

Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

9 October 2020

Dear Sir/Madam

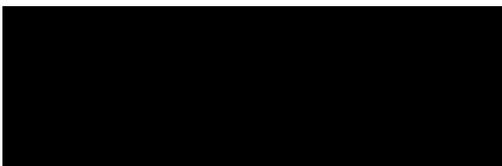
**Hinkley Point C (Nuclear Generation Company) Statutory Order 2013 made 18th March 2013:
Application for a Non-Material Change in relation to the Hinkley Point C Main Development Site
Response to interested party representations**

I write following the submission of our application on 28 July 2020 on behalf of NNB Generation Company (HPC) Limited ("EDF") for proposed Non-Material Changes to the Development Consent Order, in relation to the Hinkley Point C Site. Following the consultation period, which closed on 4 September, 11 representations were published on the National Infrastructure Planning Portal. Having considered the content of those representations EDF has agreed a response deadline of 9 October with BEIS. This letter and Annex constitutes our response to those representations.

In the interests of assisting the Secretary of State's consideration of the application we have presented our response to the issues raised in a tabular format. We have therefore provided a table for each interested party representation and where possible have signposted to a specific paragraph and issue. We note that three of the representations (Kilve Parish Council, Sedgemoor District Council and Historic England) have raised no concerns or objections therefore we have provided no response.

We hope that the above is satisfactory, however if you have any queries, please do not hesitate to contact me on:
Tel: 01278 472076 or e-mail: andrew.goodchild@edf-energy.com.

Yours sincerely



Andrew Goodchild
Lead Planner HPC
Hinkley Point C Construction Project

ANNEX – Response to Interested Party Representations

EDF Energy NNB

Building name, Street Name
City POST CODE
Tel +44 (0) 20 0000 0000
Fax +44 (0) 20 0000 0000

edfenergy.com

*NNB Generation Company (HPC) Limited.
Registered in England and Wales.
Registered No. 06937084.
Registered office: 90 Whitfield Street,
London W1T 4EZ*

Natural England

Para	Issue raised	Response
General	EIA/HRA	We note Natural England's agreement that the proposed changes are not likely to cause any new environmental effects. Also that the proposed changes are unlikely to have any impact on the qualifying features of the named European sites, therefore no new HRA is required.
Not numbered	Severn Estuary SPA	We acknowledge the omission of the Severn Estuary SPA as an affected site. We can confirm that the proposed changes relate to minor on site building changes and would not affect construction activities associated with the temporary jetty, seawall, cooling water infrastructure and Comwich Wharf; therefore there would be no additional impact on the Severn Estuary SAC / SPA/ Ramsar site feature (Inter-tidal mudflats and sandflats) and site integrity over and above what has already been assessed by the SoS. Whilst there would be a change to the cooling water infrastructure resulting from the amendment to the Filtering Debris Recovery Pit, there would be no change in the functionality of the building. Therefore, there would be no additional operational impact on the Severn Estuary SAC / SPA/ Ramsar site feature (estuaries) and site integrity over and above what has already been assessed within the original DCO application.

Nuclear Decommissioning Authority

Para	Issue raised	Response
Not numbered	Helipad – Decommissioning of HPA	EDF will incorporate an alternative emergency helicopter landing site outside of the HPC Main Site boundary. EDF has consulted Dorset and Somerset Air Ambulance on potential alternative sites from an aviation / safety perspective, and is considering the suitability of these alternatives. The location of the helicopter landing site is dependent on further consideration of the landscape restoration plans within the area south of the Main Site, which will need to be submitted for approval in accordance with DCO Requirement MS28 within six months of Unit 1 being operational.

		EDF will consult the adjacent facilities, including HPA, regarding their needs as part of the consideration of alternative suitable sites.
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Somerset County Council

Para	Issue raised	Response
General	General comments	We note that Somerset County Council make no specific comments in relation to their highways, minerals or waste remit.
Not numbered	Off-site delivery checkpoint – Highway Plan	Amendments to the highway network can be submitted for approval in accordance with DCO Requirement PW7, and do not need to be progressed as part of the Non Material Change application. The amendments to the highway arrangement which are shown on the proposed Site Layout Plan are a preliminary design which has purely been adjusted to accommodate the change to the Off-Site Delivery Checkpoint, and is likely to be subject to further changes in consultation with Somerset County Council.
Not numbered	PW3 redefinition	The comments of Somerset County Council are noted. The limited extent of changes that can be promoted via DCO Requirement PW3 is set out below in response to the comments raised by Somerset West and Taunton Council on this point (see paras 3.1-3.8). PW3 applications cannot give rise to the need for complex issues which need to be considered as they are limited to changes to the siting, scale and external appearance of buildings and structures.

