise that the avoid, reduce, mitigate hierarchy should be used to reduce environmental impacts. These potential impacts should be considered scoped in and assessed.
1.4	1.4.3.57	No information has been provided regarding the anticipated locations or total area of impact for pre-sweeping.		We advise that the total area of impact (both direct and indirect) should be provided for pre-sweeping. Specific locations should also be provided for these activities and any sensitive habitats identified and scoped into the assessment. If pre-sweeping is required, it will be necessary to consider the nature of the material and any disposal requirements. We also advise that the avoid, reduce, mitigate hierarchy should be used to reduce environmental impacts.
1.4	1.4.3.61 & 1.4.3.62	Up to 4 cables could be installed within a maximum of 2 trenches. If laid separately, the separation distance between cables is		We would advise that to reduce environmental impacts, the area of seabed disturbance should

		<p>anticipated to be 30-60m, whereas if there are 2 bundled pairs, then the separation distance could be up to 200m. These two different cable laying scenarios would have considerably different seabed disturbance widths, the latter scenario potentially having a far greater environmental impact.</p>		<p>be minimised if possible. The total area of impact (both direct and indirect) should also be provided and assessed. (Again, we advise that the avoid, reduce, mitigate hierarchy should be used to reduce environmental impacts.)</p>
1.4	1.4.3.78	<p>Cable crossing locations have not been identified at this stage. However, in order to assess the environmental impact of any cable crossings, it will be necessary to provide specific locations (including a map), the total area of impact, and any habitats impacted.</p>		<p>We advise that specific locations of any cable crossings should be provided, when known, along with the total area of impact, any sensitive habitats affected, and the total volume of external cable protection. Again, we advise that the avoid, reduce, mitigate hierarchy should be used to reduce environmental impacts, however, should this not be possible we advise methods which allow decommissioning at the end of the project life preferred and any reduction to volume/area of impact can be applied. We advise detailed commentary is provided in the ES on the introduction of hard substrate as part of the proposed developments to allow further understanding of the potential nature conservation impact.</p> <p>This would include:</p> <ul style="list-style-type: none"> <li>• location of deposit sites;</li> <li>• type / size / grade of rock / mattresses / bags to be used;</li> <li>• tonnage / volume to be used;</li> <li>• contingency tonnage / volume to be used;</li> <li>• method of delivery to the seabed;</li> <li>• footprint of hard substrate introduced;</li> <li>• assessment of the impact</li> <li>• Decommissioning potential of any introduced substrate</li> </ul> <p>Where protective material cannot be avoided we recommend using a targeted placement method, for example use of a fall pipe vessel rather than using vessel-side discharge methods.</p>

1.4	1.4.5.16	It is stated that ‘periodic surveys would be undertaken to assess the protection levels afforded the cable, particularly in areas of mobile seabed.’ Assessing seabed mobility would help inform the likelihood of successful cable burial over the lifetime of the project.		We would advise that seabed mobility should be scoped in and assessed as part of the Physical Environment impact assessment.
1.4	1.4.5.17 & 1.4.5.18	It is stated that when a cable fault occurs, the location of the fault will be identified, and the faulty section replaced. Remedial cable burial is also mentioned. However, there is no mention of other remedial and maintenance activities that could cause additional environmental impacts during the lifetime of the cable, such as maintenance of external cable protection or new external cable protection.		The full range of cable repair/replacement/remedial burial works and external cable protection addition and maintenance should be scoped in, considered and their impacts assessed.
1.4	1.4.6	Whilst decommissioning is discussed, there is no mention of the fate of any cable protection already laid, nor of the need to lay additional cable protection during decommissioning. Any disturbance to habitats and features should also be recognised and assessed upfront.		We advise that a full assessment of potential impacts to the marine environment of the decommissioning of the proposed project should be provided. Our primary concern is that impacts are minimised. Furthermore, decommissioning should also consider permanent habitat loss from any infrastructure that remains at the time of decommissioning (an extension of habitat loss from the operational phase).
1.4	1.4.6.5	If the project is required to be decommissioned, the proposed underground cables would be decommissioned. Dependent on specific requirements the redundant cables could either be left in-situ, or all or parts of the cable could be removed for recycling. Where this is not possible, removed cables would be disposed of in accordance with the relevant waste disposal regulations at the time of decommissioning.		We would advise from a landscape perspective (subject to any other environmental requirements) that if the materials which form the cables are entirely inert or pose minimal risk to any environmental asset they should be left in situ. This would be preferable to major works to excavate the route in whole or in part to extract them.
Chapter 1.5 EIA Approach and Method				
1.5	1.5.4.8 & Table 1.5.1	The project's development phases i.e. construction/operation/decommissioning have not been considered.		Phase of the development should be considered.
1.5	1.5.5.1	Natural England and JNCC have written useful guidance on tiers for scoping projects into cumulative/in-combination assessments.		Please see <i>Parker et al. (2022c). Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards. Phase III: Expectations for data analysis and presentation at examination for offshore wind</i>

				<i>applications. Natural England. Version 1.2, 140pp, while this document is intended to be guidance for the development of offshore wind farms, the sections related to cable installation in the marine environment are of relevance to this application.</i>
1.5	Table 1.5.2	Sensitivity Criteria allocates 'Very High' to 'Very high importance and rarity, valued at <u>an international level</u> and limited potential for recovery or substitution' and 'High' to 'High importance and rarity, valued at <u>a national level</u> and limited potential for recovery or substitution'		Natural England question the assertion that only designated sites of international importance can attain a sensitivity rating of Very High. We therefore seek assurance that SCHAONB, as a nationally designated area, is accorded the highest rating by the LVIA.
General		There is no reference to other environmental assessments, HRA and MCZ Assessments.		Natural England would expect to see some consideration as to the information required for HRAs and MCZ Assessments. Please refer to Advice on Operations in our Conservation Advice packages <a href="http://naturalengland.org.uk">Designated Sites View (naturalengland.org.uk)</a> . Sufficient survey programmes must be planned to support the application process and understanding what the requirements are for later processes, such as in the HRA, will provide greater understanding of these survey requirements. Developers are required to provide sufficient evidence and supporting information for the regulator to assess impact to Marine Protected Areas. Developers can provide this in a 'shadow' assessment or as a section within their Environmental Assessment.

<b>Document: Volume 1 - Part 2 Suffolk Onshore Scheme</b>				
Section	Paragraph/Table	Comment	RAG	Recommendations
Chapter 2.1 Evolution of the Suffolk Onshore Scheme				
2.1	2.1.5.15	Landfall at Sizewell and using the existing substation at Sizewell appears to be the only option which could avoid the footprint of any protected site and therefore is likely to be least damaging to protected sites on the Suffolk Coast. However, this is subject to confirmation, with substantial further information on project design required to fully understand the implications. Furthermore, one option would require re-routeing through Sizewell Marshes SSSI		Refinement of route, sub-station and converter station options.  Natural England advises that the Applicant will need to avoid protected sites in the first instance. Only once all options for avoidance have been exhausted, should the applicant follow the

2.3	Table 2.3.1	<p>which should be avoided. Using the corridor allocated to the existing 132kV connection which would therefore be of preference. This option would potentially still be less damaging than other route options due to the avoidance of a larger number of protected sites. However, both site option areas A and B for the converter station are located within Suffolk Coast and Heaths AONB and are within land that is part of ecological mitigation area for Sizewell C Nuclear Power Station.</p> <p>If connection options in the Sizewell area are chosen in-combination impacts with Sizewell C Nuclear Power Station would need to be considered if this option is taken forward.</p> <p>All cable corridors are within The Suffolk Coasts and Heaths AONB (SCHAONB). Our comments related SCHAONB refer to Chapter 2.1 and 2.2 of the Suffolk Onshore Scheme and are detailed above in the table.</p> <p>The Hundred River flows through the Suffolk Scoping Boundary.</p> <p>The landfall at Leiston-Aldeburgh SSSI lies with all Emerging Preference and Alternative boundaries and are highly likely to result in loss or damage to the SSSI interest features.</p> <p>With all options there is the potential for significant effects on designated sites and the features for which sites are designated for.</p>		<p>subsequent steps of the mitigation hierarchy.</p> <p>For Natural England to provide accurate and comprehensive advice on the potential for significant effects on protected sites, we require detailed information on project design, including construction techniques and timing of construction. We request further detailed engagement on corridor route and siting of infrastructure access to the above information, prior to a decision being made on the route to be taken forward.</p> <p>Habitat recoverability would be a concern where sensitive protected and important habitats such as wet grasslands, salt marsh, heathland are present. Disturbance and potential for recoverability of habitats must be fully assessed.</p> <p>Impacts upon the habitats and the species which depend on those habitats must be fully considered.</p>
2.1	2.1.5.21	<p>With regards to the Applicant's preference for High Voltage Alternating Current (HVAC), this option would potentially be less damaging based on the reduced length of the working corridor which would be 40m width instead of the 80m as for HVAC.</p>		
2.1	General	<p>The Sea Link and Euro Link projects appear to be working on similar briefs, in terms of onshore cable development in Suffolk for the National Grid network, and both have considered a number of landfall options along the Suffolk coast, including Sizewell and land between Aldeburgh and Thorpeness. They also include other options beyond that at Southwold, Walberswick, Minsmere, north of Sizewell, South of Aldeburgh.</p>		<p>It seems sensible to consider linking these landfall options and infrastructure to minimise the impacts on the coast within Sites of Special Scientific Interest (SSSIs), the overlapping international conservation designations, and the Area of Outstanding Natural Beauty (AONB) and Heritage Coast, and other identified areas of importance such as ancient woodlands.</p>
2.1	General	<p>The two favoured Sea Link landfall locations are at the Sizewell Gap and between Aldeburgh and Thorpeness. Both have SSSI and SPA sites in close proximity, as did the other three landfall option areas of search. The proposals are for a new underground</p>		<p>At both Sizewell and Thorpeness there may be potential for saline intrusion through the cable routes, structures and processes that could impact on the freshwater, and/or brackish habitats behind</p>



		HVDC cable between the landfall and the new converter station. There would then be an underground HVAC between the new converter station and the new Friston substation.		the barrier beach or coast which should be investigated further.
2.1	General	Issues relating to the burying of cables relate to the working widths, which appear to be at least 40 m running up to 100m.		There may also be issues relating to the easements, which may be 25m, if these are required across the grazing marshes and other habitats depending on what management is required for the electricity infrastructure.
2.1	General	The proposals shown include an option with a new substation at the Sizewell Nuclear Power Stations site and a new National Grid overhead line 400kV.		This line would cross and potentially require new towers within Sizewell Marshes SSSI and Leiston-Aldeburgh SSSI.
2.1	General	Suffolk landfall fall is within Suffolk Coasts and Heaths AONB		NE has concerns regarding the landfall of SeaLink within the SCHAONB. We appreciate that the AONB extends along the entirety of the coast within the area of search, however we recommend that advice is sought on creating a route that is the least impactful either alone or in combination with other plans and projects and/or if possible avoids the AONB. If not able to avoid the AONB then full justification for why alternatives have been rejected should be included in any assessment. We welcome the opportunity to be part of such discussions.
2.1	General	Preferred substation location is the Friston substation		We welcome the decision to use the proposed Friston substation rather than extend the existing Sizewell B or planned Sizewell C substations, given that the latter two are within the AONB.
2.1	2.1.8.6-2.1.8.13	Potential converter site option 1, within option area E, is in the immediate setting of the AONB. A converter station is a substantial building with the structures for this scheme anticipated to have a footprint of up to 10ha and valve halls up to 30 meters high.		Based on the information provided (and subject to environmental constraints), it is Natural England's preference that the converter site option 3, outside of the AONB be selected. We recommend that a robust Landscape and Visual Impact Assessment is required to fully assess the potential effects of converter sites withing the AONB.
2.1	Figure 2.1.3	Converter site option areas and potential coordinated converter site areas		We would welcome clarity about the difference between converter site option areas (A-H) and the potential coordinated converter site areas (1-7).
<b>Chapter 2.2 Landscape and Visual</b>				
2.2	2.2.2	All the relevant national policies appear to have been identified along with the relevant sources of information required to provide a baseline for the LVIA.		We would like to emphasise the role of the statutory duty (section 85 of the Countryside and Rights of Way Act 2000) to 'have regard' to the statutory purpose of the AONB in both

				complementing national planning policy and regarding the 'setting' of the designated area. NPS EN-1 makes clear reference to the duty in relation to settings.
2.2	2.2.2	The National Planning Policy Framework states: <i>Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.</i>		The impact of this scheme on the Suffolk Heritage Coast will need to be assessed.
2.2	General	The general approach (the methodology) proposed for the LVIA. The scope of the assessment is focused very much on assessing the landscape and visual effects of the converter sites, whereas the scheme also involves major construction works (underground cabling) within a nationally designated landscape.		The effect of a 40m wide construction corridor, potentially a temporary effect, should not be underestimated. This construction may well coincide with commencement works for Sizewell C and potentially the onshore cabling works for East Anglia 2 and 1 North Offshore Wind Farms. The combined scale of these works would present large construction areas within this part of SCHAONB. Natural England would welcome a full assessment of how the scheme would affect the delivery of SCHAONB's statutory purpose.
2.2	General	Landscape and Visual impacts are proposed to be limited to an assessment of the cable route to just the construction phase. This assumes that reinstatement of the route would result in no significant effects for the operational phase.		Natural England advise that the success of reinstatement cannot be guaranteed. We recommend that all installation options are thoroughly assessed and presented, along with supporting survey results and predicted recovery/reinstatement times in the Preliminary Environmental Impact Report.
Chapter 2.3 Ecology and Biodiversity				
2.3	2.3.2.5	We welcome Biodiversity Net Gain.		
2.3	2.3.3.3	It is not clear why the Applicant has chosen an area of 10km for the desk-based study area for designated sites.		The search area for designated sites should be based on the potential for impact pathways to protected sites e.g. impacts on potential functionally linked land, hydrology, air quality etc. The Impact Risk Zone (IRZ) for designated sites, as available on Magic, provides a useful starting point, however, professional judgement using the best available evidence will be required to determine potential impact pathways and therefore the protected sites which should be

				further considered.
2.3	2.3.4.30	It is unclear what area of search the Applicant is using to carry out bird surveys.		Survey area should be based on the potential for species to be present within the area and should consider functionally linked land.  Natural England advises that it is the Applicant's responsibility to determine whether there is sufficient information/evidence to exclude areas from surveys. If it cannot be determined that areas are not functionally linked to protected sites designated for breeding, passage, or overwintering birds then surveys will likely be required.
2.3	2.3.4.31	We welcome two full seasons of non-breeding and breeding bird surveys but see comment above regarding survey area.		
2.3	2.3.4.17	It is noted that the Extended Phase 1 Habitat Survey Invertebrate surveys will determine the need for specific invertebrate surveys. This is welcomed, though we would like to note that the following sites may require further invertebrate surveys: <ul style="list-style-type: none"> <li>• Alde-Ore Estuary Ramsar and SSSI</li> <li>• Leiston-Aldeburgh SSSI</li> <li>• Sizewell Marshes SSSI</li> </ul> <input type="checkbox"/> <p>Dependant invertebrate communities are also present within Sandlings SPA.</p>		Sandlings SPA supports dependent invertebrate communities which should also be considered, as well as specialist invertebrate surveys where required.
2.3	Table 2.3.4  2.1.5.6  2.1.5.7	There are options presented which could result in damage or loss of ancient woodland sites (identified by the ancient woodland inventory): <ul style="list-style-type: none"> <li>• Within the southern corridor (Site 1 Emerging Preference)</li> <li>• Option Area D for the converter station - There is a small parcel of Ancient Woodland (Buckles Wood) located within the north of this option</li> <li>• Option E for the converter station - There is a small area of Ancient Woodland at Great Wood located on the eastern edge of the option area and Grove Wood Ancient Woodland is located adjacent to the northwest corner of the option area.</li> </ul> <p>Whilst the above sites have been identified by the ancient woodland inventory, please note that some ancient woodlands may not be recorded by the inventory but may still be ancient in</p>		Ancient woodlands are irreplaceable habitats and impacts should be avoided.  The Zones of Influence (ZoI) for Ancient Woodland should be clearly stated within the ES and consideration should be given to any edge effects and air quality impacts. We refer the Applicant to Natural England's standing advice for ancient woodland and the management of buffers. Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK ( <a href="http://www.gov.uk">www.gov.uk</a> ) Natural England advises that ancient woodlands be considered in relation to mobile species and supporting habitats. Fragmentation and disruption to habitats should be considered

		<p>origin.</p> <p>It should also be noted that some ancient woodland sites are also Country Wildlife Sites.</p>		and assessed.
2.3	Table 2.3.4	<p>There appears to be reliance on using Horizontal Directional Drilling (HDD) methods to reduce impacts to protected sites, species and habitats. However, details provided are limited. No information has been provided on the construction methods or how far drilling will extend.</p> <p>HDD should be considered beneath important hedgerows and other important habitats such as rivers.</p> <p>A decision to use trenchless or trenched methods at landfall has not been confirmed. Whilst protected sites should be avoided, trenchless crossings beneath protected sites would be preferable, though there would also be concerns with this with regards to impacts.</p> <p>It is stated in Table 2.3.4 that cable installation within the intertidal zone of the Outer Thames Estuary, and coastal grazing marsh of Leiston-Aldeburgh SSSI is unlikely to be achievable through HDD alone and it is unlikely that a significant effect can be entirely avoided.</p> <p>It should be noted that the risk of a potential bentonite break-out where HDD is used beneath water courses, and for where geotechnical investigations are carried out, must be considered and fully assessed and mitigated for.</p> <p>Drilling beneath protected sites, including SSSI sites may impact upon the features for which sites are designated for. Potential hydrological impacts should be fully assessed.</p>		<p>We would welcome the use of methods to reduce impacts to designated sites, which may include the use of HDD below protected sites and important ecological; features.</p> <p>A detailed specification of the HDD process should be included in the EIA. This should include, but not limited to, timing of works, length of HDD, location of entrance and exit points, where vehicle access would be required, what the risk factors for failure would be, whether HDD is achievable through protected sites and confirmation of where HDD or open cut methods will be employed. The EIA should assess potential impacts upon protected sites and species.</p> <p>A detailed specification of protocols to be put in place to prevent break outs or frack-outs from occurring, or minimise impacts if this does occur, should also be included.</p> <p>Detailed assessment of potential hydrological impacts on protected sites is required.</p>
2.3	Table 2.3.1	<p>The Haven, Aldeburgh is a Local Nature Reserve which could be affected by the scheme. It is owned by East Suffolk Council and managed by the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.</p>		<p>If not already done so, we advise that East Suffolk Council should be consulted in relation to potential impacts on this site.</p>
2.3	Table 2.3.1	<p>Natural England considers on the basis of the information provided the proposals could damage or destroy the interest features for which the following Sites of Special Scientific Interest (SSSIs) have been notified:</p>		<p>Please note that often the assessment of effects under the Habitats Regulations will also cover the assessment of the impacts on SSSIs where the two types of site overlap. However, in this case</p>

		<ul style="list-style-type: none"> <li>• Leiston - Aldeburgh SSSI</li> <li>• Sizewell Marshes SSSI</li> <li>• Alde-Ore Estuary SSSI</li> <li>• Minsmere to Walberswick Heaths &amp; Marshes SSSI</li> <li>• Sandlings Forest SSSI</li> <li>• Iken Wood SSSI</li> <li>• Blaxhall Heath SSSI</li> <li>• Gromford Meadow SSSI</li> <li>• Snape Warren SSSI</li> </ul> <p>□ Natural England considers, on the basis of the information provided, the proposals could have significant effects on the following National Nature Reserves (NNRs):</p> <ul style="list-style-type: none"> <li>• Westleton Heath NNR</li> <li>• Orfordness Havergate NNR</li> </ul>		<p>there are some SSSI interest features which are not European site features and as such the SSSI notified interest features should also be considered through a SSSI Impact Assessment.</p> <p>The ES should include a full assessment of the direct and indirect effects of the development on the interest features of these sites and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.</p> <p>Internationally designated site conservation objectives are available on our internet site <a href="http://publications.naturalengland.org.uk/category/6490068894089216">http://publications.naturalengland.org.uk/category/6490068894089216</a> or <a href="#">Site Search (naturalengland.org.uk)</a></p>
2.3	General	<p>The proposed work at Leiston-Aldeburgh SSSI has the potential to impact the following designated features:</p> <ul style="list-style-type: none"> <li>• Aggregations of breeding birds - Gadwall, <i>Mareca strepera</i></li> <li>• Aggregations of non-breeding birds - Gadwall, <i>Mareca strepera</i></li> <li>• Aggregations of non-breeding birds - Shoveler, <i>Anas clypeata</i></li> <li>• Aggregations of non-breeding birds - White-fronted Goose, <i>Anser albifrons albifrons</i></li> <li>• Assemblages of breeding birds - Lowland damp grasslands</li> <li>• Assemblages of breeding birds - Lowland open waters and their margins</li> <li>• H1 - <i>Calluna vulgaris</i> - <i>Festuca ovina</i> heath</li> <li>• Lowland ditch systems</li> <li>• Outstanding dragonfly assemblage</li> <li>• S4 - <i>Phragmites australis</i> swamp and reed-beds</li> <li>• SD1 - <i>Rumex crispus</i> - <i>Glaucium flavum</i> shingle community</li> <li>• U1 b, c, d, f - <i>Festuca ovina</i> - <i>Agrostis capillaris</i> - <i>Rumex acetosella</i> grassland</li> <li>• Variety of breeding bird species (70)</li> <li>• Vascular plant assemblage</li> </ul>		<p>The proposals at Aldeburgh potentially affect units 14, 15, 16, 19, 20, 21. Unit 1 might be affected if new cables are required from the Sizewell option. Reference is made to Horizontal Directional Drilling from the landfall to the landward side of the SSSI, approximately 800m. However, the area to be drilled beneath is shown by Designated Sites View to have the following SSSI features that could be impacted by construction and management activities and if there were significant changes to ground water levels and chemistry</p>

		This site also overlaps with Sandlings SPA for nightjar ( <i>Caprimulgus europaeus</i> ) and woodlark ( <i>Lullula arborea</i> )		
2.3	General	Direct cabling has the potential to impact Crag Pit Aldeburgh SSSI		Crag Pit Aldeburgh SSSI is designated for neogene sediments and has the potential to be impacted if trenching is close to this site.
2.3	General	<p>The proposed work adjacent to Sizewell Marshes SSSI has the potential to impact the following designated features:</p> <ul style="list-style-type: none"> <li>• Assemblages of breeding birds - Lowland damp grasslands</li> <li>• Invertebrate assemblage</li> <li>• Lowland ditch systems</li> <li>• M22 - <i>Juncus subnodulosus</i> - <i>Cirsium palustre</i> fen meadow</li> <li>• M23 - <i>Juncus effusus/acutiflorus</i> - <i>Galium palustre</i> rush pasture</li> <li>• Vascular plant assemblage</li> </ul> <p>The marshes at Sizewell are also considered as functionally supporting the marsh harrier (<i>Circus aeruginosus</i>) which is an interest feature of the Minsmere-Walberswick SPA</p>		The functionality of the protected sites should also be considered when assessing potential impacts, such as functionally supporting land for foraging.
2.3	2.3.4.28	Construction works have the potential to impact upon a variety of breeding and non-breeding bird interest features of protected sites and therefore, the timings of works will need to be carefully considered to minimise or reduce potential significant effects.		This must be fully assessed, and timing constraints considered for both breeding and non-breeding bird interest features.
2.3	2.3.4.31	<p>We welcome that bird surveys will include specific surveys for hobby, nightjar, woodlark and barn owl.</p> <p>We note in particular that woodlark and nightjar are interest features of Sandlings SPA.</p>		Species specific bird surveys to be carried out at protected sites where required. We advise that all bird interest features of designated sites should be considered. The applicant should also consider any effects on bird interest features which may be utilising land functionally linked to European sites. Surveys on functionally linked land (outside of the site boundary) may be required.
2.3	2.3.4.37	Emerging Preferences for landfall Site 1 and Site 3 are very likely to be of high value for reptile habitat, suitable habitats for water vole and otter, ancient woodland is present within both sites.		Habitats should be fully surveyed, and impacts assessed if these options are chosen.
2.3	2.3.4.37	It is stated that the desk study returned no records for water vole within the search area. There are known populations of water vole		Consider contacting Suffolk Wildlife Trust and the RSPB for recent records for water vole and otter

		and otter recorded at Sizewell Marshes SSSI and Leiston-Aldeburgh SSSI. Suffolk Wildlife Trust and the RSPB who manage land within the scoping area may hold records for water vole and otter.		and where necessary further surveys for these species should be carried out.  The wetland areas in both the SSSIs support populations of water voles and otters so there may be disturbance and consequent licencing issues. EDF are aware of both species being present on Sizewell Marshes as they were part of the Sizewell C discussions, and EDF are currently working to install artificial otter holts and mink rafts. Additionally, EDF have constructed compensatory open water and reedbed habitats at Aldhurst Farm, which lies in the search area landward of Sizewell Marshes.
2.3	2.3.5.3	We welcome that refinement of the Suffolk Onshore Scheme will be informed by the results of ecology and biodiversity surveys to avoid or minimise impacts on ecological receptors.		We note the large onshore scoping area and multiple location options and reserve the right to make future detailed comments once the onshore infrastructure has been confirmed.
2.3	2.3.5.4	We welcome the control and management measures.		
2.3	2.3.5.5	We welcome that where temporary habitat removal is required, this will be re-instated as soon as practically possible.		
2.3	Table 2.3.11	Consideration of light pollution effects on sensitive ecological receptors have not been included.		Natural England recommends consideration of light pollution effects on sensitive ecological receptors.
2.3	General	Protected species licences.		Please contact the Natural England Case Officer and the Licensing team as early in the process as possible regarding information required for a protected species Licence and the possibility of a Letter of No Impediment.
<b>Chapter 2.7 Agriculture and Soils</b>				
2.7	2.7.4.8	Corridors extend through areas of Environmental Stewardship Agreements and Woodland Grant Schemes.		The Applicant should consult the Rural Payments Agency at the earliest opportunity to discuss the impacts to schemes. We advise that the draft order limits contain land parcels which form part of a live Agri-environment scheme which is currently delivering benefits for nature, including the management of priority habitats. Consideration must therefore be given to any permanent and/or temporary impacts from the proposals on the scheme and implications for the agreement holder in terms of any necessary

				<p>relocation of options, derogations, pay back of grant funding, scheme penalties etc.</p> <p>Land within the study area is currently under Countryside Stewardship (CS) (Higher Tier) Agreements, plus areas south and east of Leiston are under Entry Level plus Higher Level Environmental Stewardship agreements and small areas within the study area are under Higher Level Environmental Stewardship, as well as Organic Entry Level, plus Higher Level Stewardship areas to the north</p> <p>Loss of this habitat may result in direct land take or damage to land under agreement. Any land removed from Agri-Environment schemes may result in repayment of subsidies dating back to year 1 of the scheme, and with additional penalties. Construction and operational activities that pose an impact to agreement land in terms of water resources and quality of habitat and species, loss and fragmentation and disturbance (noise, light and visual) should be considered. Timing and dates of work should be considered to ensure that habitats retained can be sufficiently maintained. Required mitigation should be included with the Code of Construction practise and secured in the DCO. It should also be noted that any compulsory land purchases which are subject to agri-environment schemes would also need to be repaid.</p>
Chapter 2.9 Air Quality				
2.9.4	2.9.4.1	Data sources do not include the Air Pollution Information Service (APIS).		The APIS website (CEH, 2022) should be consulted to identify any habitats or features of these designated sites that are sensitive to nutrient nitrogen and acid deposition
Chapter 2.11 Socio-economics, Recreation and Tourism				
2.11	2.11.6.4	<p>It is noted there is the potential for permanent closure or diversions to Public Rights of Way (PRoW) and recreational use.</p> <p>Any diversions of recreational routes must not impact upon protected sites, species or habitats.</p>		<p>The applicant should provide details on how significant impacts on PRoW will be avoided in the ES.</p> <p>The use of trenchless crossings for PRoW to be considered.</p>



Chapter 2.13 Cumulative Effects				
2.13	2.13.3	The National Grid Euro Link project has been included in the cumulative impact table. We advise that discussion should be considered in terms of potential for projects to be carried out at similar times to reduce potential impacts.		We advise the Applicant to consider communication with the EuroLink project where there is potential for infrastructure to be shared/works to be carried out at the same time. both projects, particularly with regard to in-combination impacts.
2.13	General	The Shoreline Management Plan 7 (SMP) covers the shoreline across the majority of Suffolk and all areas currently being considered for landfall.		We advise that the applicant should consider the implications of SMP policy across the scope of the project. The Applicant should consider the appropriateness of the development in locations where managed realignment may be undertaken in the future.
2.13	Table 2.13.2	The list of existing and approved projects include Sizewell C Nuclear Power Station, the East Anglia 2 and 1 North offshore wind farms, as well as projects at an early stage, but very likely to come forward (Nautilus and Euro Link interconnector cables).		Natural England advise that a robust in-combination effect assessment of the Sea Link project and other projects within the AONB will need to be clearly presented.
2.13	General	Suffolk Coasts and Heaths AONB's statutory purpose.		Natural England request that a full impact assessment of how the proposed scheme would affect the delivery of SCHAONB's statutory purpose including how its 'special qualities' are impacted.