West Hinkley Action Group (Richard Cuttell)

Para	Issue raised	Response
Not numbered	Cumulative assessment	See response to Stogursey Parish Council's representation

Vanessa McDonell (local resident)

Para	Issue raised	Response
Not numbered	Lighting	Lighting on permanent buildings and structures is controlled by DCO Requirement MS29 which requires

		<p>that lighting is installed in accordance with the approved lighting strategy unless otherwise agreed by the Local Planning Authority. New buildings proposed within this application are located further away from residential receptors and environmental receptors (particularly Green Lane) and therefore are unlikely to give rise to any additional environmental effects over and above those assessed in the original environmental statement.</p> <p>Lighting during construction which is controlled by the construction lighting strategy is in accordance with the approved construction method statement. The safety of the workforce is a key objective alongside minimising impact on sensitive receptors. Adherence to the approved strategy is controlled by DCO Requirement PW2.</p> <p>In conclusion, both the construction and operational lighting is already controlled by DCO requirements and there is no additional need for the imposition of further controls.</p>
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Councillor Leigh Redman

Para	Issue raised	Response
Not numbered	Engagement	<p>Details of the statutory consultation can be found in the Consultation Statement submitted with the application. This involved:</p> <ul style="list-style-type: none"> • A letter sent to an agreed list of statutory and non-statutory consultees • A notice placed in several local newspapers • Documents held on deposit at a local venue and available on the EDF website <p>As noted in the Statement, EDF’s normal practice would be to hold face-to-face consultation events to engage with the local community. Due to the ongoing Covid-19 pandemic, and in compliance with government guidance and updated legislation, the consultation exercise was carried out largely ‘virtually’.</p> <p>In addition to the above statutory consultation we</p>

		<p>endeavoured to publicise the application as far as possible through HPC's own channels. This included:</p> <ul style="list-style-type: none"> • Main Site Forum – presentation and discussion • Community Forum - discussion • Email/mailshot to our stakeholder group • Reminder email/mailshot of the consultation deadline to our stakeholder group • Formal meetings with local authority planning officers (as detailed in the appendices to the Application Statement) • Informal meetings with the local authorities, Environment Agency and Natural England (on a fortnightly basis) • Regular communications via EDF's social media channels, including Twitter. <p>Given the above, we believe that the application has been sufficiently publicised and that interested persons have had fair opportunity to comment. On that basis, we do not agree that an extension to the consultation is necessary. Nor would a newsletter to every local home be proportionate.</p>
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Stogursey Parish Council

Para	Issue	Response
Not numbered	Cumulative assessment	<p>Somerset West and Taunton Council, Stogursey Parish Council, and the West Hinkley Action Group, have raised concerns regarding the impacts of the changes sought, when considered cumulatively with other applications.</p> <p>Cumulative Effects Assessment (CEA) is a requirement of the EIA Directive (footnote) and is transposed into domestic law via the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. In the absence of any single agreed method for this process, the Planning Inspectorate's Advice Note 9 helpfully sets out an approach that applicants may wish to adopt.</p>

		<p>The above legislation and guidance establishes that there are two types of development that may result in cumulative effects, those being existing development and approved, but yet to be completed, development. These developments must be within a reasonable 'Zone of Influence' in relation to the environmental topics considered within the assessment. It is also the case that the assessment must be proportionate and that other development should only be considered if it is likely to result in a significant cumulative effect. The level of detail available would depend upon what stage the other development has reached. For example, a development under construction will be more certain than a development that is only identified in a plan or programme.</p> <p>With regards to approved consents, such as the three previous Non-material Change applications, we set out our approach at paragraph 3.2, as follows:</p> <p><i>In considering whether or not that is likely (i.e. significant adverse effects on the environment are caused), the changes are not to be considered in isolation. They fall to be considered by looking at the overall effect of the proposed changes on the project, and identifying whether the whole, as modified, is likely to have significant effect that were not identified in the original assessment.</i></p> <p>With regards to specific developments including those not yet approved, concerns have been raised around:</p> <ul style="list-style-type: none"> • A proposal to remove the requirement to install the Acoustic Fish Deterrent from the intake heads of the cooling water system • A proposal to alter the junction layout at Bristol Road/Wylds road in Bridgwater. • A proposal to submit an amended design for the Interim Spent Fuel Store and associated buildings on the permanent development site. <p>In each case we take the view that it is either not relevant or not possible to include these developments in the assessment, for the reasons set</p>
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out below.

With regards to the Acoustic Fish Deterrent, it is correct that EDF have been pursuing a variation to the Water Discharge Activity Environmental Permit (EPR/HP3228XT), that permits EDF to discharge water into the Bristol Channel. It is currently the case that EDF is currently in the process of appealing the deemed refusal of this application. Notwithstanding the above, it is not a matter of dispute that the potential impacts of the removal of the AFD relate solely to the marine environment and specifically to fish mortality. Within this current non-material change application the assessment set out in Table 3-1 concludes that there would be no effect upon the marine environment. Therefore, there is no pathway for interaction or cumulative effects between the two proposals.

In relation to the Bristol Road/Wyld's Road improvement, this was consented within the DCO (see Work no.21) but is yet to be implemented. EDF is in discussions with the highway authority (Somerset County Council) and the local planning authority (Sedgemoor District Council) about a proposal to delay implementing this improvement until after the peak of construction activity given the level of disruption the work is likely to cause relative to the benefit it would bring. Given that this improvement is already consented within the DCO its impacts have been assessed within the Transport Assessment and Environmental Statement. Should any changes be made to the design set out in the DCO plans, this would need to be approved under the relevant consenting regime, and at that point any new or materially different effects would necessarily be assessed. At present, given the only change being considered is a temporal change, EDF consider that there would be no cumulative effect with this proposal and as such no cumulative assessment is presented within this application.

It is stated by Stogursey Parish Council and the West Hinkley Action Group, that EDF intends to submit a material change application to amend the storage type

		<p>and design for the Interim Spent Fuel Store and associated buildings. This assumption may arise from the Secretary of State's decision to remove these proposed changes from the approved plans within the third non-material change application. EDF can confirm that it is currently considering its position in respect of the type and design of the Interim Spent Fuel Store and should an application to change the currently approved store at HPC be made it will be for that application to assess any cumulative effects, taking into account this current application, if approved.</p> <p>EDF can also confirm that there are no other developments, at any stage, that it believes are likely to cause significant effects when considered cumulatively against the Hinkley Point C project as proposed.</p>
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Somerset West and Taunton Council

Paragraph	Issue raised	Response
1.2	Versions	<p>We thank the Council for identifying that a slightly different version of the Application Statement has been uploaded to the EDF website. Having checked the two versions we can confirm that there are no differences in the written content. The only differences are in a correction of minor formatting issues and paragraph numbering in the LVIA report. We do not believe that this prejudices the ability of any interested party to comment on the application. For the avoidance of doubt, it is the version submitted to the Secretary of State that should be considered the definitive version.</p>
2.2	Materiality	<p>We note that the Council does not challenge the way in which EDF has defined 'materiality' nor the conclusion that the changes sought are not material.</p>
2.4	EDF Site Offices – landscaping	<p>In regards to all of these queries, the landscaping of these areas, once vacant, will be the subject of future applications submitted under Requirement MS25 of the DCO.</p> <p>This states that: <i>(1) Within 6 months of Unit 1 entering operation a landscape scheme for the permanent development site shall be submitted to and approved by</i></p>

		<p><i>West Somerset District Council. Unit 2 shall not enter operation before this landscaping scheme has been approved. The landscape scheme shall be developed in accordance with the principles established in the HPC development site Design and Access Statement, Site Layout Plan (Operational) and the Site Drainage Strategy (Appendix 2A, Volume 2 of the Environmental Statement) and must include details of proposed landscaping works, including -</i></p> <ul style="list-style-type: none"> <i>(a) soft landscape details;</i> <i>(b) hard surfacing materials, including siting of the helipad;</i> <i>(c) proposed finished ground levels;</i> <i>(d) vehicular and pedestrian access, parking and circulation areas;</i> <i>(e) street furniture, refuse or other storage units; and</i> <i>(f) an implementation timetable for works.</i> <p><i>(2) The landscape works shall be carried out in accordance with the approved landscape scheme referred to in paragraph (1) and in accordance with the relevant recommendations of appropriate British Standards.</i></p> <p>The Council will have the opportunity to provide comment and input into any future pre-application and application submission in respect of proposed landscaping in these (and other) locations across the main site.</p>
2.6	The Emergency Response Store on Site Layout Plan	<p>The Emergency Response Store has been removed as described in 2.4.8 to 2.4.9, and its functions moved into the proposed Back-up Emergency Equipment Store as described in 2.4.11 to 2.4.13 of the Application Statement. The proposed Back-up Emergency Equipment Store is located elsewhere on the Site (building 59 on the Site Layout Plan). The Oil & Grease Storage & Oil Ancillary Building would be moved to the site of the Emergency Response Store.</p>