Document: Volume 1 - Part 3 Kent Onshore Scheme				
Section	Paragraph/ Table	Comment	RAG	Recommendations
Chapter 3.1 - Evolution of the Kent Onshore Scheme				
3.1	3.1.4.17	It is stated that it is considered likely that potential effects on designated sites for nature conservation will be limited to short term temporary impacts.		We would welcome justification and evidence for how the impacts on designated sites for nature conservation will be short term and temporary. As stated previously, Natural England would expect the applicant to use the 'avoid, reduce, mitigate' approach where there are designated sites and protected species
3.1	3.1.7.5	The landfall option within the blue corridor of option K1, located southeast of Sandwich, would appear to be the landfall option with the least interaction with designated sites. Though this option would rely on Horizontal Directional Drilling (HDD) to cross designated sites at a number of locations (which includes the		Natural England advises that the Applicant will need to avoid protected sites in the first instance. Only once all options for avoidance have been exhausted, should the Applicant follow the subsequent steps of the mitigation hierarchy.

		crossing of the River Stour).  If the feasibility at Pegwell Bay (the identified preferred option) determines that HDD is not a viable option. Then great weight should be given to the landfall option identified within the blue corridor (southeast of Sandwich).		For Natural England to provide accurate and comprehensive advice on the potential for significant effects on protected sites, we require detailed information on project design, including construction techniques and timing of construction. We would welcome further detailed engagement on the potential corridor route and siting of infrastructure access to the above information, prior to a decision being made on the route to be taken forward.  Natural England advise that the landfall option located within the blue corridor of option K1, should be considered as a preferable option if open trenching at Pegwell bay is proposed. This is also subject to the conclusion of HDD feasibility studies along the blue corridor.
3.1	3.1.7.4	Natural England note that the landfall at location K1a (green corridor) has a smaller interaction with designated sites than the proposed landfall within Pegwell Bay.		As mentioned above, great consideration should be given to alternate cable landfalls sites if HDD is evidenced to not be feasible at Pegwell Bay. Natural England are concerned of the ecological impact that open trenching could conflict on the designated sites located within Pegwell Bay. Avoidance of these impacts alongside feasibility of HDD locations should be considered by the Applicant when deciding on the preferred route to be taken. We recommend a detailed study of lessons learnt from other cable installations in Pegwell Bay is presented.
Chapter 3.3 – Ecology and Biodiversity				
3.3	3.4.11	Natural England welcome National Grid’s commitment to a minimum 10% Biodiversity Net Gain (BNG) across all its construction projects.		Natural England would like to draw attention to Kent County Council’s <a href="#">Viability Assessment of Biodiversity Net Gain in Kent (June 2022)</a> , which assessed the potential effect of a 15% or 20% BNG target on the viability of residential-led development in Kent. Though the assessment focuses on a residential-led development, the assessment showed that the biggest cost in most

				<p>cases is to get to the minimum 10% BNG. The increase to 15% or 20% BNG in many cases costs much less.</p> <p>As the Kent Nature Partnership (KNP) is working with local planning authorities to progress the adoption of a 20% BNG target within Kent, we therefore recommend that you contact the KNP to discuss higher BNG targets for the Kent onshore section of the Sea Link project. Please refer to Appendix C for further information on BNG for NSIPs</p>
3.3	3.4.11	Natural England welcomes the use of the latest BNG Biodiversity Metric 3.1		Natural England recommend that the latest Biodiversity Metric should be chosen, prior to the start of the Phase 1 habitat surveys.
3.3	3.3.4.3	From 1st October 2022, Eurasian beavers in England became a European protected species.		Beavers are now listed in <a href="#">Schedule 2</a> of the <a href="#">Conservation of Habitats and Species Regulations 2017</a> , making it an offence to deliberately capture, injure, kill or disturb beavers, or damage and destroy their breeding sites or resting places without a wildlife management licence from Natural England.
3.3	Table 3.3.4	Natural England note that notable habitats have been scoped out for all phases, on the basis that impacts can be mitigated. As it is not known that HDD will be feasible at Pegwell Bay, it appears premature to scope out notable habitats that could likely be impacted during the construction phase.		Natural England advise that notable habitats should be scoped in as temporary habitat loss during the construction phase, until an HDD feasibility study can demonstrate that HDD at Pegwell Bay is viable option.
3.3	Table 3.3.4	<p>Natural England note that habitats with potential to support protected and notable species have been scoped in as temporary habitat loss for all three phases.</p> <p>Natural England view the construction of the 10ha converter station as permanent habitat loss. Therefore, without the completion of Phase 1 habitat surveys within the Kent scoping boundary, it is not yet possible to determine whether these habitats (to support protected and notable species) will be impacted.</p>		Natural England advise that permanent habitat loss to habitats with potential to support protected and notable species, should be scoped in at this stage, until Phase 1 habitat surveys have been completed and can demonstrate presence/absence of the habitats.
3.3	Table 3.3.4	Natural England recognise that the cable installation route has the potential for temporary habitat loss within designated sites,		Natural England agree with the sites that have been scoped in, however we would welcome a

		<p>particularly within the intertidal area of Pegwell Bay which has the following designations;</p> <ul style="list-style-type: none"> <li>- Sandwich Bay Special Areas of Conservation (SAC)</li> <li>- Thanet Coast SAC</li> <li>- Thanet Coast &amp; Sandwich Bay Special Protection Area (SPA) AND Ramsar site</li> <li>- Sandwich &amp; Pegwell Bay National Nature Reserve (NNR)</li> <li>- Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest (SSSI)</li> </ul> <p>We note that the preferred approach for the cable landing at Pegwell Bay is to adopt trenchless techniques such as Horizontal Directional Drilling (HDD), which is proposed to avoid significant impacts to the aforementioned designated sites.</p> <p>Natural England acknowledges the potential benefits of trenchless techniques over the open trenched approach, in that potential significant impacts to the designated sites can be avoided. However, Natural England note that trenchless techniques carry risks (such as frac out and sink holes) which cannot be fully ruled out. To understand these risks at an early stage, a feasibility study with geotechnical data should be prioritised.</p>		<p>commitment register which includes the commitment of utilising trenchless techniques to make landfall at Pegwell Bay.</p> <p>Natural England request that a feasibility study be published for horizontal directional drilling (HDD) through Pegwell Bay. This would provide reassurance that techniques such as HDD would be feasible, and that open trenching would not be a requirement.</p> <p>We look forward to further discussions with the Applicant on this important area of work</p>
3.3	Table 3.3.4	<p>Natural England note that the possibility of overhead powerlines could affect breeding and non-breeding birds (including notified bird features of neighbouring designated sites) through collision risk. We therefore agree that these impacts should be scoped in at this stage.</p>		<p>Natural England would like to signpost the guidance document <a href="#">Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds</a>, which was published by NatureScot in 2016. This guidance document provides advice on how to assess the potential impacts on birds from proposed overhead power lines.</p>
3.3	Table 3.3.7	<p>Natural England note that the incidental mortality of non-breeding intertidal and terrestrial birds has been scoped out for all three phases of the development.</p> <p>As overhead collisions from proposed powerlines could affect non-breeding birds, incidental mortality should be scoped in at this stage.</p>		<p>Due to the potential of overhead collisions from proposed overhead powerlines, Natural England advise that incidental mortality of non-breeding intertidal and terrestrial birds should be scoped in for all three phases of the development.</p>
3.3	Table 3.3.7	<p>The proposed location of the 10ha converter station is likely to be located in an area with a number of waterways, which also</p>		<p>Due to the scale of the proposed converter station, there is a high chance that waterways</p>

		includes the Minster Stream. These waterways could potentially be permanently impacted by the development of the proposed converter station. It is therefore also conceivable that incidental mortality of riparian mammals could occur, though the risk would be minimised by appropriate mitigation.		could be permanently impacted by the development. For this reason, we advise that incidental mortality for riparian mammals should at this stage be scoped in for the construction phase.
Chapter 3.7 – Agriculture and Soils				
3.7	Table 3.7.5	Natural England agree with the proposed Study area for the soils and agriculture assessment (including the Agricultural Land Classification (ALC) and soil survey, which will include all temporary land-take areas).		The ALC and soil survey must be undertaken by suitably qualified and experienced individuals
3.7	Table 3.7.5	Natural England note that the temporary loss of soil quality and associated ecosystem services has only been scoped in for the construction phase.		It should be noted that during the operational lifetime of the proposed cable route, there is a potential for additional disturbance (excavation) of soil resources to occur during any maintenance or remedial works which may be required.  Although the scale and extent of these works would be significantly less than required for initial construction, being confined to the specific areas of cable where maintenance is required
3.7	3.7.2.9 Guidance	Natural England welcomes reference to the Good Practice Guide for Handling Soils, which includes soil mitigation measures in line with the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites.		Natural England welcomes reference to measures on how soil disturbance can be minimised. We would like to signpost the Institute of Quarrying <a href="#">Good Practice Guide for Handling Soils in Mineral Workings</a> (which provides detailed advice on the choice of machinery and method of their use for handling soils at various phases).
Chapter 3.9 – Air Quality				
	General	Natural England understand that the commitment to IAQM mitigation has been considered sufficient to conclude no damage will occur. Whilst this is typically an acceptable approach, a degree of quantitative modelling would be preferable with regard to Sandwich Bay to Hacklinge Marshes SSSI, to provide certainty that any identified impacts are fully mitigated.		We advise that a reasoned argument may be acceptable without quantitative modelling in the case of dust emissions, but we would hope for a robust argument stating/explaining why the dust suppression is adequate. Some commentary relating to duration of the activity or chemical nature of the dust (i.e. inert or not) would help in providing us with confidence that a reasonable justification has been provided.

Document: Volume 1 – Part 5 Offshore Scheme				
Section	Paragraph/table	Comments	RAG	Recommendations
Chapter 4.2 Physical Environment				
4.2	4.2.4	Baseline conditions should also include temperature and salinity. The sedimentary baseline appears to only consider marine sediment quality, but it should also include sedimentology and the sedimentary environment.		Temperature and salinity variations should be considered. Sedimentology and the sedimentary environment should be considered (e.g. properties such as sub-seabed conditions, sediment grain properties, susceptibility to scour, seabed mobility). In addition, bedform dynamics and stability also need to be scoped in and assessed.
4.2	4.2.4.4	Surge effects are not mentioned, but it is important to consider them.		Surge water levels should be scoped in and assessed.
4.2	4.2.4.4	Only four metocean data sites selected have been used, and these are rather sparsely distributed along the cable route. The metocean data locations should be sufficient to characterise the hydrodynamic conditions along the cable route and also any areas of seabed complexity (e.g. sandbanks, channels, bays).		In order to understand the range of hydrodynamic conditions along the proposed cable route, the number of metocean sites should be kept under review as the EIA progresses to ensure there is sufficient resolution and confidence in the hydrodynamic assessment.
4.2	4.2.4.5	Spring peak flow is 0.58m/s at P4 (Kent landfall) whereas Neap peak flow is given as 0.74m/s. Is this correct?		Please can this be clarified through future engagement with the Applicant?
4.2	4.2.4.5 & 4.2.4.8 & Tables 4.2.1.& 4.2.3	There is no description of the conditions at P1-P4 such as the water depth and distance offshore. There is also no information regarding the range of conditions covered by the hydrodynamic data.		The environmental conditions at the metocean data site locations should be provided, along with the range of wave and tidal conditions from which the extracted data have been sourced.
4.2	4.2.4.9	It states that the 'wave and wind roses for these points ...indicate that at the Kent landfall the dominant <u>winds</u> are from the north-east and south. Along the Offshore Scoping Boundary and up to the Suffolk landfalls, the dominant <u>winds</u> are from the south-west. The largest waves at the Kent landfall are from the north-east and south-west, and towards the Suffolk landfalls they are from the north-east and south'. However, the dominant <u>waves</u> are from the north-east and south at the Kent landfall and along the Offshore Scoping Boundary and up to the Suffolk landfalls.		This should be clarified. In addition to wave height and direction, wave period should also be provided in future assessments and reports.
4.2	4.2.4.14/Figure 4.2.4	We welcome the large-scale bathymetry across the proposed cable corridor. However, it does not state the age of the bathymetric data shown in Figure 4.2.4. This would be useful in order to understand whether these data are recent. Furthermore, the broad scale bathymetry shown in Figure 4.2.4		The age of the bathymetry in Figure 4.2.4 should be stated and, if these data are not recent (i.e. less than 5 years old), then more recent bathymetry data should be sought for the cable corridor. Finer resolution bathymetry should also

		does not provide sufficient information about the dynamic nature of the seabed along the cable route such as bedform size, orientation and asymmetry, as well as sandbank and channel configuration.		be considered for areas of mobile bedforms or within /near protected areas. The need for intertidal topographic survey should also be considered for the landfall locations.
4.2	4.3.15	No sensitive geological features have been identified in the vicinity of the proposed cable route. However, geological interest features listed in the Sandwich Bay to Hacklinge Marshes SSSI citation are of high value and should be considered.		We advise that all sensitive geological features should be identified, scoped in and considered adequately.
4.2	4.2.4.16	Geomorphological features are not discussed in this section. Yet, a key element of the baseline characterisation process is to identify any nearshore and offshore morphological features, to establish trends in their morphological change and to assess their potential sensitivity to impacts over the lifetime of the project.		Nearshore and offshore geomorphology should be adequately characterised in terms of the seabed features present along or near the cable route, and trends in their morphological change.
4.2	4.2.4.16	Sediment transport pathways are not discussed here, nor are sediment transport rates. It is important to characterise the sediment transport processes across the study area, in order to understand and assess potential impacts due to interaction with cable protection measures and crossings. There are also complex sediment transport pathways in certain regions along the proposed cable route which need to be given careful consideration.		Sufficient information is required to characterise the range of sediment transport pathways (including a map) and rates across the study area, for a range of wave and tidal conditions. This is important to help inform understanding and any modelling of the magnitude and variability of the driving forces behind sediment transport and to provide context to any predictions made regarding impact of the proposed scheme.
4.2	4.2.4.29	How may the coast evolve naturally over the lifetime of the project?		Historic and more recent trends in morphological change at the coast should be scoped in and assessed (including beaches, dunes, cliffs, saltmarshes, mudflats etc). This includes determining natural variability, both spatial and temporal. Recent data should be analysed alongside longer term records. Inter-annual beach variability should be considered. Survey data should also provide coverage of the full intertidal area.
4.2	4.2.6.6 & Table 4.2.4	Table 4.2.4 presents potential impacts due to construction, maintenance and decommissioning phases combined which makes it difficult to distinguish impacts associated with each project phase. Rows 2 and 3 present the Impact as 'Disturbance of coastal morphology' due to cable installation, maintenance, removal activities and presence of cable protection. However, this does not distinguish sensitive areas of seabed/substratum (and		We would advise that it would be easier to understand potential impacts due to each project phase, if they could be separated out in this table.  We also advise that careful consideration be given to the wording of the potential impacts in Table 4.2.4. Until a route is selected, depth of water is not

		<p>species), smothering, change of sediment type, or the presence of ancillary infrastructure.</p> <p>Row 5 similarly considers the impact of changes to seabed morphology due to cable installation/removal including route clearance and cable lay activities. However, once again, this does not distinguish sensitive areas of seabed/substratum (and species), smothering, change of sediment type.</p> <p>Row 6 The impact of changes in metocean conditions has been scoped out. However, in shallow nearshore areas, there is the potential for ancillary infrastructure (e.g. cofferdams) or seabed excavation (e.g. for HDD exit pits) which could cause modification of the nearshore hydrodynamics and give rise to morphological change.</p>		<p>confirmed, and cable crossings could impact water already shallow, the impact of changes to metocean conditions should be scoped in for shallow nearshore areas. Furthermore, surface laid/external cable protection could impact hydrological conditions including waves/currents and this should be scoped in. Additionally, if there is any ancillary infrastructure present during construction (e.g. cofferdams or temporary floatation pits) which might give rise to changes to waves and/or current flows.</p>
4.2	4.2.6.8 & Table 4.2.5	<p>Row 3: Changes to coastal morphology/nearshore and offshore seabed morphology are not receptors, it is only the coastal morphology/nearshore and offshore seabed morphology that are the receptors.</p> <p>Row 5: Coastal Erosion is not a receptor, rather it is the coastline that is a receptor.</p> <p>Seabed morphology describes a range of seabed features but it may be necessary to consider specific features individually, such as the coastline at landfall, sandbanks, channels etc. For example, the sandbanks located off the north Kent coast are believed to influence coastal processes and sediment transport patterns, and sand from these banks feed onshore, naturally replenishing the sand beaches along the Thanet coast.</p>		<p>The receptors in Table 4.2.5 should be carefully identified. It would also be helpful if the receptors could be established earlier in the section and include significant morphological features such as the coastline(s), sandbanks, and channels, sandwave fields, and also include designated sites. All designated sites within the project's Zone of Influence (Zoi) should be identified in this section, even if they are being assessed elsewhere.</p>
4.2	4.2.7.5 & Table 4.2.6	<p>The different project phases are combined for each potential effect in Table 4.2.6 which makes it difficult to consider each project phase fully.</p> <p>1<sup>st</sup> Potential Effect 'Increase in SSCs as a result of construction, maintenance, operation and decommissioning along the cable route and at the landfall sites', it will also be necessary to consider background levels of SSC and also the anticipated persistence of sediment plumes (particularly near sensitive habitats or features). Where existing modelling and analysis results are used, it will be necessary to demonstrate that they are adequate and directly relevant and applicable to the proposed project.</p>		<p>We would advise that potential effects should be separated out for each project phase in future reports and assessments.</p> <p>For the first potential effect 'Increase in SSCs as a result of construction, maintenance, operation and decommissioning along the cable route and at the landfall sites', we would advise that background SSC levels will need to be assessed (as this will guide how sensitive the receptors are to temporary increase in SSC), and also the persistence of sediment plumes. It should also be shown how any existing numerical modelling and analysis results are relevant, applicable and</p>



				sufficient to assess the potential effect for the proposed project.
4.2	4.2.7.5 & Table 4.2.6	2 <sup>nd</sup> Potential Effect: Disturbance to Coastal Morphology. It is not stated what this potential effect is attributed to, what is the source?		Disturbance to coastal morphology could be due to seabed excavation in shallow nearshore waters (e.g. for HDD exit pits), and/or the presence of cable protection measures in shallow nearshore waters, and/or the presence of temporary work structures etc. Therefore, the causes of disturbance to coast morphology should be stated and considered separately.
4.2	4.2.7.5 & Table 4.2.6	Potential Effect: Changes to Coastal Erosion at the Landfall Sites. In addition to coastal retreat, there is also vertical change to the beach profile which needs to be considered.		The applicant needs to consider, in any assessment, how the coast at landfall may alter throughout the lifetime of the project both in terms of coastal retreat and vertical change to beach profiles.
4.2	4.2.7.5 & Table 4.2.6	There are a number of other potential effects which do not appear in Table 4.2.6 including: <ul style="list-style-type: none"> <li>• The extent to which sensitive areas of seabed/substratum may be disturbed during cable installation</li> <li>• The extent to which seabed areas adjacent to the cable will be smothered by the settling of disturbed sediment</li> <li>• The anticipated spatial extent of change to sediment type and persistence</li> <li>• Alteration of sediment transport patterns and morphological change due to sandwave clearance and disposal of removed material</li> <li>• Scour (and secondary scour), and removal of seabed sediments, due to cable exposure and/or protection measures</li> </ul>		The full range of potential effects need to be scoped in, considered and assessed. Where the Applicant considers this unnecessary justification and evidence to support this conclusion should be provided to allow these effects to be scoped out at a later stage during the pre-application process.
4.2	4.2.7.8 & Table 4.2.8	Table 4.2.8 does not consider project phase i.e. construction/operation and/or decommissioning		Magnitude criteria definition should also consider project phase.
4.2	4.2.8.2 & Table 4.2.10	Further to our earlier comments on Table 4.2.6, there are a number of significant effects which should be scoped in for assessment, including: <ul style="list-style-type: none"> <li>• Smothering of seabed areas adjacent to the cable by the settling of disturbed material released into the water column during cable installation</li> <li>• Change of sediment type and persistence of this change due to cable installation</li> <li>• Modifications to sediment transport patterns and</li> </ul>		There are a number of other significant effects which should be scoped into the assessment. Marine cable route is to MHWS and therefore activities within this cable route also has potential to impact the receptor and should be scoped in at this stage.

		<p>resulting morphological change due to sandwave clearance</p> <ul style="list-style-type: none"> <li>Modification of the nearshore hydrodynamics or diversion of sediment transport pathways resulting in morphological change (including to dunes, cliffs, saltmarsh and mudflats) due to the presence of cable protection measures in shallow nearshore waters.</li> </ul>		
Chapter 4.3 Benthic Ecology				
4.3	4.3.3.1 - 4.3.3.2	The Applicant has not provided any reference to support their assertion that a screening distance of 2km for intertidal benthic ecology and 10km for subtidal is appropriate.		Support all statements with appropriate references in future reports and assessments.
4.3	4.3.4.6 – 4.3.4.8	Subtidal benthic habitats which were found during 'Project specific benthic surveys' are stated.		There is no mention of benthic habitats surveyed within and adjacent to MCZs in the Offshore Scheme, namely Goodwin Sands and Kentish Knock East MCZ which are designated for benthic features. The presence of protected features within the study area of the project, particularly where there is overlap with designated sites, must be clearly stated. For us to fully consider any potential impact we will need to see the survey data which has been used to assess the impacts of the project.
4.3	4.3.4.10	Table 4.3.1		Natural England advise that the table also includes other information namely the feature conditions and General Management approach (GMA) for the sites.
4.3	4.3.5.2	Text states; '...the possibility of avoidance of the Goodwin Sands MCZ by the Offshore Scheme.'		We recommend that care is taken to avoid the sensitive features of Goodwin Sands MCZ. Kent & Essex IFCA have conducted <i>Sabellaria</i> mapping surveys in 2021 and 2022 which will need to be considered once these are externally available. Natural England would expect the applicant to use the 'avoid, reduce, mitigate' approach where there are designated sites and protected species. If designated sites cannot be avoided, the route which reduces the impacts should be chosen. Such as, an area of the site which would be least detrimental to the qualifying features/habitats. We encourage the applicant to engage with us early within the design stage to determine any mitigation. If the project cannot avoid works within the Goodwin Sands MCZ then, given recent

				decisions on NSIPs with similar impacts to designated sites with similar features, we advise that there may be a need to discuss the production of an in principle Measures of Equivalent Environmental Benefit (MEEB) plan. Natural England is willing to work with the applicant during the pre-application phase to further discuss this issue.
4.3	4.3.5.3	Text states; ‘...aim to minimise impacts by micro siting around sensitive features where possible.’		Natural England welcome the use of micro siting to avoid sensitive habitats/features.
4.3	4.3.5.4	Text states; ‘...use of a trenchless cable installation method to minimise habitat loss and disturbance within the intertidal zone.’		Natural England welcome the use of methods which result in reduced environmental impact. However, we advise timely geotechnical surveys to confirm the likelihood of success of Horizontal Directional Drilling (HDD).
4.3	4.3.5.5	Construction Environmental Management Plan (CEMP)		Natural England advise that if any mitigation or measures to reduce environmental impact are relied upon in the CEMP then we should be consulted on this document and this consultation should be secured within the Development Consent Order (DCO).
4.3	4.3.6.5 Table 4.3.2	The implementation of LVSO5 as stated will not eliminate all risk as it states; ‘...the use of biodegradable drilling fluids (PLONOR substances) where practicable.’		This does not imply it will never be used. If there is a possibility of using a non-inert fluid it should be scoped into the assessment.
4.3	4.3.6.5 Table 4.3.2	Changes to marine water quality from HDD and drilling fluids, accidental leaks and spills from vessels, and the introduction and spread of Invasive Non-Native Species (INNS) via vessel hull or ballast water are all scoped out due to implementation and control of stated management measures.		If there is potential for an impact without management measures in place, these should be scoped in.
4.3	4.3.6.5 Table 4.3.2	Underwater sound impacts on marine invertebrates during construction, maintenance and decommissioning is scoped out.		Until the construction details are known, Natural England advise that the receptors for the impact pathway are scoped in.
4.3	4.3.6.5 Table 4.3.2	EMFs are scoped out.		In absence of an estimation of EMFs potentially arising from cables both at exterior of cables and at surface of seabed above buried cables, EMF should remain scoped in.
Chapter 4.4 Fish and Shellfish Ecology				
4.4	Table 4.4.1 and 4.4.2	The data used within these tables is from 1998 and 2012 (Ellis et al., 2012), (Coull et al., 1998).		We recommend up to date evidence is gathered on the importance of the study area for spawning and nursery grounds of fish species. Natural England can provide up-front advice on

				the scope, methodology and suitability of site-specific surveys for designated fish species through the Discretionary Advice Service (DAS).
4.4	Table 4.4.3	As stated, native oyster ( <i>Ostrea edulis</i> ) is a feature of the Dover to Deal MCZ and blue mussel ( <i>Mytilus edulis</i> ) beds are a feature of Goodwin Sands and Thanet Coast MCZ. The applicant should consider these features within the EIA, and if necessary micro-route the cable installation to avoid disturbance and smothering from higher than background levels of settlement of suspended sediments.		Identify extent of shellfish features and avoid through micro-routing
4.4	General	<p>The cable route passes through the jurisdiction of two IFCA authorities (Kent &amp; Essex IFCA (KEIFCA) and Eastern IFCA for Suffolk). Within the study area of this project there are several closed areas for bottom towed fishing gear, such as the prohibited use dredges and trawls, due to the presence of sensitive features. This consists of:</p> <ul style="list-style-type: none"> <li>• Margate and Longs Sands Area A</li> <li>• East Margate Sands</li> <li>• Thanet Coast SAC</li> </ul> <p>In addition, there are larger areas with partial restrictions as follows:</p> <ul style="list-style-type: none"> <li>• Fishing restriction, unless carried out from a beach or a vessel &lt;17m in length, along the whole KEIFCA boundary</li> <li>• Inshore trawling restriction for vessels &gt;15.24m in length for 3nm offshore along the whole Eastern IFCA boundary</li> <li>• Towed gear restriction for vessels &gt;14m in length fishing for mussels along the whole Eastern IFCA boundary</li> </ul> <p>In addition, there are larger areas with partial restrictions as follows:</p> <p>Fishing restriction, unless carried out from a beach or a vessel &lt;17m in length, along the whole KEIFCA boundary  Inshore trawling restriction for vessels &gt;15.24m in length for 3nm offshore along the whole Eastern IFCA boundary  Towed gear restriction for vessels &gt;14m in length fishing for mussels along the whole Eastern IFCA boundary</p>		Further information on these restrictions can be found by contacting the relevant IFCAs and on this weblink <a href="http://kingfisherrestrictions.org">View all Restrictions (kingfisherrestrictions.org)</a>
4.4	General	The Applicant should be mindful of any closed shellfish beds and the effects of smothering from sandwave clipping/cable installation and burial on these resources.		Contact Kent and Essex IFCA for Kent and Eastern IFCA for Suffolk, for the most recent closed area information. Additionally, check