2.7 and 2.9	The Oil and Grease Storage and Oil Ancillary Building - safety	<p>Structures, systems and components (SSC) that provide or house a nuclear safety function (generally for control of reactivity, removal of decay heat in fuel, confinement of radioactive material or other functions which protect these three main safety functions) are classified in terms of how important a contribution they make to nuclear safety.</p> <p>This classification determines the design standards and criteria to be applied, including the level of seismic qualification required. Hence, a Class 1 SSC, which makes a major contribution to nuclear safety, will be qualified against design basis earthquakes to the extent that it remains in-place, does not threaten neighbouring equipment, and still operates normally if required. The magnitude of the design basis earthquake is conservatively characterised in the safety case as a one in 10,000-year basis event.</p> <p>Where the safety classification process concludes that an SSC does not require seismic qualification such as the Oil and Grease Storage and Oil Ancillary Building, standard design codes will still be applied, such as the Eurocode civil engineering standards for buildings. Such buildings might not therefore have or contain any nuclear safety function, but their design will still inherently withstand earthquakes at a level that can withstand the majority of seismic events at magnitudes more frequently observed in the UK, which is less intense than the design basis earthquake.</p> <p>The Oil and Grease Storage and Oil Ancillary Building will comply with the Dangerous Substances and Explosive Atmosphere Regulations 2002 (DSEAR), the Control of Substances Hazardous to Health Regulations 2002 (COSHH) and Control Of Major Accident Hazards Regulations 2015 (COMAH). Features include:</p> <ol style="list-style-type: none"> 1. The building will contain robust storage tanks with integral bunds to mitigate the chance of leakages, however the facility will be designed for an accidental leak. 2. The building will have retention features (as required by regulations) but no active collection or cleansing features. This means that leaks will be captured within building bunds internally and externally, pumped out and disposed of in the correct manner.
2.10	Oil and Grease Storage and Oil Ancillary	With regards to the proposed dimensions of the Oil and Grease Storage and Oil Ancillary Building, which is increasing from 10x29x38 to 13x27x60 (HxWxL), the Council takes the view that in normal planning terms this

	Building - Materiality	<p>would constitute a significant and material change, however it is recognised that in the context of the overall project it is not significant. EDF have set out their approach to materiality in detail in section 2.3] of the Application Statement and agree that a proper assessment of materiality requires each change to be understood together and in the context of the project as a whole. It should also be noted that in the case of the Oil and Grease Storage and Oil Ancillary Building it is moving into the footprint occupied by the Emergency Response Store on the previously approved Site Layout Plan. As stated at paragraph 2.4.18 the proposed dimensions of the Oil and Grease Storage building, which are described in Table 2-1, are consistent with the dimensions of the previously approved Emergency Response Store. Therefore, the effects of a building of these dimensions will have been fully assessed within the original DCO application and will not result in any new or materially different effects.</p> <p>The Council point out that EDF has not submitted a detailed design for the building because it could be submitted under DCO Requirement PW3. EDF can confirm that it will submit an application to Somerset West and Taunton Council to discharge DCO Requirement PW3 in respect of this building prior to commencement.</p>
2.11	Sarens Crane - Landscaping	See 2.4 above
2.18	Emergency Response Centre - Safety	The Emergency Response Store does avoid the Blue Anchor Formation. It is a seismically qualified building.
2.22	Emergency Response Energy Centre – Safety	The Emergency Response Energy Centre does avoid the Blue Anchor Formation. It is a seismically qualified building.
2.24	Entry Relay Building – Landscaping	See 2.4 above
2.26	Off-Site Vehicle Search Area – Landscaping	See 2.4 above
2.27	Filtering Debris Recovery Pit - Drawings	The dimensions of the components that make up the filtering debris recovery pits are shown on drawing reference HINK-A2-HP-01-GP-030 Rev 4 . The overall building dimensions are shown in Table 2.1.
2.29	Use of	The acronyms used in this section are an internal referencing system which