				Bottom Towed Fishing Gear Byelaw: We note that Margate and Long Sands Area A is avoided by the cable corridor see <a href="http://kingfisherrestrictions.org">View all Restrictions (kingfisherrestrictions.org)</a>
4.4	General	Consideration of essential fish habitat ( <i>Sabellaria</i> reef in Goodwin Sands MCZ, sand banks, gravels), particularly for species such as herring (spawning) and Sandeel (burrows) should be considered. Fish species provide an important food source to designated Annex II bird populations and cetacean features within the cable corridor and where possible the route should be micro-routed to avoid these habitats.		Fish distribution changes temporally as well as spatially so existing data may not be representative of the current fish community.
4.4	4.4.4.4	Cephalopods (i.e. squid, cuttlefish and octopus) have not been discussed in the Baseline section.		Consider and assess cephalopods in the baseline characterisation.
4.4	4.4.4.5	Poor cod ( <i>Trisopterus minutus</i> ) is common in UK waters, though less so in the Southern North Sea, it is an important food source for commercial species such as cod. They should be considered within the baseline for fish and shellfish ecology.		Consider and assess poor cod as part of the baseline characterisation.
4.4	4.4.4.5	Mediterranean scaldfish ( <i>Arnoglossus laterna</i> ) can be found all around the British Isles, along with greater and lesser weaver fish. These should be included in the baseline characterisation.		Mediterranean scaldfish, greater and lesser weaver fish should be considered and assessed within the baseline characterisation.
4.4	4.4.4.14	Migratory fish – Smelt ( <i>Osmerus eperlanus</i> ) are a feature of conservation importance for the Medway MCZ and are also present within the wider Thames and Swale Estuary MCZ. Smelt migrate to spawning streams during spring (March – April). MCZ features are not afforded protection outside the boundary of the site however, consideration of the migratory period and any potential effects to these fish demonstrates the potential for supporting nature recovery.		Consider timing of installation to avoid migratory fish
4.4	4.4.4.14	Migratory fish – European Eel ( <i>Anguilla Anguilla</i> ) – IUCN red list species considered critically endangered. Glass eels migrate into rivers to continue their life cycle and mature to silver eel which migrate out of rivers back to the Sargasso Sea. Consideration of impacts of the proposed works on fish migratory routes could be included in the scoping to consider biodiversity net gain / nature recovery in the wider environment.		Consider timing of installation to avoid migratory fish
4.4	Table 4.4.4 and 4.4.5	Most of the sources and impact pathways for fish and shellfish ecology have been scoped in, except for marine water quality changes/		We broadly agree with the breadth of construction, maintenance and decommissioning impacts which have been scoped in. However, there is the potential disturbance to habitats and

				species through the creation of new habitats for colonisation and this should be considered within the impact assessment (i.e. artificial reef effect in areas dominated by soft sediment). We would also like to highlight that marine water quality changes from vessels and cable installation have been scoped out based on management measures which will be implemented. If there is a pathway for impact before mitigation, this should still be scoped in.
4.4.7	4.4.7.3	4 <sup>th</sup> Bullet Point: identify appropriate mitigation to reduce any likely ecological impacts. In line with our comments to 4.4.4.14, we are concerned with fish and shellfish species that spawn on the seabed with the study area.		Knowledge of the most sensitive spawning period should be identified, and cable installation activities planned to avoid these periods, where possible. Additional actions which could be considered to reduce the severity of effects on fish and shellfish receptors include careful consideration of the cable installation equipment, optimum cable burial depth, and minimising the cable trench footprint.
4.4	Table 4.4.3			We agree with the designated sites which have been scoped in for fish and shellfish ecology
Chapter 4.5 Marine Mammals				
4.5	4.5.3.4-6	The Applicant has listed several different methods for screening in designated sites for cetaceans. However, it is not clear what approach will actually be taken. There are other designated sites, Nature Conservation Marine Protected Areas (NCMPAs), for non-Annex II species in Scotland, however, given the distance between the project and Scottish waters, any connectivity is likely to be negligible.		It is difficult to provide detailed advice when the information provided in the scoping report is quite broad. Natural England advises that all sites within the relevant Management Units (MUs), for species with likely presence in the impact areas, are considered scoped in. Then, for each of these sites, the applicant should assess the potential for connectivity between the project and the designated site. For example, for harbour porpoise, it is considered that all individuals in the North Sea MU are connected to the SNS SAC. For bottlenose dolphin, connectivity to the Moray Firth SAC should be assessed. For seals, this should be based on telemetry data and known foraging ranges.

4.5	4.5.3.6	The Applicant has not provided any reference to support their assertion that a screening distance of 50km for cetaceans is appropriate.		<p>All statements should be supported with appropriate references in future reports and assessments.</p> <p>The screening distance of 50km is far smaller than the foraging ranges for cetaceans and relevant literature and evidence should be reviewed when assessing the screening distance for cetaceans. We will continue to engage with the applicant through the pre-application phase to provide further advice.</p>
4.5	4.5.3.7	The Applicant has listed several different methods for screening in designated sites for seals, however it is not clear what approach will actually be taken. There is also no reference to support the 135km screening distance which was chosen for seals.		<p>Natural England are supportive of using the Southeast England Assessment/Management Unit (MU) for screening in UK harbour seal designated sites.</p> <p>However, the Applicant should review the latest evidence, such as Carter <i>et al.</i> (2022), and telemetry data for future reports and assessments. This literature provides updated foraging ranges for the two seal species. To illustrate, it has been documented that maximum foraging range of grey seal to be 448 km.</p> <p>Harbour seals have smaller foraging ranges and so limited movements between MUs. Harbour seals in The Wash have a larger foraging range than those at other colonies (Sharples <i>et al.</i>, <a href="#">2012</a>) and this should be considered by the Applicant.</p> <p>Due to the larger foraging ranges of grey seal, and the known movements of grey seals between colonies along the east coast of England, we consider it appropriate to also screen in the Northeast England MU. The Applicant should assess the potential for connectivity between designated sites in the Northeast England MU and the project area, as well as connectivity to the Humber Estuary Special Area of Conservation (SAC).</p>

				We consider the approach of using telemetry data to determine connectivity is favourable compared to using a single foraging range, which is over-simplistic and does not reflect the variation in movements intra- and inter-sites. Telemetry data can also be used to determine connectivity to transboundary sites.
4.5	4.5.4.2 (and 4.5.7.1)	The data sources to be used to characterise the marine mammal baseline are considered appropriate. In addition, we welcome the use of local reports, for example from the Thames seal group.		No action needed.
4.5	4.5.4.2 4.5.4.4	Despite appropriate sources being listed, the Applicant has only used two sources to characterise cetaceans here. We expect that the characterisation of cetacean presence in the EIA will be more comprehensive and use all the listed sources.		Use all the listed sources to characterise the marine mammal baseline in future reports and assessments.
4.5	4.5.4.4 (also 4.5.8.1)	It is not clear which cetacean species the Applicant is screening into their EIA, as the applicant has stated that 4 species of cetacean commonly occur within the Greater North Sea Ecoregion and another 5 species occur in the region but are less common. It is then stated that harbour porpoise are the most common species observed in the Small Cetaceans in European Atlantic waters and the North Sea (SCANS-III) survey area.		The Applicant should clearly state which cetacean species they are screening in in future reports and assessments. We agree that harbour porpoise should be scoped in and advise that the Applicant refer to the relevant literature when assessing the occurrence of and potential impacts on cetacean species. We will continue to engage with the Applicant through the pre-application phase to provide further advice.
4.5	Table 4.5.2	The list of sites presented in Table 4.5.2 is not consistent with the screening approach outlined in the text.		The Wash is also a designated Ramsar site and SSSI with a harbour seal feature. The Humber Estuary also has overlapping designations with grey seal as a feature. These sites should be scoped in for potential effects on marine mammals. Therefore, designated sites should be reviewed for future reports and assessments, based on the advice provided in our detailed comments.
4.5	4.5.5.3	The Applicant has stated that they will adhere to the JNCC mitigation guidelines for piling, geophysical surveys and UXO detonation where appropriate.		Whilst we are supportive of this in principle, piling is not within the project description.
4.5	4.5.5.3	The need for additional mitigation documents should be		Consider the need for the additional mitigation



		<p>considered in future reports and assessments:</p> <ul style="list-style-type: none"> <li>• A Site Integrity Plan – this will be needed if the Applicant cannot exclude the potential for an adverse effect on integrity (AEoI) of the Southern North Sea SAC due to in-combination underwater noise disturbance.</li> <li>• A Vessel Management Plan – it is best practice for vessels to implement measures that reduce potential impacts on marine mammals. If these measures are relied upon as mitigation in the EIA or HRA, then they must be secured.</li> </ul>		<p>documents listed in future reports and assessments.</p> <p>We will continue to engage with the Applicant through the pre-application phase to provide further advice.</p>
4.5	4.5.6.4	The Applicant has listed that UXO clearance is a source of noise during construction.		<p>It should be clarified whether UXO clearance will be undertaken as part of this licence or a separate Marine Licence.</p> <p>Refer to joint interim position statement on UXO clearance (available <a href="#">here</a>) when determining appropriate clearance methods and mitigation.</p>
4.5	4.5.6.4	The Applicant should clarify whether geophysical surveys will be undertaken as part of the marine licence for the project or through the separate licencing process.		Clarify licencing for geophysical surveys, for both construction and maintenance phases.
4.5	Table 4.5.3	Geophysical surveys are also a source of underwater sound impacts on marine mammals.		Include geophysical surveys in the assessment of underwater noise impacts.
4.5	Table 4.5.4	Natural England is in broad agreement with the impact pathways proposed to be scoped in and out for marine mammal receptors.		No action needed.
4.5	Table 4.5.5	The Applicant has listed that species which are legally protected are of Very High importance; we consider this definition applicable to all cetaceans as they are all European Protected Species.		Consider that all cetaceans have Very High importance within future reports and assessments.
Chapter 4.6 Marine Ornithology				
4.6		The cable will pass through the Outer Thames Estuary SPA, of which red throated diver ( <i>Gavia stellata</i> ) is a designated feature		<p>There is potential here for displacement of red throated diver this impact will need to be assessed and considered both from an EIA and HRA perspective. Therefore, we encourage early engagement with Natural England before the application stage, to allow a full assessment of the project's impacts and for the appropriate mitigation measures to be applied. Natural England would note that the applicant has engaged with us already and that we anticipate this engagement will continue throughout the pre-</p>

				<p>application period and beyond.</p> <p>We would like to refer the Applicant to Natural England's advice on seasonality <a href="https://naturalengland.org.uk">Designated Sites View (naturalengland.org.uk)</a> and the joint Statutory Nature Conservation Bodies' advice for displacement: <a href="https://jncc.gov.uk">Joint SNCB Interim Advice On The Treatment Of Displacement For Red-Throated Diver (2022) (jncc.gov.uk)</a> <a href="https://jncc.gov.uk">Joint SNCB Interim Displacement Advice Note (jncc.gov.uk)</a>. We recommend careful timing of works to ensure they fall outside of the sensitive winter period for the Red Throated Diver and where possible to avoid and minimise traffic during the most sensitive time in January, February and March. We recommend that existing shipping lanes and vessel transit routes should be used to avoid additional disturbance, and that vessel operators are made aware of the importance of the species, to avoid rafting birds and areas with high densities of birds.</p>
4.6	4.6.3.2	It is not clear what site-specific studies the author is referring to in the last bullet point. These appear to be species specific only.		Suggest further information is provided for clarity.
4.6	4.6.3.3	Natural England agree that the use of a 10 km study area is a proportionate study area for understanding the impact of this project. This is congruous with SNCB guidance for the species for which the sites are designated.		None.
4.6	4.6.4.1	The text here suggests Ramsar sites are European sites. This is not the case, however, we note that it is policy to treat Ramsar sites as European sites. The last sentence is also unclear. We note that no named species are mentioned in the remainder of this chapter yet this paragraph states that "only qualifying bird species which have the potential to be present in the ZOI of the Offshore Scheme are considered further within this chapter". This text should be changed, or text should be amended in the following paragraphs to consider named species. If any designated species are scoped out, a clear rationale for this should be given.		Suggest amendment to make this clearer and further engagement to ensure all designated species are assessed and that any species scoped out is done so with agreement. Without further clarity we would recommend all designated species are considered scoped in.
4.6	4.6.4.2	When evaluating the information on Natural England's Designated Sites Viewer, the Supplementary Advice on		Suggest amendment in future reports and assessments.

		Conservation Objectives (SACOs) should also be considered. Targets for each attribute should also be reviewed for assessment.		
4.6	4.6.4.2	References for the JNCC's SACOS (296) and NE's Designated Sites Viewer (297) are non-site specific and are generic websites. We would welcome direct links to the advice used alongside the dates the advice was accessed.		Suggest amendment in future reports and assessments.
4.6	4.6.4	The author provides some detail as to how some onshore populations may be monitored. Section 4.6.7.2 states that no offshore bird surveys are to be undertaken. It is unclear what data will be obtained, what data will be used, and how impacts will be understood.		Further information should be provided, through the pre-application engagement process, to detail; <ul style="list-style-type: none"> <li>• Survey work to be undertaken, including the methodology used,</li> <li>• Baseline data sets being used to inform assessment,</li> <li>• Methods to be used to quantify the actual level of disturbance,</li> <li>• Guidance to be followed to draw conclusions, for example, where SNCB guidance may be followed would provide a very clear route to understand levels of disturbance.</li> </ul>
4.6	4.6.4.10	Counts taken greater than two hours either side of the tide to not appear to be congruous with WeBS methodology. We would welcome discussion as to the repeats required for data to be considered representative of the site. 3.3.4.3. within Part 3 Onshore Scheme states that a modified WeBS methodology is to be used. We would welcome clarity as to what these methods entail including statements to detail how much of the buffer has been surveyed.		Suggest clarifications and agreements on survey methodology through the pre-application engagement process.
4.6	4.6.4.14	It is stated that ' <i>Further intertidal and breeding bird surveys have been proposed for the Suffolk and Kent Onshore Schemes. Any data collected during these surveys will be used to inform the marine ornithology chapter of the EIA, where appropriate</i> ' it is not clear exactly what this sentence means.'		Suggest clarification is provided through the pre-application engagement process regarding how this survey information is used within the assessments.
4.6	4.6.6	Sources and impacts do not scope in the potential for significant effect during the operational phase, such as ongoing effect of habitat loss during operation, or impacts of cable repair and maintenance. This is however screened in during Step 2. The two should agree with each other. Natural England welcomes the screening in of operation and maintenance impacts.		Suggest amendment for consistency to clearly scope in operation and maintenance impacts.

4.6	Figure 4.6.1	It is unclear why some sites are labelled, and some are not. For example, Thanet Coast and Sandwich Bay Ramsar is not. Natural England would welcome the inclusion of labels for all sites or a mechanism to explain the visualisation.		Suggest all sites are labelled or rationale for labelling is provided in future reports and assessments.
4.6	Figure 4.6.1	Natural England and JNCC have written useful guidance on tiers for scoping projects into cumulative/in-combination assessments.		Please see <i>Parker et al. (2022c). Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards. Phase III: Expectations for data analysis and presentation at examination for offshore wind applications. Natural England. Version 1.2, 140pp</i> , while this document is intended to be guidance for the development of offshore wind farms, the sections related to cable installation in the marine environment are of relevance to this application.
General		We note that the cable route passes through and near a number of protected areas.		In line with the mitigation hierarchy, we would advise that the first option should be for the proposed cable route to avoid protected areas.
General		Whilst we note that sediment contaminants may be an issue for consideration within physical processes EIA studies, we consider that water quality parameters are outside of the scope of this topic.		We advise that water quality would be better placed in its own section rather than included with physical processes/environment.
General		With the current consultation on Marine Net Gain in mind, are there any environmental opportunities, such as nature recovery or biodiversity net gain (BNG), as part of the project?		We advise that Marine Net Gain and environmental opportunities such as nature recovery or BNG could be considered as part of the project in order to provide a positive environmental outcome.
Chapter 4.11 Cumulative Impacts				
4.11.2	4.11.2.2	The key environmental impacts due to the Sea Link cable installation, operation, and decommissioning have not been listed here.		The key environmental impacts due to the Sea Link cable installation, operation and decommissioning should be included in the assessment of cumulative effects, along with overlapping plans/projects and the receptors impacted.
4.11	4.11.3.7	Natural England do not agree with the proposed approach to cumulative impact assessments (CIA) for marine mammals. As stated in IAMMWG (2021), "The MUs therefore provide an indication of the spatial scales at which impacts of plans and projects alone, cumulatively and in-combination need to be		Further discussion is needed between Natural England and the Applicant on the appropriate approach to CIA for future reports and assessments. In these discussions the Applicant should outline

		assessed for the key cetacean species in UK waters.”		the impact pathways they propose to screen into the CIA.
4.11	General	The Applicant should consider whether they will need an European Protected Species (EPS) licence to injure and/or disturb EPS species (cetaceans) from the project activities. Guidance on how to determine the need for an EPS licence can be found <a href="#">here</a>		Consider the need for an EPS licence

Document: Volume 1 – Part 5 Project Wide Impacts				
Section	Paragraph/ Table	Comment	RAG	Recommendations
5.3	Table 5.3.1	It is stated that for Landscape elements and Seascape character ‘there is no potential impact for the onshore and offshore schemes to result in a combined effect beyond those already proposed to be assessed in the individual chapters as no theoretical pathway exists.’		We disagree with this statement as there is likely to be an impact on Landscape elements of Suffolk Coasts and Heath AONB, and Seascape character from both the onshore and offshore schemes combined effects with other development projects. The Suffolk onshore scheme interacts with other large-scale developments within the AONB, such as Sizewell C, which cumulatively threaten the statutory role of the AONB.

Document: Volume 2 – Appendices				
Section	Paragraph/ Table	Comment	RAG	Recommendations
Chapter 1.4A Code of Construction Practice				
Ecology and Biodiversity	Page 13	There is no mention of lighting within the Code of Construction Practice in regard to protected species and habitats.		Mitigation measures to be taken to manage light disturbance from artificial light during construction and operation and should be in accordance with Bats and Lighting in the UK guidance (Bat Conservation Trust and Institute of Lighting Engineers, 2018), to include the use directional beams, facing downwards, non-reflective surfaces and barriers and screens, to avoid lighting impacts.
Agriculture and Soils	Page 16	Further guidance for mitigation with regards to soils is contained in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites.		Defra’s guidance on the sustainable use off soils to be followed ( <i>Department for Environment, Food and Rural Affairs (Defra) (2009) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites</i> ). We will continue to engage

				with the applicant through the pre-application phase to provide further advice.
1.4A	Table 1.4.A.3	A table of management measures to reduce impacts on the environment from the project		Natural England welcome the consideration of measures which could reduce pathways of impact, such as the control of Invasive Non-Native Species (INNS). We would like to refer the Applicant to <a href="http://www.nonnativespecies.org/what-can-i-do/check-clean-dry/">www.nonnativespecies.org/what-can-i-do/check-clean-dry/</a> for guidance for best practice INNS control. We encourage the Applicant to engage with us early within the design stage to ensure the appropriate control and management measures for the project are implemented.

### Structure/Framework of/for Natural England advice in relation to attributing risk and potential to resolve PRE APPLICATION

#### RED

NE considers these issues to be show stoppers and unless there are

- significant design changes;

Then we advise that an adverse effect on integrity; significant impacts (MCZ) significant adverse effect on landscape/seascape; and/or significant EIA issue can't be ruled out.

(Discussions on Compensation/MEEB etc. will be required where relevant).

#### AMBER

Natural England considers this issue to be significant and unless it is resolved, we advise that AEOI, significant impacts on landscape/seascape of significant EIA impacts cannot be ruled out.

Resolving this issue is likely to require (but is not limited to):

- Additional baseline data; and/or
- Design changes; and/or
- Mitigation; and/or
- Significant changes to assessment.

If these issues are not resolved prior to application, they are **likely to become show stoppers**.

**YELLOW**

Natural England does not agree with the Applicants assessment/position/approach.

In this instance the discrepancy is not high risk for this particular project, but should be addressed prior to application.

**GREEN**

NE support for something the Applicant has done and we would possibly encourage others to do similar.

**GREY**

Flagging issues that are outside of NE remit and/or NE has no further comment on unless further evidence is presented e.g. NGOs approach to MM assessment against a population. May include in PEIR as a reference point. Only provided in written submissions to close down point.

## **Annex C – Net Gain**

Natural England advise that it is imperative that the project as a whole avoids, mitigates and/or compensates for impacts on habitats and species of high biodiversity value including designated sites, protected species and ancient woodland. As a first principle, the project should therefore represent no 'biodiversity net loss' in these regards.

However, it should be noted that a significant amount of other valuable and sensitive habitats and species are likely to be affected by the project, including priority habitats and species, County Wildlife Sites and Local Nature Reserves. Priority habitats and species listed under section 41 of the Nature Environment and Rural Communities (NERC) Act are, in the Secretary of State's opinion, of principal national importance for the purpose of conserving biodiversity. The avoidance-mitigation-compensation hierarchy should also be clearly followed with respect to these habitats and species where they may be affected by this application.

In this regard, Natural England advises that a project of this scale has the potential to provide a positive environmental legacy for the area within which it is proposed, with considerable long-term benefits to people and wildlife. We welcome your commitment to providing Biodiversity Net Gain (BNG) in advance of it being a statutory requirement in the relevant National Policy Statements (NPS EN-1 and NPS EN-5) for Nationally Significant Infrastructure Projects (NSIPs) and we would be keen to work with the applicant in order to help realise any such ambition.

As you are aware, the BNG approach has been developed to not only help halt declines in wildlife by conserving what habitats and species are left but begin the task of restoring some of what has been lost. In simple terms, BNG calculations should (ideally using the recently released Defra biodiversity net gain metric 3.0) compare the current biodiversity value of the habitats within the project red line boundary to be lost (excluding designated sites and ancient woodland) with the biodiversity value of the habitats forecast to be created following development, with the intention being to demonstrate an overall increase in biodiversity (minimum 10 %). We consider that such an approach could, following completion of the project, provide significant benefits through:

- Enabling wildlife to adapt to the challenges of the future including habitat fragmentation, climate change etc.;
- Providing a wealth of natural capital benefits such as flood prevention, improved air quality, improved soils, clean water etc.;
- Providing inspiration and enjoyment for people through regular access to a high-quality natural environment, improving community health and wellbeing (both mental and physical). This should include enhancement of public access where practical (i.e. where it would not compromise the biodiversity interest, for example) and could also involve local stewardship of any new habitat creation;

We advise that this such an approach would be in line with:

- The [Environment Act 2021](#), NSIPs granted development consent in England will have to deliver at least 10% BNG from an as yet unconfirmed date, expected to be in November 2023. BNG will be measured using Defra's biodiversity metric and habitats will need to be secured for at least 30 years. This sits alongside a strengthened legal duty for public bodies to conserve and enhance biodiversity. The construction industry research and information association (CIRIA), the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Institute of Environmental Management and Assessment (IEMA) have launched [Biodiversity Net Gain Best Practice guidance](#) to which Natural England provided input to and further best practice guidance is also now available. Many major infrastructure projects in the UK have now committed to delivering a biodiversity net gain and some examples of these are included in this guidance.



- **The NPS for Energy (NPS EN – 1):** this provides the primary basis for decisions on applications for development consent for energy projects and acknowledges that development proposals “provide many opportunities for building-in beneficial biodiversity or geological features as part of good design” (EN-1, para 5.3.15, pg. 72) and that “the applicant should demonstrate that...opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals” (EN-1, para 5.3.18, pg. 72, also see para 5.3.4 on pg. 69).
- **The upcoming revisions to the NPSs:** The [government response to the revised NPS consultation in relation to net gain](#) states that “the 2011 Natural Environment white paper<sup>[1]</sup> set out an ambition to achieve net gain for biodiversity as opposed to net loss. The recently published 25 Year Environment Plan identified actions to both strengthen the commitment to biodiversity net gain and expand the approach over time to natural capital net gain and ultimately wider environmental net gains as appropriate metrics become available. The NPS will establish the need to consider the potential to achieve biodiversity net gain and will set the context for achieving this at a strategic level without analysis of impacts on individual sites. More detailed assessment, for example based on the Defra biodiversity metric, will be undertaken as part of the DCO application”. We hope that the above is therefore useful in giving you some foresight on what the NPS revisions might include in terms of net gain requirements.
- The Government's [25 Year Environment Plan](#) sets out the aspiration to mainstream BNG in the planning system and move towards approaches that integrate natural capital benefits.
- The revised [National Planning Policy Framework \(NPPF\)](#): The NPPF identifies that one of the three overarching objectives to achieving sustainable development through the planning system is an environmental objective “to protect and enhance our natural...environment; including making effective use of land, improving biodiversity...”. The revised NPPF was published on 20 July 2021 and updated [Planning Practice Guidance \(PPG\)](#) has also been issued by the Ministry of Housing, Communities and Local Government (MHCLG) to support various aspects of the revisions. Which includes policies to protect and enhance the natural environment, importantly including policies on biodiversity and wider environmental net gain; specifically, planning policies and decisions should contribute to and enhance the natural and local environment by providing net gains for biodiversity and are to identify and pursue opportunities for biodiversity net gain (paras 174,179 and 180) and wider environmental gain (paras 100, 120, 180). Delivering net gain is also referred to in the [National Infrastructure Commission's Design Principles](#) and the [National design guide](#).

<sup>[1]</sup> <https://www.gov.uk/government/publications/the-natural-choice-securing-the-value-of-nature>



Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Dalia Alghoul  
Town planning Technician  
1 Stratford Place,  
London  
E15 1AZ

Date: 22 November 2022

**Submission by email:** [southeastanglialink@planninginspectorate.gov.uk](mailto:southeastanglialink@planninginspectorate.gov.uk)

**Reference:** EN020026

**Network Rail Consultation Response: Application by National Grid Electricity Transmission plc for an Order granting Development Consent for the Sea Link (the Proposed Development).**

Dear Sir/Madam,

Thank you for consulting Network Rail on the Scoping Opinion as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development in the Kent and Suffolk regions.

This Network Rail response, within the following sub-sections, will provide;

- **Context**
- **Part A: Level Crossing – Network Rail Requirements**
- **Part B: Asset Protection (ASPRO).**

## **Context**

Network Rail is the statutory undertaker with responsibility for railway infrastructure in England, Scotland and Wales. Therefore, this letter is an operational-led response as statutory undertaker, which focuses on Network Rail's core duties for operation of the rail network, renewal and replacement of the rail network, and the improvement, enhancement and development of the rail network, in all cases in accordance with best practice and in a timely, efficient and economical manner. Network Rail's licence from the Secretary of State can be found here:

- [https://www.orr.gov.uk/sites/default/files/om/netwrk\\_licence.pdf](https://www.orr.gov.uk/sites/default/files/om/netwrk_licence.pdf)

Therefore, Network Rail aims to protect and improve the safety and the maintaining of the railway, including railway and railway related uses (such as freight, depot and infrastructure uses) at present and for future uses.

## Part A: Level Crossing – Network Rail Requirements

### Level Crossing Usage

Within The Suffolk and Kent areas, there's potential for construction traffic from the proposed development to impact several Level Crossings, both public and private. To mitigate impacts the developer must consider the following;

- i. A safe working method should be agreed upon through Network Rail's Asset Protection Team (ASPRO) before the use of the private crossings.*
- ii. The Public road crossings must be used in accordance with the signs displayed.*

Upon Request, Network Rail can provide a list of the relevant crossings.

### Easements and Wayleaves

Agreements for cables to pass over or under the railway need to be obtained from the Easements and Wayleaves team, with works supervised by the Asset Protection Team.

## Part B: Asset Protection

### Asset Protection Supporting Information:

Asset Protection (ASPRO) maintain the railway infrastructure and strongly recommend that for any development, near the railway, the developer(s) contacts Network Rail's ASPRO team via [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) at an early stage and prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works.

ASPRO manage and mitigate numerous risks to and from the railway to ensure that proposed development(s) do not have an adverse impact on Network Rail's operational railway infrastructure.

For further information on Asset Protection, please see the Network Rail's ASPRO website below;

- <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>

## Conclusion

Network Rail have provided key considerations within the earlier sub-sections;

- **Part A: Level Crossing – Network Rail Requirements**
- **Part B: Asset Protection (ASPRO).**

Network Rail will continue to work with National Grid Electricity Transmission plc and would welcome any further discussion on this consultation response, as well as future correspondence and meetings.

I trust that the above clearly sets out Network Rail's position on the proposal, should you require any further information please do not hesitate to contact me

Yours Faithfully,



**Dalia Alghoul MSc**

Town Planning Technician | Property | Eastern Route | Anglia  
1 Stratford Place | London | E15 1AZ

[Redacted]

[Redacted]

[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)

**From:** [Before You Dig](#)  
**To:** [South East Anglia Link](#)  
**Subject:** RE: EXT:EN020026 - Sea Link - EIA Scoping Notification and Consultation  
**Date:** 25 October 2022 13:04:22  
**Attachments:** [image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)

---

Northern Gas Networks do not cover this area.

Please use this online tool to find out which gas distribution network you need to contact:

<https://www.energynetworks.org/operating-the-networks/whos-my-network-operator>

Kind regards,

**Jennie Adams**

**Administration Assistant**  
**Before You Dig**  
**Northern Gas Networks**  
**1st Floor, 1 Emperor Way**  
**Doxford Park**  
**Sunderland**  
**SR3 3XR**

Before You [REDACTED]

[www.northerngasnetworks.co.uk](http://www.northerngasnetworks.co.uk)

[facebook.com/northerngasnetworks](https://facebook.com/northerngasnetworks)

[twitter.com/ngngas](https://twitter.com/ngngas)

Alternative contact:

[beforeyoudig@northerngas.co.uk](mailto:beforeyoudig@northerngas.co.uk)



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Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD.

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**For information on how we use your details please**

---

**From:** South East Anglia Link <SouthEastAngliaLink@planninginspectorate.gov.uk>

**Sent:** 25 October 2022 12:16

**Subject:** EXT:EN020026 - Sea Link - EIA Scoping Notification and Consultation

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Dear Sir/Madam

Please see attached correspondence on the proposed Sea Link.

Please note the deadline for consultation responses is **22 November 2022** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



**Todd Brumwell** | Associate EIA Advisor  
The Planning Inspectorate  
T [REDACTED]



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DPC:76616c646f72



**From:** [ONR Land Use Planning](#)  
**To:** [South East Anglia Link](#)  
**Subject:** ONR Land Use Planning - Application EN020026  
**Date:** 22 November 2022 14:16:30  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image001.png](#)  
[image005.png](#)  
[image006.png](#)  
[image006.png](#)  
[image005.png](#)  
[image003.png](#)  
[image001.png](#)  
[image004.png](#)  
[image002.png](#)  
[EN020026-Letter-to-stat-cons-Scoping-&Req-11-Notification.pdf](#)

---

Dear Sir/Madam,

You requested that ONR inform you of the information we consider should be provided in the environmental statement for application EN020026-000024-221025. Our response is as follows:

- Parts of the Suffolk Onshore Scheme are located in the Detailed Emergency Planning Zone (an ONR consultation zone) of the Sizewell B nuclear licensed site;
- Parts of the Suffolk Onshore Scheme are located in ONR's Outer Consultation Zone (an ONR consultation zone) of the Sizewell A and Sizewell B nuclear licensed sites;
- The applicant should take due cognizance of the Sizewell A and Sizewell B nuclear licensed sites, operated by Magnox Ltd and EDF Energy Nuclear Generation Ltd respectively;
- The applicant should liaise with Magnox Ltd and EDF Energy Nuclear Generation Ltd in relation to the potential external hazards the proposed development poses to Sizewell A and Sizewell B respectively (and vice versa); and
- The applicant should liaise with Suffolk County Council in relation to the whether the proposed development can be accommodated in the Off-Site Emergency Plan for Sizewell B.

Regards,

Land Use Planning  
Office for Nuclear Regulation  
[ONR-Land.Use-planning@onr.gov.uk](mailto:ONR-Land.Use-planning@onr.gov.uk)

-----Original Message-----

**From:** South East Anglia Link <[SouthEastAngliaLink@planninginspectorate.gov.uk](mailto:SouthEastAngliaLink@planninginspectorate.gov.uk)>  
**To:**  
**Cc:**  
**Sent:** 25/10/2022 12:17  
**Subject:** EN020026 - Sea Link - EIA Scoping Notification and Consultation

Dear Sir/Madam



Please see attached correspondence on the proposed Sea Link.

Please note the deadline for consultation responses is **22 November 2022** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



**Todd Brumwell** | Associate EIA Advisor

The Planning Inspectorate

T [REDACTED]



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## **Proposed DCO Application by National Grid Electricity Transmission for Sea Link (electric lines)**

### **Royal Mail Group Limited's response to ES Scoping Consultation**

#### **Introduction**

Royal Mail and its consultants BNP Paribas Real Estate have reviewed the consultation material for the above project and wish to submit this holding response as part of this consultation.

#### **Royal Mail – relevant information**

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in the public interest and this should not be affected detrimentally by any statutorily authorised project.

The Government imposes financial penalties on Royal Mail if its Universal Service Obligation service delivery targets are not met. These penalties relate to time targets for:

- collections,
- clearance through plant, and
- delivery.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business.

#### **Royal Mail position**

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the Environmental Impact Assessment Scoping Report ("Scoping Report"), published October 2022.

Royal Mail has 5 operational properties within 5 miles of the proposed works:

##### *Suffolk Onshore*

- BE 1632 Saxmundham DO/RET/PAR, 48 High Street, Saxmundham, IP17 1AA (c. 0.5 miles)
- BE 1627 Leiston Delivery Office, 14 Sizewell Road, Leiston, IP16 4AA (c. 0.5 miles)



*Kent Onshore*

- BE 1430 Sandwich DO, 34 King Street, Sandwich, CT13 9AA (c. 0.5 miles)
- BE 1426 Ramsgate DO, 42 Wilfred Road, Ramsgate, CT11 7RA (c. 1.5 miles)
- BE 1407 Broadstairs DO, 20 The Broadway, Broadstairs, CT10 2AA (c. 3.5 miles)

An outline Construction Traffic Management Plan (“CTMP”) will be prepared and submitted as part of the DCO application. Due to this early stage, there are currently no details of proposed mitigations.

The published ES Report states the following elements have been outlined as potential sources of traffic impact during the construction phase, particular regarding Suffolk Onshore and Kent Onshore:

- Construction works e.g. where these require temporary traffic management, or result in temporary diversions or closures to the highway network or pedestrian/cycle routes including PRoW;
- Construction routes e.g. where these interact with the existing transport networks (road/rail/pedestrian/cycle) such as at vehicle crossing points; and
- Construction vehicles:
  - HGVs;
  - LGVs;
  - Construction staff vehicles; and
  - Abnormal loads.

Every day, in exercising its statutory duties Royal Mail vehicles use all of the main roads that may potentially be affected by the proposed Sea Link.

Any periods of road disruption / closure, night or day, on or to the roads immediately connected to the Sea Link or the surrounding highway network will have the potential to impact operations and may consequently disrupt Royal Mail’s ability to meet its Universal Obligation service delivery targets.

Royal Mail’s performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail does not wish to stop or delay Sea Link and its works from occurring. However, Royal Mail does wish to ensure the protection of its future ability to provide an efficient mail sorting and delivering service to the public from and to the above identified operational facilities in accordance with its statutory obligations. Whilst the nature of the scheme itself (electric lines) is considered to have low potential of impacting Royal Mail assets or operations during its construction and operational phase, parts of the construction phase may impact Royal Mail. Therefore, Royal Mail wishes to reserve its position to submit a consultation response/s later in the DCO consenting process when sufficient information is available. Royal Mail also wishes to reserve its position to submit representations to the future Public Examination, if required.



In the meantime, any further consultation information on this infrastructure project and any questions of Royal Mail should be sent to:

**Holly Trotman ( [REDACTED] ), Senior Planning Lawyer, Royal Mail Group Limited**

**Daniel Parry Jones ( [REDACTED] ), Director, BNP Paribas Real Estate**

**Jia Mei Tristodianto-Lee ( [REDACTED] ), Graduate Planner, BNP Paribas Real Estate**

Please can you confirm receipt of this consultation response by Royal Mail.

**From:** [Claire Curtis](#)  
**To:** [South East Anglia Link](#)  
**Subject:** EN020026-000024-221025 South East Anglia Link Suffolk to Kent  
**Date:** 22 November 2022 15:44:28  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)  
[image007.jpg](#)

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11  
Application by National Grid Electricity Transmission plc (the Applicant) for an Order granting Development Consent for the Sea Link (the Proposed Development)  
Scoping consultation**

Thank you for your consultation in respect of the above.

I can confirm that South Norfolk Council has no comments to make and we would wish to defer to the Host Local Authorities for their views and comments to be taken into consideration.

Yours faithfully,

**Claire Curtis**  
Area Team Manager

t [REDACTED]



[REDACTED]

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[contact@sealink.nationalgrid.com](mailto:contact@sealink.nationalgrid.com)

21st November 2022

**Ref: SEALINK EIA Scoping Opinion**

Dear Sir / Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by National Grid Electricity Transmission plc (the Applicant) for an Order granting Development Consent for the Sea Link (the Proposed Development) Scoping consultation**

**1 Introduction**

This letter is a response by the Suffolk and North East Essex Integrated Care Board (the ICB) to the scoping opinion consultation on the proposed development detailed above. The ICB is responding as the strategic health authority in the location where the development is located.

Please note that the following comments are a combined response on behalf of Suffolk and North East Essex Integrated Care Board (SNEE) in particular on behalf of the following organisations;  
*East Suffolk & North East Essex Foundation Trust (ESNEFT)*  
*Norfolk and Suffolk Foundation Trust (NSFT)*  
*East of England Ambulance Service NHS Trust (EEAST) please note EEAST are inputting their own response regarding impact on blue light services.*

The ICB is the commissioner of primary care, secondary care, mental health and emergency and non emergency services in the area of the development and will respond on behalf of all these services as part of our statutory duties. I can confirm that our health economy partners, may from time to time request additional engagement including but not limited to the impact on access to health facilities and emergency service vehicle response times.

It is important to note the ICB works in collaboration with our public health colleagues in Suffolk County Council and endorse the response you will receive from Suffolk County Council in all elements of human health environmental impacts.

**2 Development impacts on Health**

***General statement***

Most large-scale development proposals impact on the ICB's roles and responsibilities in the following areas:

- Meeting the healthcare needs of the workforce
- Disruption to access/transport for patients (emergency and non-emergency) and staff travelling to and between healthcare sites

- Responding to major incidents/disasters

These matters should be assessed, and mitigation proposed for the construction and operational phases of the development.

Cumulative impacts – consideration must be made to other major development proposals in the area and the in-combination impacts. This includes the known developments (but not limited to) of Sizewell C, Bramford to Twinstead national grid upgrade and East Anglia Green national grid upgrade.

It is noted that Leiston Surgery is named as a healthcare facility that may be impacted during the onshore construction works. It will be necessary to understand the potential impact and establish appropriate mitigation to ensure any disruption is minimised.

#### ***Meeting the healthcare needs of the workforce***

It is necessary to consider whether the workforce, construction and when operational the development will add to the burden on local healthcare services and whether these services have the capacity to provide the necessary services.

It will therefore be important to ensure the following Information is provided;

- size of non- permanent workforce
- timing and duration of their stay
- location during stay in area
- healthcare and wellbeing facilities to be provided by developer on-site

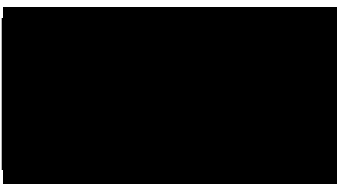
### **3. Conclusion**

In response to the scoping option notification for the development of an Environmental Statement (ES) it is acknowledged that there is reference to the following areas of concern and that further detail should be explored in the development of the ES;

- Under the proposed approach to the Environmental Impact Assessment on travel impact, there is a high level understanding of how the review of the potential impact of the number of HGV's will be undertaken and acknowledges that the impact will be felt on the A12 and minor A roads as part of the onshore construction phase.
- The report also acknowledges the cumulative effect of multiple schemes . This is an important area which we would like to be part of the exploration of reducing the impact by working in partnership
- We are particularly interested in understanding more around the opportunities to work with the developer on turning the potential impacts on Socio Economics, Tourism and Recreation into opportunities to improve the offer of local skills, education, training and jobs for local people.
- We are keen to ensure that the EIA provides further detail to the acknowledgement in the scoping options report to the potential demand on healthcare services during the construction period including Primary Care with influx of additional temporary residents.

To this end this is to confirm that with the Suffolk and North East Essex ICB being the lead contact, we will want to be acknowledged as an Interested Party and act as a consultee moving forward. Contact details are as per the signature below.

Yours faithfully



**Jane Taylor**  
Senior Estates Development Manager





Planning Act 2008

Consultation to Inform the Adoption of an EIA Scoping Opinion from The  
Planning Inspectorate

Sea Link Proposals by National Grid Electricity Transmission (NGET)

Comments by Suffolk County Council

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November 2022

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## **Executive Summary**

### **1 Summary of Response**

- 1.1 This document is Suffolk County Council's (SCC) response to The Planning Inspectorate's request in the letter dated 25 October 2022 for comments to inform the adoption of an Environmental Impact Assessment (EIA) Scoping Opinion by the Planning Inspectorate regarding the National Grid Electricity Transmission's (NGET) proposals for a 140km subsea grid reinforcement link between Suffolk and Kent, known as Sea Link, including on shore infrastructure.
- 1.2 This response contains the technical comments of staff directly employed by SCC specifically on the question of the adoption of an EIA Scoping Opinion and is not intended to make comments on the merits of the Sea Link proposal itself, which will be dealt with separately under the Non-Statutory Consultation by NGET which has run concurrently with the request for an EIA Scoping Opinion.

### **2 Contents of this Response**

- 2.1 The Response comprises this section as a summary and the accompanying Appendix A. The summary begins with some general comments on NGET's approach to scoping for its Sea Link project. The remainder of this summary sets out the main elements of the technical views of staff employed directly by SCC.
- 2.2 Appendix A provides the technical comments in full all of which should be considered as an integral part of SCC's substantive comments.

### **3 General Comments**

- 3.1 SCC has concerns about the approach taken in NGET's Scoping Report to the issue of scoping out environmental matters, to the proposed assessment of the significance of effects, and to the proposed assessment of cumulative impacts. These concerns apply generally across the environmental topics and so are set out here. The comments on the individual environmental topics should be read in the light of these general concerns.
- 3.2 The Main Text of the Scoping Report (in Volume 1) explains the approach and method adopted in section 1.5. Paragraph 1.5.3.4 discusses the technical scope of assessment for each environmental aspect but leaves the detail of all matters which have been scoped out to be found only in the specific technical chapters. There is no general explanation of the approach to what has been scoped out and no simple presentation of all matters which have been scoped out.
- 3.3 Nor do the technical chapters present the information on what has been scoped out in a clear, consistent, or coherent manner. For example, it is unclear whether decisions to scope out impacts have been determined with or without the provision of mitigation in all cases (for example, in Table 2.3.3 in Volume 2 no account is taken of mitigation in the decision to scope in pollution impacts from construction of the converter station but in Table 2.6.2 reliance is placed on mitigation by design to scope out contaminants to the environment from construction activities).

- 3.4 In addition, where mitigation has been assumed to be in place, the justification for scoping out all such impacts is not provided, especially where mitigation would be bespoke to the project.
- 3.5 The matters scoped out also appear to include reliance on a judgment that there is “*less potential*” for a significant effect (for example in Tables 2.2.6 and 2.2.7 in Volume 2) but the meaning of this term is unclear as is the basis for the judgment. SCC would expect there to be a clear, consistent, and coherent explanation of all decisions to scope out impacts.
- 3.6 Section 1.5 also explains the approach to the assessment of significance. This includes the magnitude of the impact and Table 1.5.1 sets out the magnitude criteria. The largest magnitude impact is described as “Large” and the smallest as “Negligible.” However, individual technical chapters use different magnitude criteria. For example, Chapter 2.2 (Landscape and Visual) has magnitude criteria of “Very Large” and “None” as well as “Large” and “Negligible.” Chapter 2.5 (Water Environment) has magnitude criteria of “Large Adverse,” “Negligible,” “Small beneficial,” and “No change.” SCC would expect there to be a clear, consistent, and coherent explanation of the magnitude criteria used and a justification for any differences between technical chapters.
- 3.7 Section 1.5.5 explains the approach to cumulative effects and distinguishes between intra-project effects (interaction of different aspects of the project on each other) and inter-project effects (interaction of the project with other projects). However, it does not appear that inter-project effects are to be considered in Part 5 on Project Wide Effects, so that there would be any assessment of inter-projects effects on climate change and major accidents/disasters. SCC would expect there to be a clear justification for a decision to exclude such effects from the assessment of cumulative effects.
- 3.8 In addition, there are discrepancies in the information presented as to which other projects will be progressed to Stage 2 of the Cumulative Effects assessment. For example, Table 1.5.A.1 in Appendix 1.5.A suggests that projects 2 (NeuConnect), 3 (GridLink), 4 (North Falls), and 5 (East Anglia One North) will be taken forward to Stage 2 but Table 2.13.3 in Volume 1, Part 2, does not include any of these projects in the projects proposed to be taken forward to Stage 2. There is no explanation for this discrepancy or for the omission of these projects from the intended Cumulative Effects assessment. SCC would expect all projects identified in Table 1.5.A.1 as projects to be assessed in Stage 2 to be so assessed or a clear explanation provided for any omissions.

- 3.9 SCC also has concerns that the threshold used for the proposed assessment of cumulative effects is not sufficient or adequately justified. It is suggested at paragraph 2.13.3.5 of Volume 1, Part 2, of the Scoping Report that a Zone of Influence (ZOI) of 20km from the Suffolk Onshore Scheme Scoping Boundary has been used to identify a long list of other projects. It appears from Table 2.13.2 that this is based on the largest study area of 10km (for Ecology and Biodiversity) and an assumption that “*due to the proximity of the strategic road network*” the construction traffic routes for assessment would not extend beyond 10km. However, it appears from various references in the Scoping Report (as detailed further below in the technical comments in section 16 of Appendix A), that it has been wrongly assumed that the A12 between the A14 Seven Hills interchange and the A47 Bascule Bridge at Lowestoft is a trunk road and so part of the strategic road network. This is not the case. The strategic road network is remote from the proposed construction sites for the project and therefore the effects of construction traffic on the local road network (which is the responsibility of SCC) will extend much further than the 10km assumed in the Scoping Report.
- 3.10 In addition, it is suggested at paragraph 2.11.3.3 of Volume 1, Part 2, of the Scoping Report that employment effects are only to be considered within the local authority area of East Suffolk. However, SCC considers that, due to the large number of energy and other infrastructure projects that are being and/or are planned to be constructed in Suffolk in the remainder of the current decade (and beyond in some cases, such as Sizewell C), there is a need to consider employment effects over a more extensive area. SCC expects to see an evidence-based approach to the selection of a study area for employment effects.
- 3.11 In conjunction, these concerns on the proposed study areas for both construction traffic and employment lead SCC to conclude that the study area for the assessment of cumulative effects is inadequately justified and that it is likely that a greater number of other projects within Suffolk will need to be included (potentially including the Sunnica Energy Farm between Newmarket and Mildenhall).

#### **4 Archaeology**

- 4.1 In reviewing the Scoping Report, SCC Archaeology have identified the following issues: -
- Further refinement of siting/routing methodology should include a search of the Historic Environment Record (HER)/desk-based assessment and should consider the impact of the proposed development on designated and non-designated heritage sites and sites of archaeological potential.
  - Assessments need to consider results from other schemes which have been proposed in the area which may overlap the Sea Link project, for example, potentially Sizewell C, Galloper and Greater Gabbard and East Anglia One North and Two.
  - Further assessment is required to fully characterise the heritage resource and fully understand the impacts of development upon above and below ground heritage assets.

- All onshore elements (e.g. landfall sites, converter station sites, cable corridors, haul roads etc) should be scoped for archaeological assessment as all have potential to damage or destroy surviving archaeological remains.
- Table 2.41 – Decommissioning work needs to be recognised within the scoping as having potential to damage or destroy surviving archaeological remains.
- The potential for remains which have been preserved in situ and needs to be protected from disturbance by all phases of works appears to have overlooked.
- Thorough desk top assessment and field evaluation is required to consider archaeological potential of sites and likely impacts of development.
- A settings impact assessment for above ground heritage should be undertaken and impacts on historic hedgerows, boundaries and other historic elements should also be considered through use of historic mapping and Historic landscape Characterisation.
- A full suite of archaeological assessment (desk-based, geophysical, fieldwalking/metal detection) for all sites impacted by any element of the onshore works should be undertaken prior to/at EIA stage.
- All phases of archaeological investigation must be led by a brief produced by the Suffolk Archaeological Service (SCCAS).
- Archaeological and heritage assessments should be programmed into the project at the earliest opportunity to allow evaluations to be undertaken early to prevent possible delays to the development schedule.

## 5 Ecology

### 5.1 General Comments

- The Applicant states: “...only statutory designated sites up to 2km from the Suffolk Onshore Scheme Scoping Boundary have been shown but this will be updated and expanded for the Preliminary Environmental Information Report (PEIR).”
  - To this point, SCC would add that, depending on routes for HGVs, workers, materials and so on, other sites enroute may also be affected. This should be taken into account when researching and writing the PEIR. Impacts may include visual disturbance, dust, noise, air quality and so on.
  - Although it is mentioned elsewhere, non-statutory wildlife sites (in Suffolk these are County Wildlife Sites) are very important elements of nature conservation and full details can be obtained from SBIS (<https://www.suffolkbis.org.uk/>).
  - In addition, SBIS can provide the up-to-date lists of Suffolk Priority Species and Habitats. It is important that these are given appropriate consideration and weighting.
- Alongside the consultation of inter alia, SBIS and other bodies detailed in paragraph 2.3.4.1 to carry out the desk-top study, SCC considers it important to include ground truthing.

- SCC considers the expected survey requirements detailed in paragraph 2.3.4.3 appropriate.
- the Applicant acknowledges parcels of Ancient Woodland but should be made aware that SCC is currently carrying out an Ancient Woodland Inventory which may update the records currently available. The Applicant can obtain updates on the Inventory through SBIS (as and when it is available) or contact the SCC Ecology Team who can provide a point of contact.
- SCC welcomes the applicant's pledge of delivering a minimum of 10% Biodiversity Net Gain.
- The applicant acknowledges Invasive Non-Native Species (INNS) but confines comments to plants. Fauna can also be INNS and in East Suffolk this may include Muntjac Deer, Chinese Water Deer, American Mink, and non-native species of Crayfish. These species should also be taken into account.
- SCC welcomes the Applicants acknowledgement that: "Due to developmental pressure year on year within the wider landscape, protected and notable species and habitats are likely to remain priorities for conservation within future baseline scenarios." This is explicit acknowledgement that this proposal, in association with the others in a relatively modest geographical area could well prove to have the most serious consequences on Suffolk's wildlife and habitats.
- SCC welcomes the Applicant's proposal to use trenchless techniques where possible although the applicant must consider the extensive ditch and marsh network which covers some of the proposed area.
- SCC considers the applicant's scoping in of potential impacts acceptable, but this must also be informed by survey work.

## 6 Economic Development/Socioeconomic

### 6.1 General Comments

- SCC expects the applicant to consider the cumulative impacts of the proposed development alongside other schemes proposed in the area (e.g. Sizewell C) which will place significant pressure on workforce availability, supply chain demand and tourism. SCC is concerned that the assessment of other schemes seems to be limited to those in East Suffolk (and one scheme in Mid Suffolk) in Table 2.13.3 in Volume 1, Part 2 but SCC has seen no justification for an assumption that the workforce catchment area will be so limited. SCC considers there are other construction projects, particularly in the energy sector, which are planned to take place in Suffolk (potentially including the Sunnica Energy Farm) which could have interactions with the proposed development in relation to workforce availability.
- It is noted that there is limited information on socioeconomics, particularly the scale of impact and opportunity associated with the workforce. SCC considers that the application should provide more detailed information as part of future submissions.
- SCC disagrees with the method used in paragraph 2.8.16 which sets out the use of a 'simple gravity model' for workforce origins. There is significant risk in this approach given the large number of infrastructure projects in the area and the availability of the workforce, the origin of the workforce and the related traffic impact. Estimated workforce living in the locality detailed in paragraph 2.11.7.11 will need to be evidenced.
- Accommodation and community impacts have not been covered in the scoping document and will need to be considered by the applicant to ensure appropriate understanding of potential impacts.

### 6.2 Employment, Workforce and Supply Chain

- At this point workforce numbers and phasing are unconfirmed and therefore, any areas that workforce will interact or impact upon cannot be scoped out of the ES as there is not enough information to make an informed decision.
- The applicant will need to consider the impact and opportunities the development may place on the local labour market within the ES. It should set out clearly the expected number and nature of employment opportunities during each phase of the development. It should relate this to the availability of labour in the area and address how any mismatch in supply and demand will be managed.



### 6.3 Tourism

- A large proportion of tourist trips are associated with the natural and historic beauty of the area as a whole. Therefore, it is more relevant to consider the extent to which the impact of construction in the landscape detracts from the environmental quality for recreational activity more broadly and the perception and propensity of people to visit the area.

### 6.4 Detailed Scoping Comments

- SCC notes while the applicant has identified potential impacts (paragraphs 2.11.6.3-2.11.6.7 and table 2.11.3), there is a need to consider these in more granular detail than presented within the Scoping Report. Too many sources of impact have been grouped together and therefore will not correctly assess the impact.
- SCC disagrees with the applicant on the study areas used in the scoping opinion, the spatial scope for extent of effects for all phases of the project is far greater than the applicant is currently using.
- SCC recognises that when considering the project as a single entity there are minor positive opportunities for economic development, employment, skills, and education. However, SCC expects the applicant to consider all the National Grid projects located within Suffolk and develop an approach that encompasses this project as part of their meta project in the region.