	acronyms	<p>names the buildings and structures. We typically remove this referencing from public facing documents. We apologise for any confusion caused.</p> <p>The HCB is the reference for the filtering debris recovery pit.</p> <p>As described in Para. 2.4.51 of the Application Statement, the KRS building <i>will provide water sampling facilities to support the operation of the HCBs</i>;</p>
2.30	Helipad – Building or structure	The statement at Para. 2.4.55 of the Application Statement clarifies the space left by the removal of the Helipad would not be occupied by a building or structure.
2.32	Helipad – Alternative provision	An emergency helicopter landing site (which for the avoidance of doubt would not be a building, structure or hard standing), as opposed to a formal helipad will be designated. Unlike the previously approved helipad, an emergency helicopter landing site would not be used for any purpose other than for landing a helicopter in an emergency. The fact that the emergency landing site would be landscaping/open space means that it does not need to be proposed as part of this Non Material Change application. EDF is currently preparing the plans for the landscape restoration which will be submitted in accordance with DCO Requirement MS28, the emergency landing site as designated and agreed with the relevant emergency services would be shown on the plans submitted with the MS28 application.
2.33	Helipad – Safety	The emergency services and air ambulance are in regular communication with EDF regarding the route to site and a specific alternative site which is being considered. They have not raised a concern about the effectiveness or safety of the alternative site at present, although the location of the site is subject to further review and will be subject to approval via an application to discharge MS28. In the event that the emergency landing site did not provide the best access in the circumstances, then the crews would select an alternative landing site depending on the conditions which they are faced with during the emergency.
2.34	Southern landscaping area /Helipad – Safety and access	The area which is set aside for an emergency helicopter landing site would be fenced off to prevent public access. Taking into account relevant safety and aviation considerations, the emergency services have the right to land in whatever location they deem appropriate in the event of an emergency and will take account of public safety in so doing.
2.35	Helipad – DCO drafting	<p>In order to address this point we have proposed to amend the DCO within the draft Hinkley Point C (Nuclear Generating Station) (Amendment) Order 2020 , in the section dealing with Amendments to Schedule 2 (Requirements):</p> <p><i>(c) In sub-paragraph (1)(b) of requirement MS25 omit “, including siting of the helipad”;</i></p>

		<p>(d) In the heading of requirement MS34 for “Helipad Use” substitute “Helicopter Flights”</p> <p>(e) In sub-paragraph (1) of requirement MS34 substitute “using” for “to and from” and substitute “HPC helipad” for “HPC development site”;</p> <p>(f) In sub-paragraph (2) of requirement MS34 substitute “HPC helipad” for “HPC development site”; and</p> <p>(g) In requirement MS35 substitute “HPC helipad” for “HPC development site”.</p> <p>The amendments have the effect of applying the above Requirements to all helicopter flights within the development site, rather than narrowly applying to the Helipad.</p>
2.36	Sewage Treatment Plant – Function	The updated design presented in this application will not result in any additional discharges into the Bristol Channel over and above that set out in the original DCO application. In fact the current design is for a reduced discharge level. Therefore there will be no new or materially different effects from the proposed Sewage Treatment Works. For the avoidance of doubt foul water associated with the construction of HPC is discharged via pipework on the temporary jetty which will be removed and replaced with the permanent Sewage Treatment Plant.
2.37	Sewage Treatment Plant - Environmental Permit	No variation of the environmental permit (ref. EPR/HP/3228) is required - see 2.4.61 of the Application Statement.
3.1 – 3.8 and 5.1-5.3	PW3 redefinition	Proposed Alterations to DCO Requirement PW3
3.3	PW3 redefinition – Calculation of fee	The rationale for the proposed amendment to requirement PW3 is set out in section 2.5 of the Application Statement. In summary, the nature of the changes which will now be required pursuant to PW3 are limited to small changes to the external appearance of the permanent buildings such as amendments to windows, doors and vents which have arisen as a result of the internal layout of buildings being finalised. Our view is that these changes are by their very nature ‘minor’ and therefore the proposed change of category from major to minor is appropriate and justified.
3.4	PW3 redefinition – Timeframe	
3.6-7	PW3 redefinition – Materiality	Somerset West and Taunton Council object due to the loss of fee income and highlight in paragraph 3.3 of their representation that the fee income, if PW3 was to become a minor requirement, would be insufficient to cover the costs of “validating, processing, consulting, assessing, negotiating and approving an application...”. The cost of undertaking such tasks were never expected to be covered by the application fee. The Secretary of State will be aware that the HPC DCO Section 106 agreement includes payments for staff resources within Schedule 14. In relation to the issue raised by
3.8	PW3 redefinition – Pre-application	