## 7 Joint Emergency Planning Unit Comments

7.1 SCC has a statutory duty under Radiation - Emergency Preparedness and Public Information Regulations 2019 (REPIR) to consider the development with respect to the existing Sizewell Off Site Emergency Plan due to the proposed sites being within 1km of Sizewell B power station.

7.2 An emergency plan for the construction would be required which covers protecting construction staff during any Sizewell radiation emergency and ensures the development does not adversely affect the existing Radiation Emergency Plan which coordinates the response of the emergency services and other agencies in response to an incident at Sizewell B.

## 8 Lead Local Flood Authority Comments

8.1 SCC will act as Lead Local Flood Authority (LLFA) for the Sea Link proposals.

### 8.2 General Comments

- Receptors are included within the assessment, however, there is no explanation how the receptors were selected and why others were discounted, such as people and property.
- Noted 'Hydrogeology' sits in a separate chapter to 'Water Environment.' Any assessment of groundwater flood risk should be considered alongside other sources of flood risk.
- Any relevant information from local guidance such as 'Suffolk Risk Management Strategy Appendix A' should also be considered, especially when developing mitigation.

- Assessment of impacts of construction activities for cable corridor included but no reference of impacts from converter stations sites or Friston.
- Interception/diversion of surface water overland flow paths not included but should be scoped in.

### 8.3 Construction

- Need to consider impact of increased flood risk from temporary or permanent impermeable areas.
- Cumulative impacts of silt and risk of resulting blockage and increase of flood risk also needs consideration.

### 8.4 Construction and Decommissioning

- Need to consider impacts on surface water overland flow paths (not just floodplain) and potential to increase offsite flood risk.

### 8.5 Operation

- Flood risk should be scoped in for Friston due to the historic and existing flood risk.

## 9 Local Highways Authority Comments

9.1 SCC will act as Local Highway Authority (LHA) for the area impacted by those locations being considered for the Sea Link NSIP. There are numerous challenges relating to the access to the sites and as a result the potential for significant impacts on local communities by construction traffic.

### 9.2 Traffic impacts at ports

- Evidence needs to be provided to scope out potential degree of traffic generated at ports for construction and operation of marine cable routes.

### 9.3 Cumulative local traffic impacts in the area of development

- The applicant will need to be aware of the scale and number of projects in the area of Sea Link and consideration needs to be given the range of potential impacts including impacts as a result of HGV movements felt by communities situated along the A12, which needs to be considered as part of the assessment.

### 9.4 Scope of area, specifically routes and junctions included in assessments

- SCC welcomes discussion regarding the proposed study area and would be keen to reach an agreement on this issue as early as possible.
- However, SCC could only confirm agreement on the scope once further details on vehicle numbers and routing were provided.
- SCC notes the list of key junctions provided in Paragraph 2.8.3.5 but require clarification on why these have been specifically included and others have not. It is noted that the final list of junctions is dependent on the landfalls, cable corridors and converter stations.

### 9.5 Existing and baseline locations and future annual traffic assessments

- No details have been provided on the location of traffic surveys, these should be agreed with SCC prior to any surveys taking place.

- It is recommended that future year assessments are agreed with the local authorities at an early stage, due to the complexity relating to the number of schemes in the area.

#### 9.6 Data sources for traffic surveys

- The applicant will need to include additional traffic survey locations to reflect those additional locations recommended within the SCC Highways section of Appendix A.
- The applicant will need to include daily traffic surveys, to inform greatest change, as well as the peak hour and SCC welcomes seeking agreement on this scope.

#### 9.7 Methodology

- SCC notes that the Applicant plans to use the Guidelines for the Environmental Assessment of Road Traffic (GEART) Methodology. Applying either GEART, sometimes supplemented by DMRB document LA112, methodology in the assessment of transport in recent DCOs has, in the authority's opinion, required greater flexibility in the approach particularly in terms of sensitivity of receptors and application of thresholds to reflect local circumstances.
- Clarity is sought relating to paragraph 2.8.7.8 which states proposals to assess links where traffic flows are increased by 30%. This should include proportional change in HGV movements as well as general traffic.

#### 9.8 Impact pathways and receptors

- It is noted that under construction and decommissioning: results in PRow diversions and closures that these impacts are scoped out for road links and junction. There may be a misunderstanding by what this means but for clarity SCC would expect that if PRow diversions used roads as a diversion route that there will be impacts for PRow, national and regional walking and cycle routes and Road users.

#### 9.9 Transport Assessment Scope

- The scope of the Transport Assessment should include details on the access arrangements including drawings showing vehicle swept paths and visibility splays that would be appropriate for a planning submission.
- Depending on the assessed impacts, junction modelling may be required however, it is recognised that this would be determined by future work.
- If any abnormal loads use SCC maintained roads the authority would require structural assessments in addition to swept path analysis.

#### 9.10 Pedestrian delay

- Further information is sought on how the relative change in delay will be assessed.

#### 9.11 Pedestrian and cycle amenity

- It is recognised that the thresholds suggested are 'tentative' and so should be treated as such.

#### 9.12 Fear and intimidation

- SCC welcomes consideration on a case-by-case basis but would caution overreliance on professional judgement without supporting evidence. In the rural areas of Suffolk, a key factor is considered to be the general absence, or limited width, of footways along many roads.

#### 9.13 Driver delay

- It is noted that there may be limited changes, but given the numerous projects in the area, the Applicant should be mindful of the potential for cumulative impacts. Delay may also occur due to traffic management measures implemented by this or other NSIP projects.

#### 9.14 Highway safety

Consideration should be given to whether the most recent five years is the most appropriate dataset given changes in travel patterns during and post the Pandemic.

#### 9.15 SCC would expect to see of these matters coherently assessed as part of the EIA.

### **10 Landscape and Visual**

#### 10.1 SCC Landscape and Visual has raised concerns around the following areas: -

#### 10.2 Relationship with other parts of the EIA

- The approach to scoping set out in 2.2.1 does not explicitly recognise the relationships between landscape and visual matters and other parts of the EIA, specifically ecology, historic environment, socio-economic and tourism.

#### 10.3 Data Sources and baseline

- The relevant data sources proposed appear acceptable, but SCC would also recommend reference to the Designation History Series which relates to the Suffolk Coast and Heaths AONB.
- The applicant should also be aware of the cultural importance of the Suffolk coast including the Aldeburgh/Snape area.

#### 10.4 Viewpoint locations

- Figures 2.2.9 (Site 1) and 2.2.10 (site 3) - SCC notes the same set of viewpoints have been used for Site 1 and Site 3. This results in some viewpoints being outside Zones of Theoretical Viewability (ZTVs) for one or both sites.
- For the purposes of clarity each site should have its own figure showing only the viewpoints relevant to this option.
- The SCC reserves the right to request additional viewpoints, or revised viewpoints to support the final EIA.
- SCC also considers it necessary to include both specific and illustrative viewpoints (a combination of wireframe or photomontage visualisation may be appropriate).

#### 10.5 Impacts on the fabric of the landscape.

- A comprehensive approach to important hedgerows under the Hedgerow Regulations 1997 will also be required. This should identify all hedgerows along the routes that are important under the various historic and designation related criteria, in addition to the ecological matters under the regulations as set out in Section 3 and Schedule 1 of the Regulations.
- All hedgerows to be removed to facilitate construction along the route should be surveyed in detail in advance to inform specific and appropriate planting schemes for their restoration, as well as mitigation for the adverse ecological impacts caused by their temporary loss as mature features in the landscape.

#### 10.6 Sources of construction impacts

- These should include loss of vegetation.

#### 10.7 Operational lighting – Converter Station

- There appears to be an inconsistency in the approach to this matter. Operational Lighting is scoped in for all emerging preferences and alternative options (vol.1 part 2 p124) in relation to ecology, whereas it is scoped out for landscape and visual amenity (p43). SCC considers this is neither appropriate nor consistent and converter station lighting should be scoped in for landscape and visual amenity.

#### 10.8 Cumulative operational impacts at Converter Station Site 1

- It is welcome that permanent alteration to landscape character of the AONB is scoped in (p50) for operation, although the applicant's initial position is that harm will be less than significant. However, SCC considers it is essential, based on current information, that the cumulative impact (both landscape and visual) of three converter stations located at site 1 should be assessed. It is noted that potential effects on the AONB have been scoped out entirely for the operation of site 3 (p53) as it has been identified that there is no potential for effects on the setting of the designation.

## **11 Public Rights of Way (PRoW)**

11.1 SCC PRoW noted the following issues: -

- Methodology - EIA does not holistically consider how potentially significant impacts that may arise from construction and operation on PRoW, permissive access, open access land and promoted routes.
- Cumulative impacts of the proposal with other existing energy projects consented or proposed in the area.
- Impact of temporary closures of PRoW.
- Impact of pre-commencement works (including archaeological, ecological, site investigations, site clearance) have not been included in post-commencement plans, specifically level and control of traffic using PRoW for site access.

## **12 Other Potential Impacts**

12.1 It is acknowledged that this scheme could potentially cause impacts for the emergency services with reference to potential highways diversions, ALL movements and related traffic delays.

12.2 SCC requests that the applicant considers the cumulative impacts of construction activities on local communities of a number of projects potentially occurring with overlapping timescales in the area of the Sea Link proposals.

12.3 These cumulative impacts would include traffic delays caused by diversions or an increase of HGV movements, increase in demand of rental accommodation,

## Appendix A – Detailed Technical Comments

### 13 SCC Archaeology

- 13.1 The longer the cable routes, the greater the potential archaeological impacts and the scale and scope of investigation and mitigation. Where cables pass through watercourses there is potential for well-preserved stratified sites in and on the valley sides as well as paleoenvironmental remains.
- 13.2 It is essential that further refinement of the siting/routing methodology should include a search of the HER/Desk-Based Assessment and should consider the impact of the proposed development on designated and non-designated heritage assets and sites of archaeological potential, drawing on landscape and topography. Attention should also be given to assessing the relative importance of any World War 2 remains in relation to the defensive coast.
- 13.3 Given the interaction with the EA1N/2 scheme and also potentially Sizewell, Galloper and Greater Gabbard depending upon the design options which are selected, there is a need to include the results from these projects within assessments, especially for those areas where the schemes overlap or are in close proximity, given the results directly relate to the archaeological potential of this scheme. The EA1N/2 geophysical survey data and some of the Sizewell geophysics and trial trenching results are publicly available as part of the relevant examinations and the County HER hold report for the Galloper and Greater Gabbard projects – SCCAS are also happy to advise on the findings where reports are not yet available. These surveys illustrate how much information is added to HER data through systematic survey, realising archaeological potential, as a significant number of archaeological sites have been defined which were not previously recorded on the County HER, or associated with finds scatter or cropmark evidence.
- 13.4 There should not be an assumption that data within the Historic Environment Record (HER) is of local significance. The Historic Environment Record includes non-designated assets of national importance and regionally significant assets. Sites of archaeological potential which have not yet been subject to systematic assessment (and are therefore currently of unknown significance) should also be considered.
- 13.5 The current onshore study areas have in most parts not been subject to systematic archaeological investigation and, therefore, the character, extent, and significance of surviving above and below ground heritage assets across this area has yet to be defined. There is high potential for additional, and to date unknown, significant heritage assets to survive across much of this area. Some of these may be of national significance and worthy of *preservation in situ*. As such without further assessment to fully characterise the heritage resource, the impacts of the development upon above and below ground heritage assets cannot be fully understood.

- 13.6 All onshore elements of the scheme (for example, landfall sites, converter station sites, grid connection substation site, underground cable corridors, jointing bays, link boxes, Horizontal Directional Drilling (HDD) pits and any other impacts associated with the scheme for example, haul roads, compounds, planting and ecological mitigation, offsite transport improvements etc.) have the potential to damage or destroy any surviving archaeological remains so all elements of the scheme should be scoped in for archaeological assessment. Decommissioning work also has the potential to have an impact, but this is not currently recognised within the scoping documentation (table 2.41). The document states that works would have no impact as all archaeological remains will have been mitigated and removed, however, this overlooks the potential for remains which are being preserved in situ and therefore need to be protected from disturbance throughout all phases (including during any maintenance works). Also, the compounds associated with this work also have the potential to impact upon below ground remains if located in areas which have not already been subject to archaeological mitigation.

### **Further Assessment Required**

- 13.7 To inform the siting and routing of the proposed scheme a thorough desk top assessment and field evaluation is needed to allow the archaeological potential of the different parts of the study area and therefore the likely impacts of the proposed development, to be fully assessed. Evaluation will provide sufficient baseline information to enable design decisions to be made and to inform planning decisions.
- 13.8 A desk-based assessment would be appropriate in the first instance. This should include a historic map regression, a study of aerial photography (including historical imagery), an assessment of LIDAR data, and predictive modelling of potential based upon topographic and geological evidence. Datasets held by the County Records office and other archive sources may also need to be consulted where features merit more detailed research.
- 13.9 A settings impact assessment for above ground heritage assets should be undertaken and the impact of the proposals upon historic hedgerows, boundaries and other historic landscape elements should also be considered through the use of historic mapping and Historic Landscape Characterisation data.
- 13.10 Landscape should be considered for assessment as an aspect of the historic environment. There will be interrelationships in assessment between archaeological and the built environment. The lack of a holistic approach to assessing the impact on landscape has given rise to omissions in other recent DCO applications.
- 13.11 Earthwork survey and building assessment should be undertaken of upstanding remains, particularly Second World War remains, to properly assess their significance in the context of the defensive coast.



- 13.12 All areas which will be impacted upon by the different elements of the scheme should be subject to archaeological field assessment at this stage in considering the location, layout and design of the landfall, converter station site, grid connection substation site, cable route, jointing bays, link boxes and HDD pits to allow for *preservation in situ* where appropriate of any sites of importance that might be defined (and which are currently unknown).
- 13.13 Geophysical survey (a combination of magnetometry and resistivity as appropriate), also accompanied by fieldwalking and a metal detecting survey, should form a first phase of field evaluation.
- 13.14 The results of these assessments should be used to then inform a programme of trial trenched evaluation, combined with paleoenvironmental assessment in river valley areas.

## 14 SCC Ecology

- 14.1 Below are the comments of SCC Ecology.
- 14.2 At 2.3.3.4, the Applicant states: "...only statutory designated sites up to 2km from the Suffolk Onshore Scheme Scoping Boundary have been shown but this will be updated and expanded for the Preliminary Environmental Information Report (PEIR)."
- To this point, SCC would add that, depending on routes for HGVs, workers, materials and so on, other sites enroute may also be affected. This should be taken into account when researching and writing the PEIR. Impacts may include visual disturbance, dust, noise, air quality and so on.
  - Although it is mentioned elsewhere, non-statutory wildlife sites (in Suffolk these are County Wildlife Sites (CWS) are very important elements of nature conservation and full details can be obtained from Suffolk Biodiversity Service (SBIS) (<https://www.suffolkbis.org.uk/>).
  - In addition, SBIS can provide the up-to-date lists of Suffolk Priority Species and Habitats. It is important that these are given appropriate consideration and weighting.
- 14.3 At 2.3.4.1, the Applicant does confirm that they will consult, inter alia, SBIS and the other bodies in order to carry out the desk-top part of data gathering, and SCC emphasises the importance of ground-truthing...
- 14.4 At 2.3.4.2, the Applicant confirms that they will consult the previous survey reports submitted for, e.g., East Anglia One North, East Anglia Two and Sizewell C (SZC). There is a great deal of information and data within those previous applications and, if all that data is to be considered, this will be a task of considerable magnitude.
- 14.5 At 2.3.4.3, the Applicant sets out the expected survey requirements and these seem reasonable.
- 14.6 At 2.3.4.4, the Applicant acknowledges the necessity of carrying out Habitats Regulations Assessment(s). This will be essential.
- 14.7 At 2.3.4.11, the Applicant pledges to deliver a minimum of 10% Biodiversity Net Gain, which is welcomed.

- 14.8 At 2.3.4.12, the Applicant confirms that Phase One Habitat Surveys commenced in May 2022. The Applicant confirms that they will have regard to the Habitats of Principal Importance (HoPI) but, as mentioned above, similar regard must be given to Suffolk's Priority Habitats.
- 14.9 At 2.3.4.13, the Applicant acknowledges parcels of Ancient Woodland but should be made aware that SCC is currently carrying out an Ancient Woodland Inventory which may update the records currently available. The Applicant can obtain updates on the Inventory through SBIS (as and when it is available) or contact the SCC Ecology Team who can provide a point of contact.
- 14.10 At 2.3.4.18, the Applicant acknowledges Invasive Non-Native Species (INNS) but confines comments to plants. Fauna can also be INNS, and, in East Suffolk, this may include Muntjac Deer, Chinese Water Deer, American Mink and, amongst others, non-native species of Crayfish. These deleterious species should also be taken into account. SCC adds that, although there are no confirmed reports of Dormouse in the area, an eye should be kept open as this species is expanding its habitat. The Applicant acknowledges the necessity of monitoring Badger activity, and we feel sure that their Ecology Team will not need reminding that Badgers are a very successful species across this County, highly mobile (and with a tendency to pop up in all sorts of places). It is anticipated that a continuous watching brief will be needed and recognising Badger signs made part of regular Tool-Box Talks.
- 14.11 At 2.3.4.41, we welcome the Applicants acknowledgement that: "Due to developmental pressure year on year within the wider landscape, protected and notable species and habitats are likely to remain priorities for conservation within future baseline scenarios." This is explicit acknowledgement that this proposal, in association with the others in a relatively modest geographical area could well prove to have the most serious consequences on Suffolk's wildlife and habitats. This is why we require the Applicant to consider any and all avoidance and mitigation when finalising their proposals.
- 14.12 At 2.3.5, we welcome the Applicant's proposal to use trenchless techniques where possible and they give, as an example, crossing rivers. Are they confident that this can work with an extensive marsh and ditch network? Confirmation would be gratefully received.
- 14.13 At 2.3.5.4, the Applicant suggests certain potential mitigation strategies that may be included in the Outline Code of Construction Practice (CoCP) (such as bat boxes) but, in my view, the mitigation must be informed by the results and analysis of the Phase One Habitat Survey together with the various species and habitat specific surveys. Although they are just given as examples, the mitigation strategies (in the light of the acknowledged substantial disturbance in this area), may have to be considerably more than at a "normal" stand-alone development. The Applicant has mentioned "dead hedging" and SCC would be grateful for sight of evidence showing how this has been achieved and how successful it has been (as, for example, a navigation corridor for Bats).

### **General Comments**

- 14.14 The "scoping in" of potential impacts appears sound but this must also be informed by the results of the various surveys.

- 14.15 The proposed assessment methodologies also look sound, taken as they are from CIEEM. Please ensure that Suffolk Priority Habitats and Species and County Wildlife Sites form part of this.
- 14.16 SCC would be grateful if all surveys results can be sent to SBIS to update their records. We suggest that SBIS are contacted (<https://www.suffolkbis.org.uk/>) to find out the best formats to deliver that data.
- 14.17 At 2.3.7.9, the Applicant states “Cumulative effects will be assessed and are those occurring from several sources (also known as inter-relationships) and/or the combined effects of other developments in the area.” The cumulative effects of this proposal alongside all of the other proposals in this area are, perhaps, the largest concern of all. There is, I believe, a real danger that this part of the Suffolk Coast (an AONB and benefitting from a number of nature conservation designated, protected sites) will become a huge building site, with different projects all striving to deliver their goals, causing massive destruction and disturbance that could well sterilise this area for wildlife for many years to come.
- 14.18 How will the in-combination effects of all of the proposed developments in the area be assessed, mitigated, and compensated for? I have yet to see any attempt to address this.
- 14.19 The Applicant talks of constraints arising from other developments informing the choice of sites for the delivery of Sea Link but (unless I have missed it) there is no explanation of what these constraints are or how they might be mitigated rather than disturb or destroy a neighbouring parcel of land.
- 14.20 This may be exceedingly naïve, but why cannot this proposal be co-ordinated with the others envisaged? Are the haul roads, link roads, depots, bypasses and so-on available for other developments not be co-ordinated and re-purposed? I think that there is genuine (and well-founded) concern that this part of the coast will become criss-crossed with the developments themselves, their accesses, service routes and the power cables themselves.

### **Site Specific**

- 14.21 In the absence of the essential biodiversity data (which was only commenced in May 2022), it is not possible to make anything other than general statements about those sites being given preference by the Applicant.

### **Converter Station Sites**

- 14.22 Certainly, Site 3 (East of Saxmundham) appears to be a large arable field and it is easy not to anticipate too much in the way of wildlife interest, but it is essential to wait for the results of the surveys. Should this site be selected, good quality Biodiversity Net Gain would be entirely possible to deliver by the boundary treatments for a start... (further ideas could include green walls and green rooves for the converter station buildings, treating the areas around the cables and poles within compounds with, e.g., mosses and lichens and so on).
- 14.23 Site 1, West of Aldeburgh was much more difficult to assess from the ground without gaining access. There are Coverts, dead ground, and more dynamic topography here so it would be far too premature to assess this area without the benefit of ecological surveys.

## Cable Corridor

- 14.24 The working corridor S1 is proposed to cut through an area of exceptional importance to wildlife (an RSPB Reserve and SSSI) and, without a much fuller understanding of the techniques and mitigation(s) being used, I can only raise considerable concerns about disturbance, loss of and sterilisation of habitat and so on. As with the Converter Station Sites, in the absence of ecological data and the fullest mitigation and compensation strategies, the impact on wildlife can only be guessed.
- 14.25 The working corridor S3 is so vague in detail that, as with S1 above, the harm can only be guessed.
- 14.26 Landfall for either will be through Coastal Vegetated Shingle, a Suffolk Priority Habitat (hence the designation of so much of this part of the coast as County Wildlife Site). How will impacts be minimised and mitigated?
- 14.27 For both the Converter Station Site(s) and the Working Corridors, asking us to hazard a guess in the absence of properly gathered data together with meaningful site walkovers (we have tried to gather information by driving and walking as close as we could in very limited time) is rather unfair.
- 14.28 I am concerned that these routes have been chosen by aerial photography and some maps rather than fully informed by walkovers by properly trained personnel. Despite the number of developments in the area, we do not know every square foot of land and, I think, there is justifiable concern that choices are being made by Google Earth rather than thorough site investigations. If I have this wrong, I unreservedly apologise and will happily look at the biodiversity data that the Applicant has gathered and re-appraise the situation.
- 14.29 In the meantime, I can only repeat those points made previously:
- There are a notable number of NSIP scale projects in the vicinity. How will the in-combination effects of this project impact upon their proposed mitigation, compensation, and enhancement measures? How will this project impact upon the Conservation Objectives of nearby European Designated Sites? How will this project impact on other designated sites such as SSSIs and CWSs?
  - The proposal anticipates cutting through the RSPB's North Warren Reserve. This has the potential to impact upon thousands of Wildfowl (Ducks, Geese and Swans) that over-Winter here as well as breeding Bittern, Marsh Harrier, Woodlark and Nightingales. Is this really the path of least disturbance?
  - Is a "new" route for this tranche of cables more or less damaging and disturbing to wildlife than re-using existing proposals?
  - How much will this proposal impact upon wildlife displaced to the Applicant's preferred areas by activities at the several other projects in the area?
  - Will the disturbance caused by this proposal displace wildlife to areas impacted upon by the other NSIPs in the area?

- · How much liaison will there be between those wildlife and habitat professionals working on this proposal with others in the vicinity?
- · What sort of monitoring and mitigation will be in place? How will this interact with other schemes in the area?
- · How long will this proposal take to deliver on the ground? Will there be mitigation by timings to avoid the most sensitive seasons for the species most likely to use the area?
- · What will the site look like during construction (in terms of attractiveness to wildlife)?
- · How will ecological connectivity be maintained whilst waiting for mitigation measures to take effect?
- · What will this site look like (for wildlife) in five years, ten years, and fifteen years after the works?
- · How will enhancement/Biodiversity Net Gain be delivered?

## 15 SCC Economic Development

- 15.1 The following response is to the scoping consultation and notification for the Sea Link Project proposed by National Grid Electricity Transmission plc in relation to its socioeconomics and tourism impact. It identifies the further work required to ensure that there is an appropriate understanding of the impacts of the scheme prior to the development being submitted as an application.
- 15.2 The upsurge of energy development in the East of England, making it the epicentre of low-carbon energy developments in the UK, has, and will, create many potential opportunities for growth within the county. These opportunities have been identified in the Government's, Levelling Up the United Kingdom White Paper, specifically with regards to nuclear power, offshore wind power and integrated electricity networks in our region.
- 15.3 For Suffolk, the energy opportunities are due in large part to the geographical benefits the county offers. For example, the shallow seas and the existence of ports, makes it an ideal location for the development of offshore wind. The flat open landscapes and relatively higher rate of sunny weather in the county, also makes it attractive for solar farm installations. Whilst existing nuclear generation, and available grid connections, support new nuclear build.
- 15.4 This attractiveness and suitability of Suffolk for energy development, makes it a critical region for the UK and the Government as it delivers on its Net Zero commitment to cut emissions, decarbonise energy generation, bolster energy security and seize green economic opportunities. Given these conditions, the challenge for Suffolk is to effectively shape these extensive energy developments, extracting the best and most sustainable value from them, for the communities and businesses of the county. Simultaneously, the sensitivity and importance of the environment of Suffolk in terms of; place, tourism, and ecosystems, needs to be protected and enhanced, and not undermined by the delivery of Net Zero projects.
- 15.5 The challenge for any developer is delivering benefit and enhancing sense of place in a very congested market. National Grid are proposing a construction period between 2026 and 2030, a time where Suffolk alone is expecting to see the construction of offshore wind projects:
- East Anglia Three
  - East Anglia One North
  - East Anglia Two
  - Five Estuaries
  - North Falls

Further construction work from National Grid:

- National Grid Ventures Eurolink
- National Grid Electricity Transmission Bramford to Twinstead
- National Grid Electricity Transmission East Anglia Green

- 15.6 Construction of the new nuclear plant Sizewell C, alongside significant rail and road infrastructure projects and house building. The cumulative impact of these Suffolk projects alone, coupled with similar projects in the neighbouring authorities of Norfolk and Essex will place significant pressures on workforce availability, supply chain demand and cumulative impact on tourism which SCC expect the applicant to reference when conducting their assessment.
- The Sizewell C Project:  
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/>
  - East Anglia One North Offshore Windfarm  
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/>
  - East Anglia Two Offshore Windfarm  
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>
- 15.7 A large amount of information and data is available from these projects, and this should be considered as part of the development of the Sea link proposals. SCC would recommend that there is close collaboration between NGET, SPR, Sizewell C Co., East Suffolk Council and Suffolk County Council.
- 15.8 The proposed development will have varied impacts dependent upon the chosen landfall site, corridor route and converter station site therefore, SCC is seeking to establish a set of principles that will be used to guide impact assessment regardless of route and siting selection ensuring all impacts are fully analysed and mitigated appropriately.
- 15.9 Whilst the scoping report provides information on the high-level emerging proposals for the scheme, limited information is provided on socioeconomics, particularly the scale of impact and opportunity associated with the workforce. On this basis SCC are providing comments on the information provided and the details that SCC would encourage the Applicant to provide as part of future submissions, and comments on the proposed assessment methods. Once specific details are available, SCC must reserve the right to alter, amend and add to any comments made herein. The additional details that are requested would help in our ability to comment and to address our concerns. The comments below should be considered together with those from the following topic areas due to the interaction of impacts:
- Traffic and Transport
  - Landscape and Visual
  - Noise and Vibration
  - Air Quality
  - Cultural Heritage

- 15.10 In particular, when considering traffic and transport impacts, paragraph 2.8.16 sets out that a 'simple gravity model' will be developed for the workforce origins. SCC currently disagrees with this approach. SCC is of the opinion that there is significant risk in this approach given the number of large infrastructure projects in the area and therefore the availability of a local workforce depending on which projects come forward and when. It is considered that substantial consideration needs to be given to the availability of a workforce, the origin of the workforce and therefore its traffic impact. It is also noted that paragraph 2.11.7.11 sets out that an estimated workforce and that a 'proportion of workers are likely to live locally to the site,' which will need to be evidenced. Any assumptions around workforce origins within the socio-economic assessment should be reflected in the assessment of transport impacts.
- 15.11 The following topic areas have not been covered in the current scoping document and will need to be considered by the applicant to ensure an appropriate understanding of impacts:

- Accommodation
- Community

Chapter 2.11 of Volume 1 Main Text – Part 2 Suffolk Onshore Scheme of the EIA Scoping Report considers the potential significant socio-economic, recreation and tourism effects of the project during construction, operation, maintenance, and decommissioning.