discussion	<p>Somerset West and Taunton Council, we highlight that payments of £50,000 (index linked) are due to be paid annually to Somerset West and Taunton Council for a Planning Officer until 2024 and that, in addition, a Technical Support fund of £400,000 was made available to the Council to procure advice such as the example of a Landscaping expert as set out in paragraph 3.3. EDF understands that over £250,000 of this Technical Support fund remains unspent.</p> <p>We do not consider therefore that the alleged financial deficit to the Council is as described.</p> <p>The Council’s representation states that the fee for PW3 will be used for <i>“...approving an application for a major new building, in a different location, which will inevitably need close examination of details, appearance, impact, significance in visual amenity and landscaping terms, as well as all of the other standard considerations”</i>. This is incorrect. PW3 does not allow the promotion of new buildings or buildings in different locations, it permits the submission of plans detailing changes to the siting, scale and appearance of buildings in accordance with the HPC Site Parameter Plan. As such, buildings can generally move no more than 5m in any direction and can never be larger than the parameters approved within the DCO. The Council highlight that submissions made to date have been limited to changes to plans and elevations and have not been accompanied by assessments. That is because the original DCO and subsequent Non-Material Change applications assessed the impact of changes to location and number of buildings within agreed parameters and PW3 allows minor changes to the siting, scale and appearance of those buildings within those parameters.</p> <p>The nature of changes promoted by PW3 are therefore minor and could, in our view, be determined within the 5 week period for determination. The vast majority of DCO Requirements have now been approved and therefore the resources available to the Council can be focussed on discharge activity relating to the permanent buildings.</p> <p>It is accepted that the pre-application engagement did not focus on the proposed changes to requirement PW3. The meeting was intentionally focussed on the proposed changes to the location and rationale of the permanent buildings and structures.</p> <p>At paragraph 5.3 the Council state that no further discussions have been held. In fact, the Planning Teams of EDF and the Councils have met every two weeks and at each meeting we have included the Non Material Change as a discussion item. The Councils have all had the opportunity to discuss the content of the non-material change application at these</p>
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		<p>meetings.</p> <p>The purpose of the above meetings was to seek feedback on the proposals and to engage the Council regarding the likely content of the application and assessments to accompany it. The Council did not raise any concerns regarding cumulative effects. However, each environmental topic has been considered in detail within the application statement, including assessment of cumulative effects. It is noted that the Council does in fact conclude that the cumulative impact of the changes is not significant.</p> <p>It is noted that the Council accept that proportionality is an important principle of the planning system as set out in paragraph 2.5.12 of the Application Statement.</p>
4.7	LVIA – Lighting	<p>The Council takes the view that lighting levels should be specified and assessed as part of the current Non-Material Change application.</p> <p>It is an accepted part of the DCO regime that a DCO application sets out the main elements of a development and that a certain level of detail can be left to be considered under Requirements. This is often referred to as the ‘Rochdale Envelope’ approach. The specific level of detail to be left until post-consent will depend on a number of factors, including the nature of the development proposed and the likely significant effects on the environment arising from that development.</p> <p>In the case of lighting, the original DCO application provided for just such a Rochdale Envelope approach and this Non-Material Change application in no way changes this.</p> <p>It should be noted that the HPC Operational Lighting Strategy is an approved document within the original DCO application and forms Appendix 2B of the Environmental Statement. The DCO includes Requirement MS29 allows for submission of a revised Operational Lighting Strategy, to be approved by West Somerset District Council (now Somerset West and Taunton Council), after consultation with the highway authority.</p> <p>In relation to lighting, EDF recognises that there are sensitive receptors that may be affected by operational lighting proposals. Table 2B.1 of the Operational Lighting Strategy sets out a list of lighting receptors and the mitigation proposed in order that impacts are made acceptable. The Operational Lighting Strategy divides the operational site into zones and specifies a number of measures, including maximum illumination levels, number, position and type of luminaires, and control over the timing of lighting at night.</p> <p>EDF notes that the Council has a particular concern around the effect of</p>

		<p>lighting on bat corridors. Figure 2B.8 of the Operational Lighting Strategy shows that the only Key Bat Corridor close to the operational site is 'Green Lane' which forms the southern boundary of the site. It can be seen from the Site Layout Plan provided with this application that none of the proposed new buildings are within the vicinity of this receptor. For the avoidance of doubt, no greater or different impact is anticipated than already assessed within the approved Operational Lighting Strategy.</p> <p>Further to the above, the approved Operational Lighting Strategy sets out the following mitigation measures in relation to key bat corridors:</p> <ul style="list-style-type: none"> • Minimising UV light content • Maintaining buffers between sensitive bat corridors and luminaries • Minimising light spill onto key bat corridors • Existing and proposed landform including planting. Green Lane ridge and rolling landform, strong hedgerow field pattern, and off-site mitigation providing screening. • Reducing upward light and using controls to avoid unnecessary illumination beyond work areas. <p>The changes sought under this application do not affect our obligation or ability to comply with the above mitigation measures. Should any changes be required to the Operational Lighting Strategy, Somerset West and Taunton Council will have the power to approve any such amendment.</p>
4.8	LVIA – Paragraph numbering	See our response to paragraph 1.2 above.
4.9	LVIA – Viewpoint	<p>It is the Council's view that there has been an omission from the applicant's selection criteria for viewpoints, namely a viewpoint from the reinstated public footpath running along the coastal edge of the Bristol Channel, which forms part of the National Coastal Trail. As the Council correctly state, this footpath has been stopped-up and diverted in order to allow for construction of the power station. The DCO requires its reinstatement upon completion of the sea wall and when it is safe to do so, under DCO Requirement MS31.</p> <p>The selection process for viewpoints is set out within the LVIA Report within the section headed 'Viewpoint Selection and Initial Viewpoint</p>

		<p>Appraisal'. This states that the original viewpoints assessed within the LVIA carried out for the DCO application have been appraised and, using professional judgement, a representative number have been selected to be carried forward for further assessment, based on the likelihood that significant effects may arise.</p> <p>Given that the purpose of this assessment is to identify new or materially different likely significant effects from those identified in the original DCO application, this is considered a robust and reasonable approach.</p> <p>Whilst it is true that a viewpoint from directly in front of the operational station has not been chosen, it should be noted that 2 viewpoints further along the Coastal Path have been selected, those being Viewpoint 2 to the west of the site and viewpoint 19 to the east of the site near Stolford.</p> <p>Consideration of viewpoints closer to or directly in front of the operational station are set out at section A.2.5. For ease this section is reproduced below:</p> <p><i>“Although not considered as part of the ES, new viewpoints closer to the proposals, on the West Somerset Coast Path could be considered. However, the views of the proposals from these locations would also be screened by either Hinkley Point A and B in the east or by earthworks, vegetation and other buildings in the west as indicated in Figures 3 and 6. Walkers on the path, directly in front of HPC during operation would see the proposals as part of the wider HPC development.”</i></p> <p>As stated, an additional viewpoint from the Coastal Path directly in front of the station is rejected as the proposed changes would be seen as part of the wider HPC development. Seen in the context of the surrounding buildings which are of considerably greater dimensions, the proposed amendments to the Filtering Debris Recovery Pits and the Sewage Treatment Plant, are unlikely to create any new or materially different significant effects.</p> <p>For comparison, the Filtering Debris Recovery Pits for Units 1 and 2 are proposed as 6m in height, but are directly adjacent to the Cooling Water Pumphouse which has an approved height of 19m. Directly behind the Cooling Water Pumphouse are the Turbine Halls (46m in height) and the Reactor Buildings (64m in height), which are likely to be dominant features. In relation to the Sewage Treatment Plant, which is 11m in height, it is located between the Cooling Water Pumphouse for Unit 1 (19m in height) and the Intermediate Level Waste Interim Storage Facility (16m + a 20m stack).</p>
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4.10	LVIA – Viewpoint	<p>The Council point out that viewpoint 14 will not benefit from existing vegetation screening, as asserted within Table A.2.4. The Council have provided a photograph taken by EDF that was submitted as part of a Requirement discharge application.</p> <p>It is correct that there is little <i>existing</i> vegetation that would provide screening from this viewpoint. However, section A.2.5 states that the screening is provided by <i>proposed</i> planting.</p> <p>Figure 22.23b of the Environmental Statement shows that this view would be completely screened by proposed planting – further this planting would take place as early as possible, so likely to be at least partly established by commencement of the operation period. Table 22.44 of the ES confirms that the visual impact from Year 1 (whilst planting is establishing) would be Major and significant – the changes proposed would not significantly alter this. By Year 15 the ES assessment states that the planting would screen most of the development (except for the tallest elements) – the lower height elements proposed here would be screened however, if not already screened by other consented development and planting.</p> <p>The Landscape Masterplan submitted with this application is consistent with the above and demonstrates that the proposed changes and the remainder of the site will be substantially screened.</p>
4.11	LVIA - Viewpoint	<p>The Council also considers that we could have included Viewpoint 15 within the assessment. Again, section A.2.5 sets out that the viewpoint has been assessed and rejected, in this case because of views blocked by existing vegetation. In addition, viewpoint 19 represents a similar view, albeit from a greater distance; therefore we consider that an assessment of Viewpoint 15 would be redundant in any case. We do not consider that further assessment is necessary.</p> <p>Viewpoint 15 is shown in ES Figure 22.24b – it shows that there would be only negligible visibility of the proposed development, specifically HPC overhead lines, and no visibility of the changes proposed as part of this application.</p>