### **Employment, Workforce and Supply chain**

- 15.12 At this point in the process workforce numbers and phasing are unconfirmed and therefore, any areas that workforce will interact or impact upon cannot be scoped out of the Environmental Statement as there is not enough information to make an informed decision. This will include:
- Effects on Tourist Accommodation During Construction
  - Effects on the Local Economy During Construction
  - Effects on Local Businesses, Jobs and Employment During Construction
  - Effects to Planning and Development During Construction
  - Effects to Community Services During Construction and Operation
  - Effects on Tourism and Recreation During Construction

As part of future submissions, a workforce profile should be provided outlining:

- Peak workforce numbers
- Average daily workforce numbers
- Broad competencies of the workforce (i.e., civils, mechanical, electrical etc.)
- Anticipated split of home based and non-home-based workforce



- 15.13 These profiles will need to be set against the construction timeline.
- 15.14 The Environmental Statement will also need to consider the impact and opportunities the development may place on the local labour market. It should set out clearly the expected number and nature of employment opportunities during each phase of the development. It should relate this to the availability of labour in the area and identify how any mismatch between supply and demand will be addressed.
- 15.15 Furthermore, the applicant has not defined a study area from which it will consider effects on employment, as part of future submissions a study area will need to be defined using relevant travel to work data for the appropriate locations to arrive at a sensible zone of influence. This is alongside a supply chain assessment, that would identify local supply for construction and decommissioning, being conducted over a far greater geography ensuring areas such as Ipswich and Lowestoft, where a significant supply chain supporting other infrastructure builds, is located. Maximising the use of local and regional supply chains should be a priority for the applicant, this is consistent with SCC corporate objectives as set out in Suffolk County Councils Energy Infrastructure Policy and the applicants own corporate objectives.
- 15.16 Consideration needs to be given to the potential impact of any reliance on a mobile workforce for the availability of tourist accommodation. The spending patterns of a transitory labour force are fundamentally different to those of a static workforce and benefits do not accrue in a normal manner. Spending patterns are also vastly different to visitors that may be displaced, thus this might jeopardise trade for other related tourist businesses, such as restaurants and visitor attractions.
- 15.17 In all cases, the impact of this project must be considered alongside others in the region – particularly other Nationally Significant Infrastructure Projects. For example, East Anglia Hubs onshore construction and Sizewell C.
- 15.18 It is acknowledged that the likely demands on the workforce and the supply chain are likely to be less than those of other infrastructure projects in the region. However, it is vital that the workforce assessment considers the different skill and competency demands on the different phases of the project and assess these cumulatively with other potential major construction projects.
- 15.19 The project is also likely to be in construction at the same time as the Sizewell C and ScottishPower Renewable Hub are reaching the peak of their construction employment. There is a very high likelihood that achieving any home-based labour will be extremely difficult as these projects will be well established. SCC expects the applicant to take this into consideration when developing a workforce profile and its origins and will need to strongly evidence all their assumptions. SCC also expect the applicant to reflect these findings within all topic areas where workforce origin will have an impact, such as:
- Traffic and Transport
  - Communities
  - Accommodation

## **Tourism**

15.20 A large proportion of tourist trips are associated with the natural and historic beauty of the area as a whole. Therefore, it is more relevant to consider the extent to which the impact of construction in the landscape detracts from the environmental quality for recreational activity more broadly and the perception and propensity of people to visit the area.

15.21 The Environmental Statement needs to consider the perception and propensity of negative impact upon tourism from the negative cumulative impact set out in chapters:

- Landscape and Visual
- Historic Environment
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Socioeconomics, Recreation and Tourism

### **Perception and propensity for people to not visit due to construction**

15.22 First time visitors to Suffolk may be unaware (or be able to distinguish) between different areas of the county. If they are aware of large-scale capital developments in Suffolk, there is the possibility that they will simply assume that Suffolk is “one big building site” and this could result in them going elsewhere. Sizewell is the most high-profile example of a large construction project, but a variety of other construction schemes taking place simultaneously will undoubtedly have a negative effect on Suffolk.

### **Noise impacts on tranquil tourism offer**

15.23 A large amount of Suffolk’s appeal to urban visitors is its ‘peace and tranquillity. Visit Suffolk’s website describes the county as follows:

“A county filled with natural beauty situated on the east coast of England, bordered by 50 miles of glorious coastline, and topped with breathtakingly beautiful open skies, it is the perfect holiday and short break destination. Whether you are looking for a quiet ‘get away from it all holiday’ or one that is full of adrenaline and adventure, Suffolk will not disappoint. Here you will discover quaint villages and medieval towns that for centuries have drawn in artists and writers.”

15.24 Any large-scale infrastructure works are clearly going to have an impact, or will be presumed to have an impact, on many of these elements. In addition to deterring people from visiting, they may result in a negative experience for people who do come to Suffolk and leave them with a lasting impression that deters them from returning or recommending the county to others.

### **Visual impact during construction**

15.25 Similar to many of the points raised above, Suffolk's large open skies are a key selling point, along with Constable Country, beaches, countryside etc. People visiting the county for these may be deterred by the thought of construction hoardings, road closures, cables etc. We live in a world where images count and where everything is instantly shared online via social media. The long-term damage that a single negative image of a building site (for example) can do would be significant.

### **Long term visual impact**

15.26 Suffolk is renowned for its scenery and wide-open skies etc. If this is to be impacted by permanent or semi-permanent construction, then mitigation measures will need to be put in place to ensure that adverse effects are kept to a minimum, that any environmental damage to the natural environment is prepared for (e.g. removals of trees, hedgerows etc).

### **Traffic delays**

15.27 A combination of construction traffic and the natural increase in visitor numbers is inevitably going to lead to a greater use of Suffolk's highways and result in delays and diversions. Short-term events such as the Latitude festival at Henham are signposted in advance and local residents have learnt to work around the dates or make alternative arrangements where possible. Similarly longer-term projects such as the Gull Wing Bridge at Lowestoft require significant road closures and diversions. Again, people adapt over time. The problem from a visitor economy point of view is that people will either arrive unaware of this or will be deterred by word of mouth and the perception that Suffolk is "just one big building site." It could require sufficient mitigation/ traffic management measures, plus an effective social media/ media campaign to reassure potential visitors that their trip will not be adversely affected by traffic jams and diversions

### **AIL effects**

15.28 Abnormal Indivisible Loads have the potential to be slow and disruptive and often require effective media/social media campaigns to warn of delays along the routes used. In cases where vehicles will be using single carriageways or B-roads, there is the possibility of serious disruption and potential damage to natural environment. It could also lead to street furniture/lighting having to be temporarily removed to avoid damage. There is also the possibility of noise, air pollution and long-term damage to road surfaces, all of which will need to be mitigated.

### **Use of accommodation**

- 15.29 Large scale infrastructure projects such as this will require accommodation for the workforce. It is unlikely that all labour will be sourced locally. Given that some of this work could be occurring at the same time as the construction of Sizewell C and other large infrastructure projects, this will place an enormous strain on the both the local labour market and the accommodation sector. The latter will be even more pronounced if works are taking place during the peak summer months and could result in visitors being unable to find accommodation.
- 15.30 If works were to take place outside of the main season however, it could extend the opportunities for accommodation providers and increase revenue. Whilst Suffolk benefits from a healthy year-round weekend breaks market, it could be enormously advantageous if accommodation could be occupied during the week by visiting labour etc.
- 15.31 This would need to be balanced against the negative perception that “all the accommodation is full” because of the capital works (necessitating a “Suffolk is open for business”-type campaign) as well as energy costs. Some self-catering properties are simply not opening over the winter because of prohibitively high heating/ electricity costs. Whilst all year-round demand would be beneficial, providers need to ensure that it is financially viable too. Some providers have concluded that passing the costs onto customers would make the accommodation costs prohibitively high.

### **Impacts on businesses**

#### **Traffic delays changing spending**

- 15.32 Some businesses will be affected by road closures or diversions. It will require adequate signage and publicity to ensure that businesses are still able to trade effectively and to advertise the fact that businesses are still open.

#### **Impact on deliveries (JIT)**

- 15.33 This requires careful planning and co-operation with contractors to ensure that delivery routes remain open. If delivery times need to change to work around capital works, then this needs to be adequately prepared and communicated. This has the potential to affect the hospitality sector, particularly where food deliveries are concerned and particularly where fresh food is concerned
- 15.34 Worker spend – The catering and hospitality sector could benefit enormously, as could other sectors such as fuel, takeaway/fast food etc. Although this has to be balanced against the change in spending behaviour when compared to visitor spend, if non-home-based labour displaces visitors then SCC expect the applicant to consider this change in spending and mitigate accordingly.
- 15.35 SCC considers that this approach to Socioeconomics, Recreation and Tourism is entirely consistent with their experience of infrastructure projects in similar sensitive landscapes where the visitor economy is economically significant.

### Detailed Comments on Scoping

15.36 When identifying potential impacts as set out in paragraphs 2.11.6.3 – 2.11.6.7 and then in table 2.11.3 SCC expects the applicant to consider these impacts in more granular detail than presented in the scoping opinion. The applicant has grouped together too many sources of impact and therefore will not correctly assess the impact. As a minimum SCC will expect the applicant to consider, separately, the impacts upon the following sources:

- Employment – local opportunity
- Economic Development – Local investment
- Economic Development – Non home based spend
- Economic Development – Investor perception
- Economic Development – Workforce and churn
- Economic Development – Journey time delays (including those that would affect a tourism asset carrying out its day-to-day activities)
- Tourism – Visual Impact
- Tourism – Visitor perception (East Suffolk as a destination and Aldeburgh, Leiston, Saxmundham & Sizewell area as a destination)
- Tourism – Journey time delays (of a visitor to the region the actual and perceived impact)
- Tourism – Accommodation displacement

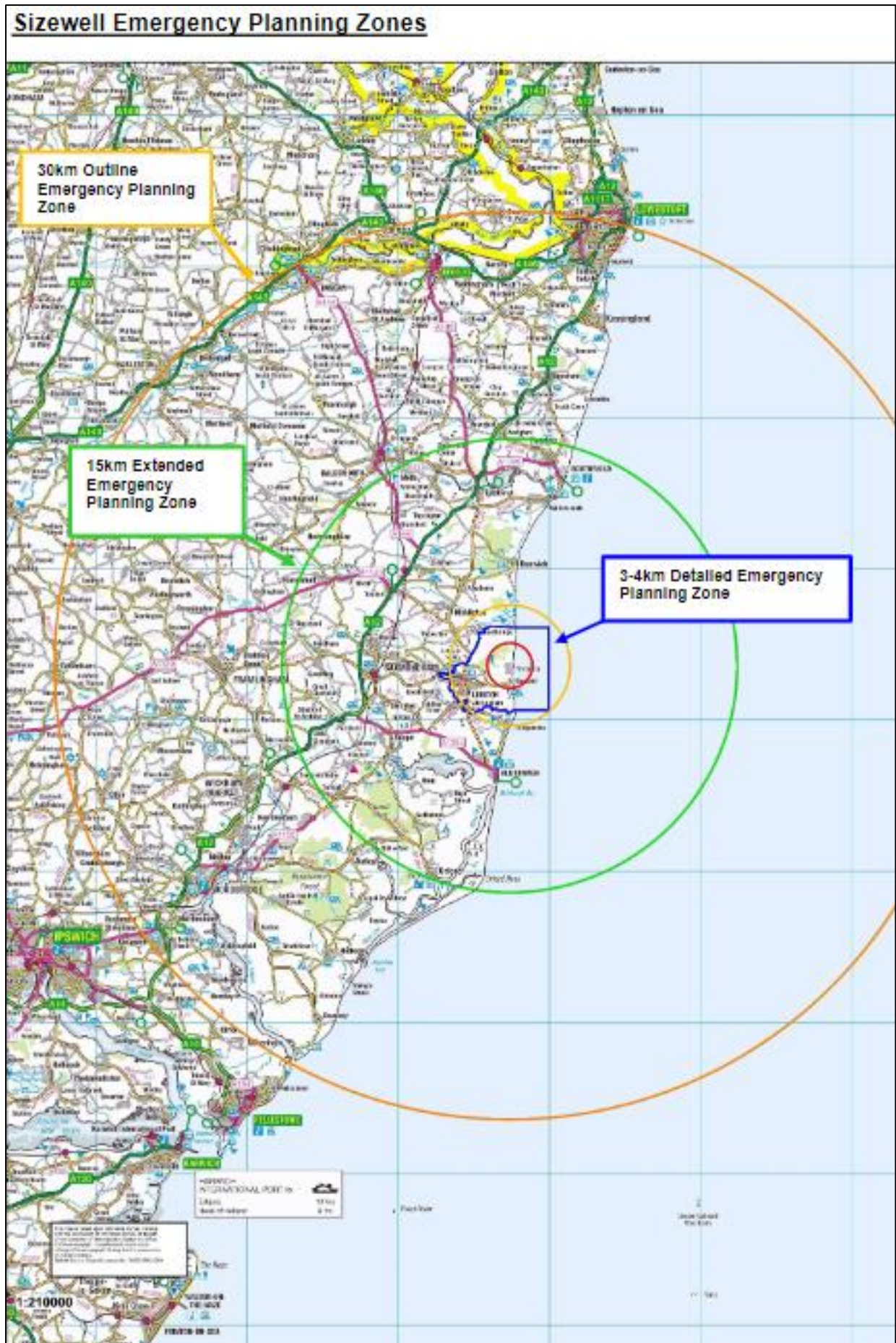
15.37 SCC disagrees with the applicant on the study areas used in the scoping opinion, the spatial scope for extent of effects for all phases of the project is far greater than the applicant is currently using. SCC expects at any future submission that the applicant uses the following:

- Effects on employment and supply chain – bespoke travel to work zones based on the different construction sites using travel to work data to arrive at an informed zone for effects on labour. Worker's willingness to commute is dependent on a number of factors, time, distance, and travel allowances for example, SCC expects the applicant to consider these and set a realistic daily commute zone to assess the potential for home-based workers. This is also applicable to assessing the opportunity for a local supply chain to respond to the opportunities available.
- Effects on local businesses, visitor attraction for tourism & tourism businesses – informed by visual and acoustic impact zones of all construction sites and the traffic and transport access plan (also inclusion of severance impacts below)
- Effects on development land – informed by visual and acoustic impact zones of all construction sites and the traffic and transport access plan (also inclusion of severance impacts below)
- Effects (indirect and direct) on severance – informed by the traffic and transport access plan
- Effects of cumulative impact on all of the above especially where construction phases of combined competencies overlap. i.e., where civils phases of construction coincide and have the potential to exhaust the local labour market and temporary accommodation

- 15.38 All baseline assumptions (employment and labour market, business premises, visitor attractions, open spaces, and development land) will then have to be revisited to include this new spatial scope.
- 15.39 SCC recognises that when considering this project as a single entity there are minor positive opportunities for economic development and employment, skills, and education. However, SCC expects the applicant to consider all the National Grid plc projects located within Suffolk and develop an approach that encompasses this project as part of their meta project in the region. This will have a transformational approach when considering the positive impacts of the project.
- 15.40 SCC expects the applicant to:
- Deliver and fund, in collaboration with SCC's and local partners, activities that develop both local talent pools and local people so that they are enabled to take up opportunities of recruitment into skilled roles across the project.
  - Work collaboratively with SCCs to ensure that where possible skills training, aimed at creating wider and deeper local talent pools from which to draw from, also has a long-term demand within the region thus ensuring a greater opportunity for sustainable employment.
  - Set an ambition for 5% of the roles required by the project to be filled through 'earn and learn' positions (the majority of which will be apprenticeships but may also include graduates on formalised training schemes and sponsored students as per the definition of the '5% club') including a commitment to a minimum number of apprenticeship opportunities to be provided to local people.
  - Create tangible mechanisms for ensuring that the skills base developed for the construction of the project is as transferable as possible to other key construction projects being delivered regionally
  - Deliver activities with the aim to increase the size and diversity of the labour market pool
  - Put into place clear plans (e.g., commitments within contracts) to drive the behaviours of their associated supply chain(s) to achieve skills and employment outcomes
  - Incorporate social value measures within all activity and use as a tool to quantify the success of any and all interventions and to drive commitment and delivery of the associated supply chain to recruit locally and provide apprenticeship opportunities where feasible.
  - Clearly set out via a Skills Plan, incorporating, supply chain skills plans a strategic approach to developing and supporting the project's workforce requirements. The strategic approach should take into account each distinct phase of the project, feedback from employment monitoring measures and be reflective of Suffolk's economics, in particular local opportunity that meets skills legacy for the region
  - Adopt and fund a dynamic approach to monitoring skills, employment and education outcomes and impacts that, through clearly identified governance, processes the use of all available evidence, local expertise and LMI to ensure home based worker targets are being met and programmes are in place to support/ensure local talent pools are available to combat any negative churn effects.

## **16 SCC Emergency Planning Unit**

- 16.1 The location of the construction site(s), some 1km from the Sizewell B power station site, and within the Detailed and Outline Emergency Planning Zones (Pg 21) for Sizewell means that SCC has the statutory duty under REPPIR to consider the development with respect of the existing Sizewell Off Site Emergency Plan.
- 16.2 This would require an emergency plan for the construction to be produced that covers the arrangements for protecting construction site staff during any Sizewell radiation emergency and ensures that the development does not adversely affect the existing Radiation Emergency Plan which coordinates the response of the Emergency Services and other agencies being able to response to an incident at Sizewell B.
- 16.3 The situation is likely further complicated with the likely imminent commencement of the Sizewell C construction project.





## 17 SCC Lead Local Flood Authority (LLFA)

### Scoping – Sea Link Environment Impact Assessment Scoping Report,

#### Volume 1 Main Test Part 2 Suffolk Onshore Scheme, October 2022

- 17.1 Impacts could be upon multiple receptors; these receptors should not just be limited to the environment but should also include people and property. Whilst receptors are included in the assessment, there is no explanation as to how these receptors were selected and why others, such as people and property, were excluded.
- 17.2 It is assumed that 'Water Environment' will cover both Flood Risk and Drainage.
- 17.3 'Hydrogeology' sits in a separate chapter to 'Water Environment,' any assessment of groundwater flood risk should be undertaken alongside other sources of flood risk
- 17.4 2.5.4.1 – These sources of information are not appropriate for assessment in the Friston catchment due to the significant consented works that will change the current baseline
- 17.5 2.5.2.9 – Any relevant information from local guidance such as Suffolk Flood Risk Management Strategy Appendix A should also be considered, especially when developing mitigation
- 17.6 2.5.6 – Assess construction impacts for cable corridor but no specific reference to impacts from converter station sites and Friston
- 17.7 2.5.6.11 – Creation of temporary impermeable areas for construction activities, which will require additional mitigation above and beyond that required for operational infrastructure.

#### Table 2.5.1

##### Construction

- 17.8 Need to consider impact of increased flood risk from temporary and permanent impermeable areas
- 17.9 Need to consider cumulative impact of pollution (silt) and the risk of this to cause blockage, combined with increase in flood risk (as point above)
- 17.10 Construction and decommissioning
- 17.11 Need to consider impacts on surface water overland flow paths (not just floodplain) and subsequent potential to increase offsite flood risk

##### Operation

- 17.12 Flood risk should be scoped in for Friston due to the historic and existing flood risk. Cannot comment on other sites as no assessment of surface water flood risk has been undertaken but if there is the potential to interact with existing surface water flow paths then this should be scoped in

#### Table 2.5.2, .3, .4, .5, .6

- 17.13 Receptors are only environment. Potential for silt to enter watercourses and reduce capacity/cause blockages, and subsequent impact on people and property should also be assessed

17.14 Interception/diversion of surface water overland flow paths no included as an impact pathway, but should be, and should be scoped in

**Item 2.5.7.2**

17.15 Data sources not appropriate in Friston catchment due to consented works

**Table 2.5.9**

17.16 Justify choice of receptors and lack of people/property

17.17 Temporary increase in runoff included in this table but I did not see this specifically in previous tables

17.18 It needs to be identified and agreed by SCC what return periods will be considered for mitigation of both construction and operational impacts as this will influence the likelihood, severity and ultimately risk rating of residual risks.

17.19 Stating what mitigation could be used for identified impacts is acceptable at a high level, but there will need to be a demonstration that this mitigation is deliverable within the Order Limits as part of/prior to Examination.

## 18 SCC Highways

- 18.1 Suffolk County Council will be the local Highway authority for the area impacted for those locations being considered for the northern onshore landing and its associated infrastructure for the Sea Link project. There are numerous challenges relating to access to the sites and as a result the potential for significant impacts on local communities of construction traffic.

### Strategic Road Network

- 18.2 At Paragraph 2.1.7.10 of the EIA Scoping Report it is stated the option area F and E have good access to the strategic highway network. SCC does not consider this is an accurate statement as the nearest strategic road is the A14 near Ipswich. This is also true of statements made with regard to convertor site 1 (2.1.8.7) site 2 (2.1.8.8)
- 18.3 The A12 between the A14 Seven Hills interchange and A47 Bascule Bridge at Lowestoft is part of SCC's major road network and is not part of the strategic roads network nor a trunk road as assumed in 2.8.4.2.

### Transport Impacts at Ports

- 18.4 The degree of traffic generated at ports for construction and operation of the marine cable route is unclear. If evidence is not provided to scoping out of these impacts and recognising that the selection of a port is unlikely to be possible at this stage, it may be necessary to include a Port Traffic Management Plan similar to that secured for EA1(N) and EA2.

### General Comments on Overarching Method

- 18.5 Paragraph 1.5.26 refers to the assessment as a realistic worst-case scenario, and SCC believe this should be reflected in the management, controls and monitoring processes that are put in place for the project.
- 18.6 Paragraph 1.5.4.6 includes reference to impact duration. SCC are concerned that whilst some impacts are short term, they need to be seen in the context of other short term contiguous impacts in the local area. For example, repeated road closures and traffic management affecting journey times and repeated increases in HGV movements on rural roads.
- 18.7 Reference is made to intra project effects at section 1.5.5. Consideration needs to be given to the relationship between impacts on Public Rights of Way (PRoW) and impacts on vulnerable road users on the highway network i.e. total impacts on severance, amenity, and delay. This means the proximity of receptors on PRoW need to be consider with regards to impacts on the highway network.
- 18.8 For inter project effects, the Applicant will be aware of the scale and number of projects in the area, and consideration needs to be given to the range of potential impacts as project programmes crossover, including the presence and absence of relevant mitigations. For highways, the area of significant impact can be wide and impacts as a result of HGV movements will be felt on communities along the A12, which needs to be considered as part of the assessment. SCC would recommend discussions on how these projects are treated, especially given the level of complexity in the number of potential scenarios.

## Policy

18.9 Chapter 2.8 sets out the details on the assessment of traffic and transport. Section 2.8.2.3 includes reference to the National Policy Statement EN-1, a number of paragraphs are quoted. The Applicant should also fully consider the following paragraphs of:

- Paragraph 5.13.9: *“The IPC should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.”*
- Paragraph 5.13.10: *“water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.”*
- Paragraph 5.13.11: *“The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that:*
  - *control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements.*
  - *make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and*
  - *ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.”*

18.10 The Draft National Policy Statement for Electricity Networks Infrastructure (EN-5) also includes the following statement at paragraph 2.8.1:

“When planning and evaluating the proposed development’s contribution to environmental and biodiversity net gain, it will be important – for both the Applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.5) with recognition that the linear nature of electricity networks infrastructure allows excellent opportunities to: i) reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or ii) connect people to the environment, for instance via footpaths and cycleways constructed in tandem with biodiversity enhancements.”

18.11 The Applicant should consider the opportunities that the development offers regarding green corridors and sustainable transport.

### **Scope of Area**

18.12 SCC welcomes the commitment at Paragraph 2.8.3.3 that the proposed study area will be subject to discussions with us and would be keen to reach agreement on this issue as early as possible. However, SCC could only confirm agreement on the scope of the assessment once further details on vehicle numbers and routeing were provided by the Applicant. When looking at those roads included at Paragraph 2.8.3, SCC consider that the following should be included:

18.13 A1094 between the A12 at Friday Street, Benhall and Church Common

- B1069 Church Road through Snape, Tunstall and the A1152 through Eyke to the A12 at Woods Lane Roundabout
- B1121 and B1119 through Saxmundham including the junctions with the A12
- B1119 between Saxmundham and Leiston
- B1122 between the A12 and Leiston
- B1125 between A12 and B1122

18.14 The assessment should also identify the impacts on the A12 between the A14 Seven Hills east of Ipswich and the A47 Bascule Bridge in Lowestoft; this is of particular concern given cumulative impacts with other projects along the corridor as evidenced at other recent DCOs.

18.15 A list of key junctions has been provided at Paragraph 2.8.3.5. SCC is unsure why these junctions have specifically been identified, and SCC consider that the following should be included:

- A12 / A1094 Friday Street junction, Benhall
- A12 / B1122 junction, Yoxford
- A12 / B1121 junction (Benhall)
- A12/ B1121 junction (Kelsale)
- A12 / B1119 junction, Rendham
- B1121/ B1121 junction, Benhall
- B1122 / B1125 junction, Theberton
- B1119 / B1122 junction at Leiston
- B1121 / B1119 junction at Saxmundham

- Both junctions of the A1094 with the B1069 (Snape / Friston)
- B1119 / Bucklewood Lane junction, Leiston

18.16 However, the final list may change dependent on location of the landfalls, cable corridors and convertor stations and as the quantity of traffic becomes clearer. The same is true for the scope of the PRoW that will need to be considered.

18.17 The geographical scope of the Traffic and Transport Study Area should remain flexible so that as more detailed information is made available, for example the sources of aggregates, the assessments limits can then be expanded or contracted as appropriate.

### **Existing baseline**

18.18 No details are provided on the extent or location of traffic surveys. This should be agreed with SCC prior to undertaking any surveys to avoid extraneous work.

### **Future baseline**

18.19 The number of schemes in the area makes undertaking future year assessments particularly complex, and so it is recommended this is agreed with the local authorities at an early stage and may require numerous scenarios to be tested.

### **Controls and Management Measures**

18.20 As set out at points TT01 and TT02 of paragraph 2.8.5.6, SCC strongly supports the inclusion of controls, monitoring, enforcement, and reporting for construction vehicle movements. This is considered of critical importance for determining the acceptability of the environmental assessment, and so the measures and methods should be agreed at as early a stage as possible. The management measures proposed cover HGV movements and routing, but also need to consider HGV peak hour movements, workforce movements and mode share, and AILs.

18.21 Further information is sought on the details around construction working hours and therefore hours of traffic movement, as well as shift patterns, to be reflected in relevant controls.

18.22 Where impacts are mitigated through measures included within management documents limiting values, the measurement and enforcement methodology should be clearly explained as should the relationship between such plans and requirements included within the dDCO. The enforcing authority should also be clear. SCC would usually expect to be the authority discharging transport related requirements or management plans.

### **Pre-commencement, Operation and Decommissioning**

- 18.23 Paragraph 2.8.6.5 states that the construction phase will be the focus of the assessment of transport effects. Whilst SCC agrees with the principle that the greatest effects are likely to be seen during this period, details of the operational and decommissioning phases, as indicated at paragraph 2.8.6.6, should be provided, including likely vehicle numbers and potential AIL movements. There is particular concern around access and maintenance (paragraph 2.8.6.14) during these periods, and the requirement for construction vehicles as a result. Therefore, until further details are provided, SCC requests that maintenance activities remain in the scope of assessment. Specific concerns are access routes for HGVs and AILs during the operational phase given the remote location of many of the sites. Given the uncertainties around conditions for future assessment, a commitment to a decommissioning plan to be agreed with the relevant authorities will be needed within the DCO.
- 18.24 Typically, a number of operations such as ground investigation, archaeology and site clearance are considered as pre commencement works in advance of commencement that typically triggers the measures within management plans. SCC would expect either sufficient evidence to show that impacts of pre-commencement activities are minimal or that a separate management plan is provided, as was secured for EA1(N) and EA2.
- 18.25 Accepting that it is difficult to quantify impacts of decommissioning so far in the future consideration could be given to including a requirement to assess these impacts at the relevant time.

### **Vehicle Types**

- 18.26 SCC welcome the breakdown of vehicle types as indicated at paragraph 2.8.6.11 and would expect this breakdown to be understood for the phasing of the project, including at each access. The breakdown should include AIL movements.
- 18.27 The definition of vehicle types, particularly HGVs, should be clearly explained in any assessment.

### **Data Sources**

- 18.28 The Applicant will need to include additional traffic survey locations to reflect those additional locations to the scope of assessment, as per the above. The Applicant will need to include daily traffic surveys, which will inform the hour of greatest change, as well as peak hour, and SCC welcomes seeking agreement on this scope as per Paragraph 2.8.7.2 and would recommend that traffic surveys are not undertaken until these details are agreed.
- 18.29 The geographical scope of traffic surveys should also be agreed with SCC as it currently omits the A12 corridor. Dependent on progress of consented NSIP sites data may be available from monitoring associated with these schemes.
- 18.30 It is likely that speed data may be needed for the proposed access locations to determine visibility requirements and so surveys should be included, as necessary. Care will need to be applied to selecting peak hours for assessment noting that these consented schemes include transport plans that offset construction traffic peaks from baseline peaks.

18.31 As per Paragraph 2.8.7.5, SCC would welcome discussions around the scope of the transport assessment.

### **Methodology**

18.32 SCC notes that the Applicant plans to use the Guidelines for the Environmental Assessment of Road Traffic (GEART) Methodology. Applying either GEART, sometimes supplemented by DMRB document LA112, methodology in the assessment of transport in recent DCOs has, in the authority's opinion, required greater flexibility in the approach particularly in terms of sensitivity of receptors and application of thresholds to reflect local circumstances. The thresholds within the document are not designed to be applied rigidly, and consideration needs to be undertaken of the local population. Through the DCO for Sizewell C, and EA1N, the sensitivity of links for the surrounding area was largely agreed, and this offers a comprehensive starting point.

18.33 Clarity is sought on paragraph 2.8.7.8, which states that it is proposed to assess links where traffic flows are expected to increase by 30%. This should clarify that this includes the proportional change in HGV movements as well as general traffic noting that the cumulative impact of consented and developing NSIPs complicates such assessment. It should also clarify the timescales for which the changes are being assessed, which should include the following as per the Guidelines:

- Hour of greatest change
- Peak hour.
- Daily.



- 18.34 As per the above, the consideration of affected parties at paragraph 2.8.7.13 and 14 could be supplemented, but not superseded, by LA 112, which provides some potential additional considerations.
- 18.35 As data collection and forecast assumptions have a degree of uncertainty some flexibility should be applied to the use of the GEART thresholds, and they should not be taken as absolute values.
- 18.36 Paragraph 2.8.16 sets out that a 'simple gravity model' will be developed for the workforce origins. SCC currently disagrees with this approach. SCC is of the opinion that there is significant risk in this approach given the number of large infrastructure projects in the area and therefore the availability of a local workforce depending on which project comes forward and when. It is considered that substantial consideration needs to be given to the availability of a workforce, the origin of the workforce and therefore its traffic impact. It is also noted that paragraph 2.11.7.11 sets out an estimated workforce and that a 'proportion of workers are likely to live locally to the site,' which will need to be robustly evidenced. Any assumptions around workforce origins within the socio-economic assessment should be agreed and reflected in the assessment of transport impacts.
- 18.37 Within 2.8.7.13 the IEMA list of affected parties is listed. A significant feature of East Suffolk is the importance of tourism and recreational use of highways and PRow in the area, not necessarily focused on a specific site.
- 18.38 SCC would expect to be provided with any data that is informing the forecast traffic profile as per Paragraph 2.8.7.18, and that these forecasts would be reflected in the management measures set out within the CTMP.

### **Impact pathways and receptors**

- 18.39 It is noted that under construction and decommissioning: results in PRow diversions and closures that these impacts are scoped out for road links and junction. There may be a misunderstanding by what this means but for clarity SCC would expect that if PRow diversions used roads as a diversion route that there will be impacts for PRow, national and regional walking and cycle routes and Road users.

### **Transport Assessment Scope**

- 18.40 The scope of the Transport Assessment should include details on the access arrangements including drawings showing vehicle swept paths and visibility splays that would be appropriate for a planning submission.
- 18.41 Depending on the assessed impacts, junction modelling may be required, as was undertaken for EA1N and EA2; however, it is recognised that this would be determined by future work.
- 18.42 If any abnormal loads use SCC maintained roads the authority would require structural assessments in addition to swept path analysis. As noted above SCC considers that sufficient infrastructure should be provided to allow access to substation and converter sites in the area both during construction and the operational phases considering that the proposed locations are not well served by transport connections.

## Sensitivity of Links

18.43 Table 2.8.7 provides an indication of the proposed method for determining sensitivity of receptors. SCC does not disagree with the approach in principle, albeit further consideration would be needed when looking at specific locations, especially when defining sensitive users and the need for crossing roads to access facilities. Consideration is also needed over the quality of the existing vulnerable road user infrastructure e.g. width of footways and presence of crossing facilities. Wherever possible sensitivity should be based on evidence rather than just professional judgement.

18.44 Paragraph 2.8.7.22 sets out that it is proposed to scope out impacts on the railway network given the use of trenchless methods. Whilst it is noted that the line provides services access to Sizewell. It will be of critical importance to the Sizewell C materials strategy, and any potential disruption to this strategy is considered unacceptable by SCC.

## Magnitude

18.45 SCC makes the following comments for each of the proposed assessments of magnitude:

- Severance: DMRB Volume 11, Section 3 Part 8 has been superseded by LA 112. LA 112 is not considered by SCC an appropriate document for basing an assessment for changes in severance as a result of construction traffic.
- Pedestrian Delay: Further information is sought on how the relative change in delay will be assessed.
- Pedestrian and Cycle Amenity: It is recognised that the thresholds suggested are 'tentative' and so should be treated as such.
- Fear and Intimidation: SCC welcomes consideration on a case-by-case basis but would caution overreliance on professional judgement without supporting evidence. In the rural areas of Suffolk, a key factor is considered to be the general absence, or limited width, of footways along many roads.
- Driver Delay: It is noted that there may be limited changes, but given the numerous projects in the area, the Applicant should be mindful of the potential for cumulative impacts. Delay may also occur due to traffic management measures implemented by this or other NSIP projects.
- Highway Safety: Consideration should be given to whether the most recent five years is the most appropriate dataset given changes in travel patterns during and post the Pandemic.

- 18.46 The thresholds provided at Table 2.8.8, whilst indicative and providing a helpful starting point should not be treated as absolutes given the varying characteristics of locations and that proportional differences can be very different if the baselines are different.
- 18.47 Paragraph 2.8.7.38 includes reference that ‘residual effects will be reported taking into account professional judgment on the duration over which effects are likely to be experienced.’ Whilst it is recognised that professional judgment is required for the assessment, SCC would recommend that where impacts are dismissed due to being short term, this is based on evidence. SCC is also particularly concerned about the potential for repeated ‘short-term’ effects on local communities associated with the number of projects in the area, and the Applicant should consider this as part of their cumulative assessment.
- 18.48 SSC’s position is that the impacts on PRow are a topic in their own right and should not be considered in others such as landscape and social economics and tourism. To do so makes assessment fragmentary and will not reflect the true impact on users of the PRow network

## 19 SCC Landscape and Visual

### Relationships with other parts of the EIA

19.1 The approach to scoping set out in 2.2.1, does not explicitly recognise the relationships between landscape and visual matters and other parts of the EIA, specifically ecology, historic environment, socioeconomics and tourism and traffic and transport. SCC considers that to ensure a comprehensive assessment of landscape and visual effects the relationships between this chapter and other matters in the EIA should be clearly recognised. It is notable that such relationships are explicitly recognised in the scoping for the East Anglian GREEN project, also promoted by National Grid Electricity Transmissions (NGET).

### Data Sources and Baseline

19.2 The relevant data sources proposed appear to be appropriate and largely comprehensive. However, in addition SCC would also recommend reference to the Designation History Series, as it relates to the Suffolk Coast and Heaths AONB<sup>1</sup>. This has informed consideration of other large scale energy infrastructure projects on the Suffolk coast.

19.3 In addition, the applicant should be aware of the cultural importance and sensitivity of the Suffolk coast, including the Aldeburgh/Snape area. A detailed overview of these issues is provided in the introductory material of the Suffolk, Norfolk, and North Essex Seascape Character Assessment<sup>2</sup> and reference should be made to this.

### Viewpoint Locations

19.4 Initial proposals for representative viewpoints are set out on pages 26 and 37 of the scoping report and shown in Figures 2.2.9 (Site 1) and 2.2.10 (Site 3).

19.5 SCC notes that the same set of viewpoints has been used for both Site 1 and Site 3 and the various options. The results in some viewpoints being located outside the ZTVs for one or both sites and/or in slightly odd locations (e.g. VP8), although for each site and its options, several viewpoints are then omitted from the tables. While the intention may have been to streamline the viewpoints, Figures 2.2.9 and 2.2.10 become more difficult to read and interpret.

19.6 For the purposes of clarity, each proposal option should have its own figure, showing only the viewpoints relevant to this option. By doing this it is likely to become more evident that, while there may be some overlap, the different options will require individual sets of representative viewpoints.

19.7 SCC reserves the right to request additional viewpoints, or revised viewpoints, to support the final EIA that will be submitted with the DCO application.

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<sup>1</sup> [EN010078-004113-SCC The Designation History of the Suffolk Coast and Heaths AONB 220221.pdf](https://planninginspectorate.gov.uk/EN010078-004113-SCC%20The%20Designation%20History%20of%20the%20Suffolk%20Coast%20and%20Heaths%20AONB%20220221.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

<sup>2</sup> [https://suffolklandscape.org.uk/wp-content/uploads/2020/08/Part1\\_5997\\_Assessment\\_V1\\_10\\_Issue\\_web.pdf](https://suffolklandscape.org.uk/wp-content/uploads/2020/08/Part1_5997_Assessment_V1_10_Issue_web.pdf)

19.8 The scoping document only appears to consider representative viewpoints. Given the scale and sensitivity of the project on its own, and in combination with other projects, and given the very high level of public interest, SCC considers it is also necessary to include both specific viewpoints and illustrative viewpoints, as discussed in paragraph 6.19 of GLVIA 3. Finally, Specific viewpoints may be required to understand impacts on specific heritage assets, which is a matter outside the scope of the LVIA.

### **Visual Representations - Methodology**

19.9 SCC would expect that the applicant would provide, as soon as is reasonably practicable, a detailed methodology and rationale for the preparation of visualisations, be that photomontages, wire frame, or annotated viewpoint photography. The latter may be helpful and important in promoting wider public understanding of the project, and its anticipated effects. Agreement on methodology, with the relevant local authorities, supported with sample pages for each visualisation type, would be expected prior to the preparation of the visualisations.

19.10 A further important aspect of the visualisations will be the realistic representation of any proposed mitigation planting, and its effectiveness. Therefore, both the representation of future mitigation planting, and the anticipated growth rates of that planting, should be agreed with the relevant local authorities and other relevant consultees, prior to preparation of any visualisations.

### **Impacts on the Fabric of the Landscape**

19.11 2.2.5.4 (LV02) is noted, an Arboriculture Strategy will be required, for review by the relevant officers at East Suffolk Council.

19.12 However, based on the experience of similar projects elsewhere in Suffolk, a comprehensive approach to important hedgerows under the Hedgerow Regulations 1997 will also be required. This should identify all hedgerows along the routes that are important under the various historic and designation related criteria, in addition to the ecological matters under the regulations as set out in Section 3 and Schedule 1 of the regulations.

19.13 Furthermore, all hedgerows along the route to be removed to facilitate construction should be surveyed in detail in advance to inform specific and appropriate planting schemes for their restoration, as well as mitigation for the adverse ecological impacts caused by their temporary loss as mature features in the landscape.

19.14 Additional impacts are also anticipated due to the creation of construction access and laydown areas, so these areas will also need to be considered.

### **Sources of Construction Impacts**

19.15 These should include loss of vegetation.

## Operational Lighting

19.16 There appears to be an inconsistency in the approach to this matter. Operational Lighting is scoped in for all emerging preferences and alternative options (vol. 1 part 2 p124) in relation to ecology, whereas it is scoped out for landscape and visual amenity (p43). SCC considers this is neither appropriate nor consistent and converter station lighting should be scoped in for landscape and visual amenity.

## Cumulative Impacts at the Friston Substation Site

19.17 Whilst acknowledging the current attempts by National Grid Ventures to seek a connection point for the Nautilus project at the Isle of Grain<sup>3</sup>, SCC considers that it is still a reasonably likely worst-case scenario that three DC interconnectors will link to the transmission network at Friston. Therefore, it will be essential for all parties involved to collaborate in the effective redesign of the Friston masterplan<sup>4</sup>, that supported the application proposals for East Anglia 1 North and East Anglia 2.

19.18 It is anticipated this collaboration will have an impact on the discharge of detailed design requirements for those two wind farm projects, in that location, including engagement with communities on detailed design matters, as specified in those consents. SCC recognises that East Suffolk Council generally takes the lead on these matters as the discharging authority.

## Cumulative Impacts at Converter Station Site 1

### Suffolk Coasts and Heaths AONB

19.19 It is welcome that permanent alteration to landscape character of the AONB is scoped in (p50) for operation, although the applicant's initial position is that harm will be less than significant. However, SCC considers it essential, based on current information, that the cumulative impact (both landscape and visual) of three converter stations located at Site 1 should be assessed.

19.20 It is noted that potential effects on the AONB have been scoped out entirely for the operation of Site 3 (p53) as it has been identified that there is no potential for effects on the setting of the designation.

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<sup>3</sup> [About Nautilus | National Grid Group](#)

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010078/EN010078-005116-ExA.AS-6.D11.V3 EA2 Substations Design Principles Statement.pdf>

## LVIA Methodology

19.21 The LVIA methodology provided in 2.2.7 is broadly acceptable. However, the following points should be considered:

- i. 2.2.7.1 data sources should include published seascape assessments.
- ii. It is noted that Table 2.2.12 refers to the condition of a landscape as a criterion to assess its value, which is welcome. SCC agrees that the assessment should specifically consider the value of all landscape affected by the proposals in relation to landscape characteristic features, in addition to any national or local designation.
- iii. 2.2.7.16 / 2.2.7.18 Magnitude of effect refers to Part 1, Chapter 5, EIA Approach and Methodology for the definition of short, medium, and long-term effects; however, this does not appear to have been provided. The main differentiation found was between temporary and permanent effects (Part 1, 1.5.3.7). SCC considers that a clear definition of short, medium, and long term is essential for the assessment of effects and proposed mitigation and should be provided for the purposes of LVIA. The relationship of these definitions to the terms temporary and permanent should also be defined.
- iv. It is welcome that level of effects of moderate or above will be generally considered significant. However, SCC considers that even a partial loss of characteristic landscape features may result in moderate adverse effects (or above), if the landscape in question is in good or very good condition and presents many or all, of the relevant characteristic landscape features and would ask that Table 2.2.16 be revised accordingly.

## **20 SCC Public Rights of Way**

### **Planning Policy**

- 20.1 The NPPF refers to the Public Rights of Way network specifically:
- 20.2 100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

### **Local Planning Policy**

- 20.3 Suffolk County Council Green Access Strategy 2020-2030 (Rights of Way Improvement Plan) should be included as relevant local planning guidance. The plan sets out SCC's commitment to ensuring and promoting sustainable travel options for all. The strategy focuses on walking and cycling for commuting, accessing services and facilities, and for leisure reasons. Specifically, 2.1 "Seeks opportunities to enhance public rights of way, including new linkages and upgrading routes where there is a need, to improve access for all and support healthy and sustainable access between communities and services. Funding to be sought through development and transport funding, external grants, other councils, and partnership working."
- 20.4 SCC will expect enhancements to the network in addition to mitigation, compensation, and management strategies that will ensure that the public; residents and tourists alike, retain the quantity and quality of access provision.

### **Methodology**

- 20.5 The EIA does not holistically consider how the potentially significant effects that may arise from construction and operation on the public rights of way & access network and its amenity value, will be assessed. The access network includes public rights of way, permissive access, open access land and promoted routes.
- 20.6 The assessment considers aspects of this access network within the assessments for landscape & visual, traffic and transport, socioeconomics, recreation and tourism, noise, air quality and health & wellbeing.
- 20.7 This potentially gives rise to a weakness in the EIA process, as recognised in PINS advice note 9, that when considered individually, an impact might be assessed as not significant, but if the impacts had been considered collectively for that receptor, they could be significant. A walker, cyclist or horse rider using a public right of way or on open access land experiences the countryside, and hence any impacts, holistically; namely the quality and diversity of the views, wildlife and natural features, the sense of wildness, peace and quiet, the presence (and absence) of traffic, noise, lighting and air quality, and the connectivity of the network.



20.8 Therefore, the County Council's position is that the impact on both the physical resource and the amenity value of the public rights of way and access network should be addressed as a separate theme within an Environmental Assessment. This should include the effect on the physical resource from temporary or permanent closures and diversions, and on the quality of user experience. Consideration should be given to the assessment methodology used for access and amenity in the Sizewell C Project which included the assessment of: -

- Physical changes to resources (for example, changes to PRow through diversions or creation of new road crossings)
- Changes to the experience people have when using recreational resources due to perceptual or actual changes to views, noise, air quality or traffic movements
- Changes to the experience people have when using recreational resources due to increases in the numbers of people using them

20.9 For example, a possible permanent diversion of Sloe Lane public bridleway (E-260/12A) within converter station site 1 may achieve the same number of metres of bridleway, but the quality of the experience for the users would be significantly changed (diminished) by the proximity to a construction site and a permanent urbanisation of a previously rural environment. How will this impact be assessed?

## **Cumulative Impact**

- 20.10 The cumulative impact of this proposal with the other existing energy projects consented and proposed in this area is concerning. It is highly likely that there will be inter-project effects that will impact on the access network and its users. The lack of a single assessment approach for public rights of way, access and amenity could weaken the recognition of, and assessment of the cumulative effects, in particular the repeated closure or diversion of public rights of way, and the increased duration of these impacts as a result of the stream of NSIPs in a relatively small geographical area
- 20.11 The impact of temporary closures of PRow should not be underestimated, as their value for local amenity could be severely reduced or removed during works. It will be unacceptable for the public to lose their amenity by the effective sterilisation of an area due to closures and disruptions from parallel or concurrent projects.
- 20.12 There will need to be mitigation, compensation, and management strategies to ensure that the public; residents and tourists alike, retain the quantity and quality of access provision.

## **Pre-commencement works**

- 20.13 These can typically include archaeological, ecological, site investigations and site clearance and in other NSIPs have not been included in the post commencement plans or within the DCO controls for temporary closures of PRow. This raises concern as to the potential impact of these works on the access network specifically the level and control of traffic using PRow for site access, and how PRow will be managed during survey and site clearance works. It is suggested that the applicant consider a pre-construction management plan as was provided for EA1N and EA2.

## **PRow Agreements & Decision Making**

- 20.14 Discussions/decisions and agreements relating to public rights of way and open access land should be with the Highway Authority and Access Authority respectively, namely, Suffolk County Council.
- 20.15 SCC as Local Highway Authority should be the discharging authority for any highway works.

## **Specific PRow Comments to the Contents of Sea Link EIA Scoping Report Vol. 1 Main Text Part 2 Suffolk Onshore Scheme**

### **2.11 Socioeconomics, Recreation & Tourism**

- 2.11.15 The assessment refers to recreational routes and PRow throughout and it is not clear what this includes. It should include PRow, open access land, permissive access, promoted routes, cycle routes, and their users. This full range should be used in subsequent sources and impact tables for the various sites (2.11.3- 2.11.8).
- 2.11.4.2 The baseline information should also include open access land and all nationally, regionally, and locally promoted routes such as the Sailors Path Walk and Suffolk Sandlings Cycle routes.

Baseline data for PRow must be obtained from the Definitive Map, the legal record of PRow, held by SCC and available as digital files.

2.11.5.3 Suitable diversions where there could be temporary or permanent disruption to PRow & recreational routes should be agreed with the Highway Authority in consultation with the LPA, and not the other way round.

2.11.7.5 SCC welcomes the assessment taking account of the qualitative sensitivity of each receptor and hopes that this will ensure that the impact on the amenity value of the access network is adequately assessed in the ES.

## **2.2 Landscape & Visual**

### **Baseline**

2.2.4.20 The assessment refers to recreational routes and PRow throughout and this should include PRow, open access land, permissive access, promoted routes, cycle routes, and their users. This should include the England Coast Path National Trail which has been approved by the SoS for this area, the Suffolk Coast Path and Sandlings Walk.

### **Representative Viewpoint locations**

2.2.4.21 If a PRow is proposed to be permanently diverted to accommodate a converter station, then this new route should be included in the representative viewpoint locations.

#### **Table 2.2.1- 2.2.5 Viewpoint locations for all sites**

Viewpoint 2 is not a representative viewpoint for the users of the PRow network in Friston. It is suggested that there should be a viewpoint on the public footpath immediately to the west of the proposed extended National Grid substation, as this extension will bring the construction works and new build closer to this footpath (E-260/17/0)

Viewpoint 9 – this is public bridleway and so the viewpoint should be from the perspective of both pedestrians, and someone seated on horseback.

Viewpoint 19 – suggest a viewpoint on adjacent footpaths to be more representative for users as FP22 (E-354/22/0) is a low use path compared to BR 2 (E-354/002/0) or FP5 (E-354/005/0).

Viewpoint 3 – is on the west side of the town centre. There should be a viewpoint immediately east of Saxmundham on the B1119 at the start

of the public footpath, FP23 (E-460/23/0) as this path will directly cross the proposed converter site 3.

Viewpoint 5 – is the England Coast Path and Suffolk Coast Path, not the Sailors Path

Viewpoint 7 – is the England Coast Path, Suffolk Coast Path, and the Sailors Path.

Viewpoint 17 -is the England Coast Path, Suffolk Coast Path, and the Sailors Path

2.2.4.32 **Visualisations** – There should be visualisations of the proposed extension to the Friston substation as these works will result in that site being closer to the public footpath immediately to the west and northwest E-260/17/0. Further extensions for Eurolink and Nautilus will cumulatively not be minor.

#### 2.2.6.9 **Impact Pathways with receptors**

Receptors are described as recreational routes and access land. See point 2.2.4.20; the baseline should make it clear what is included in this description.

## 2.8 Traffic & Transport

2.8.2.12 Suffolk County Council Green Access Strategy (Rights of Way Improvement Plan) should be included as relevant local planning guidance.

2.8.3.6 The England Coast Path National Trail is within the study area. This part of the National Trail was approved by the Secretary of State on the 29<sup>th</sup> January 2020 and is currently awaiting implementation works which would bring the legal rights into effect. SCC anticipates that these works will take place in 2023-24 and hence should be scoped into this application.

2.8.4.1 It is stated that AECOM WebGIS has been used as the source for defining and labelling the routes of public right of way. However, the legal record for PRow, the Definitive Map & Statement is held by Suffolk County Council and so the applicant is advised to acquire the digital data directly from the county council.

Labelling on maps and in the document should follow the normal SCC convention of Area – Parish number/path number, i.e., E-260/007, and not the PROW ID code as that is meaningless to the public and not used by SCC.

2.8.4.10 The active travel network lists 'bridleways and shared walking and cycling routes'. This should also include public footpaths. Same comment for all sites (2.8.4.20, 2.8.4.30, 2.8.4.40, 2.8.4.50)

- 2.8.4.11 Should also include the England Coast Path National Trail. Same comment for all sites (2.8.4.11, 2.8.4.21, 2.8.4.31, 2.8.4.41 and 2.8.4.51).
- 2.8.5.5 Control & Management measures should consider the production of a pre-construction management plan to capture activities that could impact prior to commencement
- 2.8.5.6 TT03 SCC seeks a firm commitment to minimising disruption to the access network and its users. Please refer to Appendix 1 for the County Council guidance.

#### **Impact Pathways with receptors – comments below relevant to Table 2.8.2-2.8.6**

The impact pathway that recognises decline in pedestrian and cyclist amenity must also include horse riders as users of the road network and the public bridleways within the converter station and landfall sites and cable corridors.

Construction & decommissioning – Results in PRow diversions and/or closures

National/regional walking and cycling routes should be scoped in, many of these routes are using the PRow.

#### **2.8.7 Proposed assessment methodology**

As explained in the summary, it is SCC's view that the impacts on the access network should be considered as a topic in its own right in order to reflect the true impact on the physical network and most crucially on the users (receptors) of that network.

- 2.8.7.6 Includes PRow diversions and/or closures as a criteria to be considered in the assessment. It is not clear if this solely refers to the impact of traffic on PRow, or to the fact that PRow are public highways in their own right, and in which case, the assessment should be considering the impact on all the non-motorised users, walkers, cyclists, and horse riders.

#### **2.8.7.19 Transport Assessment**

The description of the existing baseline for PRow should start with the depiction and labelling of PRow as shown on the Definitive Map -see 2.8.4.1

The requirement to carry out surveys should be agreed with the relevant highway authority, rather than the local planning authority

#### **Table 2.8.7 Sensitivity of receptors**

This should also include horse riders as both users of the road network and public bridleways of which there are several within the sites and preference areas.

It is not clear how the assessment will define the sensitivity of users of the PRoW network. The receptor examples appear to relate PRoW to highway links and junctions, or as 'walk/cycle links; lightly to heavily trafficked highways.' How will the assessment approach assessing a popular local walking route on a PRoW across open countryside? Will each PRoW be assessed individually and as part of the connected network?