4.12	LVIA – Conclusions	Overall EDF is content that it has followed a robust methodology for selecting viewpoints and that those selected provide a good understanding of the visual impact of the proposed changes. It is noted that on the basis of the viewpoints selected, the Council considers that, on balance, the proposed changes would not give rise to significantly adverse visual and environmental impacts.
4.16	HRA – Sewage Treatment Plant	<p>Paragraph 3.6.4 of the Application Statement concluded that the proposed changes would not materially change the likely significant effects on the designated European sites.</p> <p>It should also be highlighted that in Natural England’s response to the NMC4 consultation, they agreed with EDF’s assessment and the conclusion that the proposals are not likely to cause any new environmental effects or to have any impact on the qualifying features of the designated European sites and do not need to be investigated in a new HRA.</p>
4.18	HRA – Lighting/Bats	<p>The Council raise a concern about the effect of light pollution on bat corridors on site. They ask that the Secretary of State proceeds with caution in regard to potential impacts from the proposed changes upon Barbastelle bats and the Exmoor and Quantock Oakwoods SAC.</p> <p>EDF sets out its detailed assessment of this issue within section 3.5. It is concluded that the proposed changes would have no new or materially different effects on the Barbastelle bats feature of the Exmoor and Quantocks Oakwoods SAC.</p> <p>In relation to lighting in particular, no lighting details have been provided within the current application. This is because lighting details are to be provided under DCO Requirement MS29 after the completion of the detailed design, which obliges EDF to comply with the approved Operational Lighting Strategy, the impacts of which have already been assessed as part of the DCO application. Nothing proposed in this application deviates from this Operational Lighting Strategy nor is any additional lighting proposed at this stage. Somerset West and Taunton Council have the power to assess and approve any future proposals.</p>
4.18	Cumulative assessment	<p>The Council take the view that the cumulative impacts of the changes have not been adequately addressed. However, it is noted that in paragraph 5.1 the Council draw the conclusion that the cumulative effects would not lead to likely significant effects on the environment.</p> <p>The approach to the consideration of impacts is set out in paragraph 3.1.2 of the Application Statement. To paraphrase, it states that EDF has looked at the overall effect of the proposed changes on the project and identified whether the whole, as modified, is likely to have significant effects, including effects that were not identified in the original assessment. Table</p>

		<p>3-1 sets out that assessment in relation to the standard EIA topics, whilst additional topics from the 2017 Regulations are set out at section 3.2.</p> <p>For each topic the impact of the proposed change is set out. In each case we can confirm that the amendments are considered as a whole, and where an individual change may be relevant, that change is specified and discussed separately.</p> <p>Landscape and Visual Impact is considered separately in the appended LVIA report due to the nature of the proposed changes. This report sets out that the impacts have been assessed on the basis of the overall effect (see the 'Conclusion' section).</p> <p>We consider this approach leads to a proportionate assessment of the environmental impacts of these changes and that the approach is compliant with the relevant EIA regulations and guidance, as set out in the Application Statement.</p> <p>The cumulative impacts of other proposed developments have also been raised by other interested parties and are discussed within the Storgursey Parish Council response above.</p>
5.2	Engagement	See our response to paragraph 4.9 above