#### **2.8.7.31 & Table 2.8.9 Magnitude of impact**

The states thresholds are a useful starting point but should be based on evidence and data, as well as the use of professional judgement. For example, the temporary closure of a single PRoW with a longer diversion is categorised as a small magnitude, but in reality, if this is the only PRoW that serves the community, or is the only bridleway allowing horse riding, then the magnitude of that impact, and the sensitivity of the receptor would not be small.

#### **2.8.8.3 Scope of the assessment**

The methodology also needs to consider permanent diversions of PRoW. Both converter sites 1 and 3 are crossed by public rights of way which may need to be permanently diverted.

Table 2.8.11 – 2.8.15 PRoW diversions and /or closures, and National/regional walking & cycle routes should be scoped in for the operation and maintenance phases if a permanent diversion has taken place, such as at a converter site; the quality of the user experience will have been irrevocably changed by the presence of the converter station and that should be captured in the assessment.

### **Principles for working with Public Rights of Way**

SCC expects the following principles to be adhered to for this development at all sites; landfall, converter sites, extension to the National Grid substation and the terrestrial corridor: -

- Early engagement with SCC PRoW & Access Team to discuss the impact on and management of the PRoW & access network. SCC is the Highway Authority for public rights of way and the Access Authority for Open Access land and the National Trail.
- The Applicant must obtain the Definitive Map and Statement from the PRoW & Access Team at SCC. This is the only source of the up-to-date record of the PRoW (supplied digitally).
- Public rights of way should be marked on plans using the SCC digital data and labelled as per the Definitive Map and SCC convention (Area -parish

number - path number)

- Where PRoW are directly impacted, a pre and post condition survey must be carried out including identification and assessment of surface condition and with a scope of coverage and methodology to be agreed with SCC as Highway Authority. This should include pre-construction work where PRoW might be used to gain access to the corridor and reinforcement works might be required prior to use by vehicles.
- Where impacted by the works, any PROW will be restored to original condition or to a condition agreed with SCC - where there are existing defects, the applicant should agree restoration measures with SCC.
- Where PRoW cross the cable corridor, haul road, access tracks and other sites, the surface must be always kept in a safe and fit condition for all users to the satisfaction of SCC.
- Pre-construction works must not obstruct or disturb any public rights of way (e.g., new fencing, archaeology surveys etc) unless otherwise agreed with the County Council. Management measures or temporary closures not covered in the DCO must be by application to SCC.
- Public rights of way that are used for any stage of construction access should remain open, safe, and fit for the public to always use with management measures put in place with the agreement of SCC.
- Any temporary closure of a PRoW must be agreed with SCC and the duration kept to the minimum necessary
- An alternative route must be provided for any public right of way that is to be temporarily closed prior to closure to a standard agreed with the SCC.
- The location of alternative routes to be agreed with SCC.
- Any alternative route must be safe and fit for the public to always use – suitable surface, gradient and distance with no additional road walking between the natural destination points.
- Any temporary closure and alternative route will be advertised in advance on site and in the local media, and to the local parish councils including a map showing the extent of the closure and alternative route – process and cost to be agreed between applicant and SCC.
- There will be no new gates or stiles erected on any public rights of way that are impacted by the cable corridor and any other associated site.

**21 Other Potential Impacts**

- 21.1 It is acknowledged that this scheme could potentially cause impacts for the emergency services with reference to potential highways diversions, AIL movements and related traffic delays.
- 21.2 SCC requests that the applicant considers the cumulative impacts of construction activities on local communities of a number of projects potentially occurring with overlapping timescales in the area of the Sea Link proposals.
- 21.3 These cumulative impacts would include noise, traffic delays caused by diversions or an increase of HGV movements and related issues for pedestrians crossing roads, and an increase in the demand of rental accommodation.



**From:** [Katie Smyth](#) on behalf of [Planning Consultations/EAI/SCC](#)  
**To:** [South East Anglia Link](#)  
**Subject:** Sea Link, Application by National Grid Electricity Transmission plc  
**Date:** 21 November 2022 11:55:47  
**Attachments:** [image001.png](#)


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Dear Sir/Madam,

Thank you for consulting Surrey County Council as the Minerals and Waste Planning Authority on the application for an order granting Development Consent for the Sea Link (Ref: EN020026-000024-221025).

The Minerals and Waste Planning Authority have no comments to make.

Kind regards,

	<p><b>Katie Smyth</b> <b>Planning Officer</b> Planning Group, Surrey County Council, Quadrant Court, Woking, GU22 7QQ Mob: [REDACTED]</p>
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Date: 22nd November 2022

Direct Dial: [REDACTED]

E.mail: [REDACTED]



Dear Ms Shoesmith,

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA REGULATIONS) - REGULATIONS 10 AND 11**

**PROPOSAL: INSTALLATION OF A HIGH VOLTAGE DIRECT CURRENT (HVDC) LINK BETWEEN THE PROPOSED FRISTON SUBSTATION IN THE SIZEWELL AREA OF SUFFOLK AND THE EXISTING RICHBOROUGH TO CANTERBURY 400KV OVERHEAD LINE CLOSE TO RICHBOROUGH IN KENT**

**LOCATION: RICHBOROUGH, KENT**

Thank you for the consultation and notification of the Applicant's request to the Planning Inspectorate on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the proposed development.

Our response will focus on the Kent Onshore Scheme and specifically the Landscape and Visual Impacts, Agriculture and Soils, Air Quality, Noise and Vibration and Socio-economics, Recreation & Tourism Sections. We will defer to Kent County Council, Natural England and the Environment Agency for matters relating to Ecology and Biodiversity, Cultural Heritage, Water Environment, Geology and Hydrogeology, Traffic and Transport, Health and Wellbeing.

Landscape and Visual Impacts Assessment

The Landscape Character Assessment SPD has been referred to, it has full weight of Planning Policy and must form part of the assessment of Landscape and Visual Impact Assessment and Scope of the EIA.

In terms of the representative viewpoint locations identified for inclusion in the Landscape and Visual Impact Assessment, we consider the locations identified to be appropriate and we request inclusion of the following additional viewpoint locations:

<b>Location description</b>	<b>Reason for inclusion</b>
Junction of Ebbsfleet Lane North/Grinsell Hill	Part of the Viking Coastal route, sensitivity for residential, pedestrian and vehicle receptors
Junction of Canterbury Road West and A299 (western extent of northern part of	Residential and vehicle receptors, features of Landscape Character Area (views of

Cliffsend)	Sandwich and Pegwell Bay)
Lord of the Manor Roundabout (Sandwich Road junction)	Pedestrian and vehicle receptors, large number of movements with long distance view towards the site, close proximity to Public Rights of Way Network.
Intersection of Te40 and Te37	Pedestrian route on public network, features of Landscape Character Area (views of Sandwich and Pegwell Bay)

Given that the parameters will be broad in terms of scale, with no detail submitted in this respect up front of the Development Consent Order (DCO) it is considered that specific material and colour details should be provided alongside wireframe visual representation at each viewpoint, as a minimum, presenting the worst case scenario in terms of the scale and extent of development within those viewpoint locations identified.

#### Agriculture and Soils

The Council considers that the approach towards assessment of soil characteristics and Agricultural Land Classification surveys; and the subsequent methodology for scoping in/out this aspect within the ES to be acceptable.

#### Air Quality

The Council's Senior Environmental Health Officer has reviewed the Air Quality Section of the document and considers that appropriate screening methodologies and baseline information has been used to scope out operational sources, maintenance and construction NNRM plant but scoped in for some construction impacts identified on Page 214. The screening assessment has been done using relevant guidance, that is; IAQM for construction impact, IAQM for AQ & Planning and TG16 LAQM taking into account embedded CEMP mitigation is set out in 1.4 A3. Scoping conclusions are accepted for human health receptors. Natural England will comment for environmentally sensitive receptors.

#### Noise and Vibration

The Council's Senior Environmental Health Officer has reviewed the Noise and Vibration Section of the document and considers that very few impacts have been scoped out and those that have are based on appropriate assessment methodologies distances. No further comments other than as above, Natural England will respond in relation to environmentally sensitive receptors.

#### Socio-economics, Recreation & Tourism

The Council has no particular comments in relation to this area of assessment other than to say it is considered that the impacts that have been scoped in are appropriate. Kent County Council will respond in relation to any impacts on Public Rights of Way.

#### Cumulative Effects

The list of projects proposed to be taken forward to Stage 2 in table 3.13.3 is considered acceptable at this point. We would welcome further engagement with the applicant prior to finalising the assessment in this section of the EIA to ensure that any relevant projects

generated in the next 6 months are included where appropriate.

Should you have any further queries please do not hesitate to contact me either by email at [REDACTED] or telephone [REDACTED]

Yours sincerely

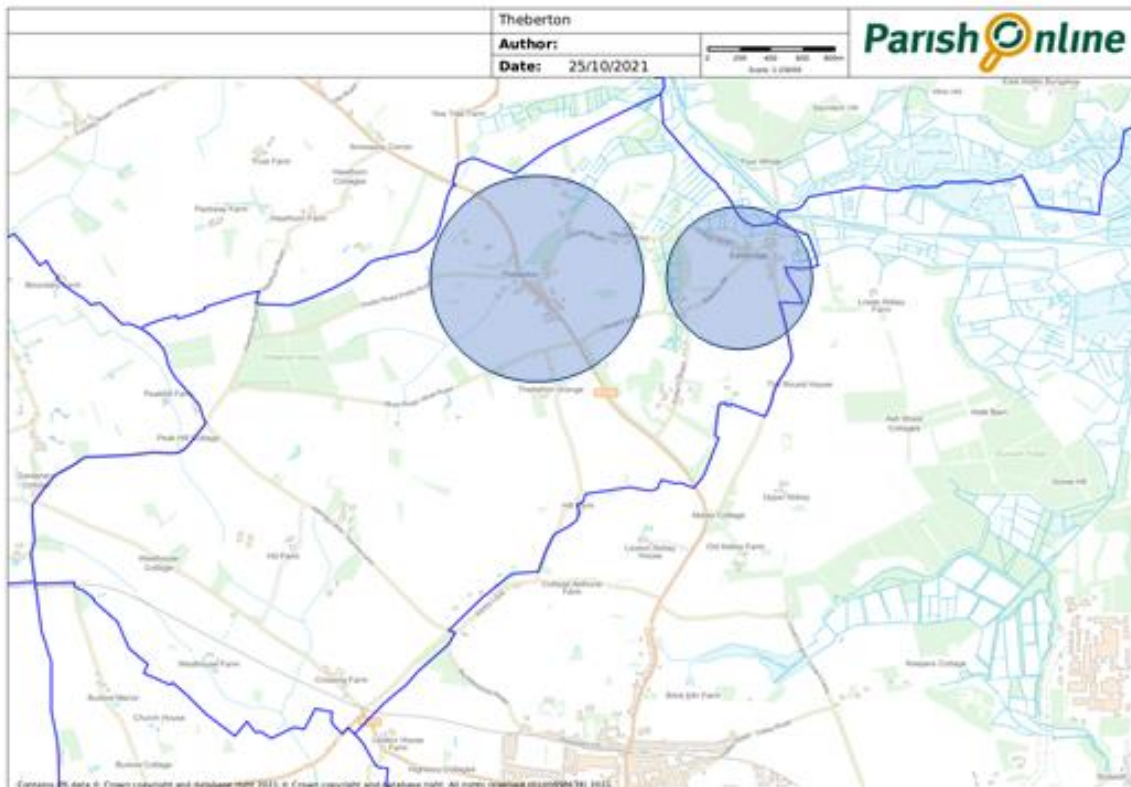
[REDACTED]

Iain Livingstone  
Planning Applications Manager

# NATIONAL GRID VENTURES – SEA LINK INTERCONNECTOR SCOPING REPORT OPINION CONSULTATION

## RESPONSE FROM THEBERTON AND EASTBRIDGE PARISH COUNCIL (T&EPC)

### Introduction



### ***Theberton***

Theberton is a small village of approximately 170 people and 90 houses mostly straddling the B1122. It is about 4 miles north of the proposed Sizewell C (SZC) large twin reactor site. The proposed entrance to the main site will be approximately 1 mile from the village entrance sign. Within the village of Theberton there is St Peters Church, a Grade I listed thatched roof church with an unusual round tower, a Grade II listed public house, a village hall, two working farms, a cattery, a small business selling wild bird and other animal feeds, a small caravan park and other places to stay for visitors to enjoy the peace and quiet of the countryside. The successful village hall offers many activities and classes to the community and surrounding areas.

### ***Eastbridge***

Eastbridge is a tranquil hamlet of around 70 people and 40 houses nestled in a rural landscape with no street signs or speed limits. It borders the Minsmere River which cuts through an area of important wetland known as the Minsmere Levels forming part of the Minsmere - Walberswick Heaths and Marshes Site of Special Scientific Interest (SSSI), which is also the location of RSPB Minsmere Reserve. Within Eastbridge there is a public house, the Eels Foot Inn, a working farm, a certified and a basic campsite, for visitors to enjoy the peace and quiet of the countryside. Many local people and visitors enjoy the circular walk from Eastbridge to the Minsmere sluice to reach the Suffolk Heritage Coast and the sea returning through RSPB Minsmere or via National Trust's Dunwich Coastguards Cottages.

Both villages are chiefly agricultural, and people live there historically or by choice for the tranquility, dark skies, and the proximity to the Suffolk Heritage Coast. The two villages are linked by single track lanes with walks in the countryside characterised by open skies, arable and livestock farms, pheasants, partridge, owls, marsh harriers, buzzards, bittern, deer, bats and other wildlife. Residents and visitors enjoy the proximity to RSPB's flagship nature reserve at Minsmere with the Leiston Long Shop Museum, National Trust Dunwich Heath, Aldeburgh, Walberswick and Southwold within easy reach.

## 1. Response

- 1.1 Our major concern is that all the National Strategic Infrastructure energy projects should collectively minimize their onshore impacts on both the Area of Outstanding Natural Beauty, Heritage Coast and the National and International designated sites that overlap along the coastal strip and the inland rural/agricultural land to the west of the AONB and around Leiston, Saxmundham, Aldeburgh and the various outlying villages such as Theberton and Eastbridge.
- 1.2 We are also concerned that some of the optioneering in Suffolk for the landfall and converter stations is fanciful and would appear only to be there to justify the eventual preference.
- 1.3 We also note that proposals being discussed by Sea Link, Eurolink and Nautilus about having a common landfall in Suffolk as well as a potential single converter station site are not referenced in the overview section of the Scoping Report.

## 2. Siting and Cable Routes

- 2.1 Should Scottish Power's (SPR) EA1N and EA2 and the associated NGS not be approved, then T&EPC would have to withdraw these comments and reconsider any amended proposals in the light of such a decision.
- 2.2 On the assumption that EA1N, EA2 windfarm and National Grid substation (NGS) north of Friston are approved and constructed, we feel that any Sea Link converter station and links from the shore and to the National Grid substation from the converter station should minimize the spread of infrastructure and length of cable routes as far as possible.
- 2.3 On the basis that EA1N/EA2 and the NGS are approved, whilst only one of the converter substation sites, option C, lies within the T&E Parish boundary, option A (very close to T&E Parish boundary) is now impractical considering this is on land destined to be part of the construction site for Sizewell C, having now had approval by the Secretary of State (subject to challenge and financial agreements). Option B is within the AONB and is in contravention of National Grid's [Horlock](#) rules for substation siting, although both Greater Gabbard and Galloper wind farms already have substations in this area.
- 2.4 Options G, H and I require unnecessarily long cable corridors as both pass the westward extent of the Friston substation site, are also west of the East Suffolk train line and, in the case of G, west of the A12 which would add complications to any cable trench development.
- 2.5 Our concern with many of these potential sites is the industrialization of the countryside around Leiston, Friston, Knodishall, Theberton and Saxmundham alongside the knowledge that there are two further landfall and converter substation proposals yet to be subject to scoping opinion requests and we have no guarantees that these projects will be progressed in a way that will be minimally damaging during development and with as sympathetic as possible impact on the landscape and local amenity once complete and operational.
- 2.6 Landfall S5 is simply unacceptable as it crosses into the Minsmere and Walberswick Coast and Heaths SSSI and potentially the Minsmere Ramsar designation. There are also potential conflicts with the Sizewell C development.
- 2.7 Landfall S4 seems to go directly through the Sizewell A site, which seems fanciful unless it could also enable a converter station on site and Grid connection at Sizewell B/C substations but, given the existing land constraints at the Sizewell A/B/C site, such an aspiration seems to

be completely fanciful. However, use of converter site B would potentially work, were it not within the AONB and thus contrary to the Horlock rules.

- 2.8 Landfall S1 at Aldeburgh Marshes through a coastal frontage just south of Aldeburgh, that is under considerable stress from erosion, and so close to Aldeburgh itself, was always going to be inappropriate, even before you consider the cable route to any converter station crossing the Alde twice and going through a number of designated landscapes including both SSSI and Ramsar sites.
- 2.9 If the site for the Sea Link Interconnector converter station is settled before the other two projects come forward, it should have sufficient potential capacity to accommodate both the Nautilus and Eurolink converter stations also.
- 2.10 Cable routes for these three projects should be developed simultaneously to avoid multiple disruptions through sequential cable corridor excavation and construction.
- 2.11 Table 2.1.1 states that potential converter station sites would connect at Sizewell. Ignoring the fact that A is SZC construction site and B is in the AONB and, thus breaching the Horlock rules, site D is much closer to Friston substation than Sizewell and would have significant issues negotiating SZC developments such as the green rail route into the construction site. Site C is roughly equidistant from Sizewell and Friston but once again conflicts with any SZC development are likely to make this siting and return connection to Sizewell problematic.
- 2.12 It is good to see a significant consideration of the landfall, cable routes and converter station option at 2.1.8.16 through 2.1.8.23 which also revealed an additional potential converter station outside Saxmundham at site 3 (Figure 2.1.3).
- 2.13 Whilst many of the converter station sites have some level of existing natural screening, most are in relatively flat countryside with little hope of developing screening in a reasonable timeframe given the 24-30m high converter buildings.

### **3. Traffic and Transport**

- 3.1 The discussion of site 3 at 2.1.8.9 and the possibility of a temporary connection to the B1121 across the Fromus, reignites a discussion once again of the missed opportunity of a SZC Route D2 relief road, originally proposed during the Sizewell B construction and raised during the Sizewell C consultations and Development Consent Order consideration by the Planning Inspectorate. This would have connected to the B1122 at the proposed SZC site entrance, between Leiston and Theberton, from the A12, slightly north of the B1121 junction to Saxmundham.
- 3.2 It is unfortunate that more significant coordination between Scottish Power, and the three National Grid projects and the Sizewell C project were not properly entertained at an earlier date. The lack of forward planning for all this land-based infrastructure and power generation will result in unnecessary disturbance for the local population, damage to the tourist economy, the countryside and general amenity of this area over many years as a result.
- 3.3 Had D2 been properly assessed by considering all of these projects collectively, a Sizewell Link Road (SLR) that sends all HGV and AIL along the direct D2 route rather than around two sides of a 5–6-mile sided triangle halving the resultant carbon emissions.
- 3.4 The D2 route would also have significantly improved access to the two wind farm substation sites and these three National Grid interconnector sites rather than being significantly constrained by the inadequacies of the A1094, B1121 and B1119. All of these issues were raised at both the Scottish Power and Sizewell Development Consent Order applications, but once again the folly of this piece-meal approach shows its shortsightedness.
- 3.5 Whilst the Site 4 (C) converter station site may benefit from the proposed SLR, assuming the construction is completed in time, even that will be constrained by the B1122 and country lanes should the SLR not be ready in time. If the SLR is ready in time only one crossing roads in the Theberton area will be available for access at Pretty Road as Moat Road access from the B1122 will be closed.

- 3.6 It has been accepted into the SLR plan that a bridge across the SLR will be constructed on Pretty Road. However, it is not clear if this bridge will be of sufficient standard to accommodate large AILs and with no right turn off the SLR on to Moat Road access to Site 4 may not be possible.
- 3.7 Access to Pretty Road and the bridge will have to be by exiting the SLR at the B1125 junction, turning right on to the B1122 and then right again into Pretty Road at a challenging blind bend on the B1122.
- 3.8 Section 2.8 Traffic and Transport (2.8.1.4) refers to Figure 2.8.1 Proposed Study Area in Suffolk (Traffic & Transport). The boundary to the north near Theberton stops at the crossroads on the B1122 junction with Moat Road and Onners Lane. Restricting the boundary to this point is not appropriate as Moat Road will be closed due to the construction of the SLR and the only access to the SLR at Moat Road will be from the west, close to the junction with George Road, that goes south past Theberton Grange. This will be one way to Yoxford only.
- 3.9 As previously stated in 3.5, access to site 4 would only be possible via Pretty Road and across a new bridge, which almost certainly will not be robust enough for any large transformer transports required during the build or during operational maintenance.
- 3.10 The study area boundary and key local junctions list (2.8.3.5) needs to be extended north to include the proposed junction of the B1125 with the proposed SLR, B1125 junction with the B1122 (both before and after the SLR is operational) and ensure that the SLR impacts are fully understood for both the construction period and operational period.
- 3.11 Whilst converter station site 4 seems unlikely to become a preferred or alternative site for the project, the impact of the SLR needs to be fully appreciated both during construction and once operational.
- 3.12 Paragraphs 2.8.3.1 and 2.8.3.4 describe Leiston as a village! This is disappointing as Leiston has a Town Council and a population of around 4,600 which is still expanding as new housing estates are completed and should not be considered as a village anywhere in this Scoping Report. Such inappropriate descriptions will tend to lessen the perceived impact of any construction or operational impacts on Leiston.
- 3.13 It is surprising that the whole of the B1122 between Leiston and Yoxford as well as the SLR proposals are not being included in the boundary as the B1122 is the only approved HGV route for AILs in the area. This was recognised by the recent Scottish Power wind farm and Sizewell C proposals. In the case of the Scottish Power wind farm, it was also recognised that the A1094 is unsuitable for AIL deliveries because of the rail bridge just east of the junction with the A12. For this reason, the boundary should be extended to the full length of the A1094 and its junction with the A12.
- 3.14 Similarly, the western extent of the boundary doesn't include the junction of B1122 and B1119 in the centre of Saxmundham, which may be critical for Site 3 access should no temporary access be developed across the Fromus south of Saxmundham. This traffic light-controlled junction is significantly constrained and there is also a bridge across the Fromus on the B1119 close to the church which should be assessed.
- 3.15 Paragraph 2.8.7.19 should include a reference to the SZC development of the SLR and potential Sea Link impacts during its construction, as well as the impacts of an SLR once complete and operational both on the Sea Link project construction/development and its operation.

## **4. Air Quality, Cumulative Impacts and Biodiversity**

- 4.1 Given the above comments regarding the Traffic and Transport section boundaries and the comments above, it is surprising that the Air Quality only refers to Figure 1.1.2 Suffolk Onshore Scheme Scoping Boundary as this only covers the areas for the landfall, cable swathes and converter station sites. Air quality impacts should be assessed for the entire Transport and Traffic boundaries once finalized and given the A12 is the only major access route to this area of East Suffolk should probably have some level of assessment for traffic



coming from both the North, to the Yoxford junction with the B1122, and from the South, to the junction with the A1094.

- 4.2 Cumulative impacts with the three approved projects (two Scottish Power wind farms and Sizewell C) as well as potential cumulative impacts with Eurolink and Nautilus also need to be included in both the Traffic and Transport and Air Quality sections.
- 4.3 It is pleasing, and appropriate, to see a commitment to 10% Biodiversity Net Gain (BNG) (2.3.2.6) regardless of the provisions in the Environment Act 2021 and the expected legislation for mandatory 10% BNG in 2023 and for the project being supportive of the DEFRA Biodiversity 2020 strategy (2.3.2.9)
- 4.4 Birds section (2.3.2.26) is missing a reference to Stone Curlew that nests within Minsmere Reserve.

## 5. Conclusion

This response, to the Scoping Report request for the Sea Link Interconnector, has identified that the Scoping Report does not properly identify the full scope of potential impacts, as a result of inappropriate restriction of some assessment boundaries and by incomplete appreciation of the extent and cumulative impacts of the two Scottish Power wind farm projects and the Sizewell C project.

Whilst there are welcome words about cooperative development for the three interconnector projects, cumulative impact statements and assessment boundaries are inconsistent and often too restrictive which will result in an incomplete appreciation of the cumulative and development organisational impacts of the three, already approved, National Strategic Infrastructure projects.

Whilst we understand the National need for expanding both offshore wind and improving the interconnectedness both within the UK and between the UK and neighbouring countries across the North Sea, such developments need to be undertaken in a sympathetic and coordinated manner, especially when their timeframes are so closely defined, and all three projects are within the overarching responsibility of National Grid.

If this is not addressed adequately by National Grid during the development of the Sea Link assessment plan and similarly by the associated Eurolink and Nautilus assessment plans, the result will be significant repeated disruption and damage to the coastal environment of East Suffolk along with the coastal hinterland, which is host to significant designated sites, AONB and Heritage Coast and is unacceptable.



UK Health  
Security  
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Your Ref:  
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Ms Marie Shoesmith  
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The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

22<sup>nd</sup> November 2022

Dear Ms Shoesmith

**Nationally Significant Infrastructure Project**  
**Sea Link, sub-sea cable from the Sizewell area in Suffolk to Richborough in Kent**  
**Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

**Environmental Public Health**

We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should

summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

### **Human Health and Wellbeing - OHID**

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

Access  
Traffic and Transport  
Socioeconomic  
Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

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<sup>1</sup>  
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

### **Methodology - Determination of significant effects**

It is noted that the Health and Wellbeing Chapters for the Suffolk and Kent on shore reports are drafted with reference to the London HUDU assessment approach and as such no assessment of significance is provided for human health.

This approach does not conform to the requirements of the EIA Regulations and as such an assessment of significance will be required to form part of the Environmental Statement. This is consistent with recent PINS approach to this issue within the SoS Scoping opinion for the National Highways M60/M62/M66 Simister Island scheme.

Regulation 18 4(b) requires an Environmental Statement to 'include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment'.

In addition, Schedule 4 (5) requires a description of the likely significant effects of the development on the environment resulting from, inter alia:

(d)the risks to human health, cultural heritage or the environment (for example due to accidents or disasters).

### **Recommendation**

The ES must provide an assessment of significance for those health determinants scoped into the population and human health chapters. The population and human health assessment should draw upon the findings from other relevant chapters, including air quality and noise.

As there is not yet a define approach in England to the assessment of significance for population and human health, it is strongly advised that any proposed approach is agreed with OHID/UKHSA and the local Directors of Public Health. The guidance issued by the International Association of Impact Assessment (IAIA)<sup>2</sup> could be used as a basis for the assessment of significance.

### **Health Baseline Data**

The scoping report indicates health baseline data will be drawn from OHID Fingertips data. Local data sets and publications may assist in providing data to understand baseline and

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<sup>2</sup> Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Vilianni, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.

inform sensitivity, for example the Joint Strategic Needs Assessment (JSNA), Health and Wellbeing Strategy and any Integrated Care System (ICS) strategies.

An approach to the identification of vulnerable populations has not been provided. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics.

The identification of vulnerable populations and sensitive populations should be considered.

### **Recommendation**

Baseline data should include consideration of local health priorities published through the Joint Strategic Needs Assessment (JSNA), Health and Wellbeing Strategy and any Integrated Care System (ICS) strategies.

Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based on the list provided by the Welsh Health Impact Assessment Support Unit<sup>3</sup> and the International Association of Impact Assessment (IAIA)<sup>4</sup>

Yours sincerely

On behalf of UK Health Security Agency  
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*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

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<sup>3</sup> [WHIASU \(2020\). Health Impact Assessment – A Practical Guide](#)

<sup>4</sup> Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Vilianni, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.