



National Infrastructure Planning
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Your ref: Project Ref EN010012

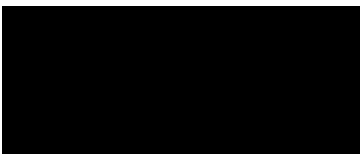
Date: 9th June 2020
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Dear Sir / Madam,

Application by NNB Nuclear Generation (SZC) Limited for an Order Granting Development Consent for a new nuclear power station development at Sizewell in Suffolk (Sizewell C): Adequacy of consultation response

Please find attached Suffolk County Council and East Suffolk Council's response to your letter dated 27th May 2020 regarding representation on the adequacy of the consultation.

Kind regards



Nicola Beach
Chief Executive
Suffolk County Council



Stephen Baker
Chief Executive
East Suffolk Council

Adequacy of Consultation Response

9 June 2020

Overview

1. Under section 55 of the Planning Act 2008, certain local authorities must be consulted about whether an applicant has complied with their duties under sections 42, 47 and 48 of the Act. This response, prepared by East Suffolk Council and Suffolk County Council (the Councils), sets out the Councils' position in respect of these provisions. It also comments on the consultation and the pre-application process generally.
2. With regard to the formal elements of this response on the Adequacy of Consultation, the compliance with Sections 42, 47 and 48 of the Planning Act 2008, the Applicant, SZC Co. (pre-submission consultation documents were issued by EDF Energy), has, in the view of the Councils, met the appropriate tests.
3. The submitted Consultation Report and attached Appendices comprehensively and chronologically set down all the engagements undertaken since 2008.
4. This response concludes that the provisions and formal requirements under the Planning Act 2008 have been satisfied. However, the Councils repeatedly asked for additional information to be made available in order to give full and detailed consideration of the potential impacts. We are of the opinion that the supply of further information earlier would have benefited the engagement process. The Councils have been advised of similar views from other stakeholders. This may have an impact on the timing of the Examination as there are several matters the Councils consider still outstanding, and this may have consequences for the early production of statements of common ground. This report proposes that adequate time should be allowed for this in setting the start of the Examination period.

Compliance with Sections 42, 47 and 48

Duty to Consult – Section 42 of Planning Act 2008

5. So far as relevant to this application, the applicant must consult the following –
 - a. Certain prescribed persons,
 - b. Each local authority under section 43, and
 - c. Each person within one or more of the categories set out in section 44.

Prescribed persons

6. These persons are listed in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the Regulations). A list of those consulted during each phase of consultation has been provided by the Applicant.

Local Authorities

7. The Applicant has provided a list of the local authorities consulted on the project which includes East Suffolk Council and Suffolk County Council. The Councils can confirm they were engaged by the applicant on all the consultation phases. The Applicant has therefore complied with that provision.

Categorised persons

8. The Applicant must consult each person who is within one or more categories set out in section 44. This would include owners, lessees, tenants or occupiers of land included within the boundary of the order limits or those with an interest in the land or with a power to sell or convey the land. A list of landowner and statutory undertaker consultation has been provided in the Consultation Report

Timetable for consultation under section 42 – Section 45 of Planning Act 2008

9. This section requires the applicant to notify the consultee of the deadline for receipt of comments in relation to the consultation which must not be earlier than 28 days after the consultation documents are received. The Councils can confirm that this provision has been met.

Duty to consult the local community – Section 47 of Planning Act 2008

10. This section requires the applicant to prepare and publish a statement setting out how it proposes to consult local people about the proposed application (the Statement of Community Consultation). The applicant must consult with the relevant local authority before publishing the statement, and

the local authority must reply within 28 days. The consultation must be carried out in the manner set out in the statement.

11. The Applicant originally published its Statement of Community Consultation in 2012 and revised and re-published it in 2016 following consultation with the Councils. In reviewing compliance with section 47, the Councils have considered concerns raised by stakeholders around the gaps in the information provided by the Applicant during the Consultation stages (as outlined below) but concluded that in our view the Consultations were carried out in the manner set out in the Applicant's agreed Statement of Community Consultation.

Duty to Publicise – Section 48 of Planning Act 2008

12. This section provides that the applicant must publicise the proposed application in the prescribed manner. The Regulations specify a deadline of not less than 28 days for responses.
13. The Consultation Report provides examples of the section 48 notices which were published within the following sources:
 - a. East Anglian Daily Times
 - b. Fishing News
 - c. The Times
 - d. London Gazette
14. The other phases of the consultation were also published in local newspapers. The deadline for responses satisfied the statutory requirements.

Wider Consultation Issues

15. The four rounds of formal consultation have taken place over an eight-year period therefore with significant periods between them. This has naturally resulted in additional challenges for the Applicant in its consultations, as many of the individuals representing stakeholder organisations will have changed over this long period of time.
16. We note that, whilst the Applicant has summarised in its DCO submission the comments received from consultees during the Public Consultations, the Consultation Report and its Appendices do not include a full copy of the submissions of representations received from any individual or organisation. It would be helpful for the Councils and the Examining Authority to be able to review responses of other statutory and non-statutory bodies at this stage, in particular those of key stakeholders. However, the Applicant has complied with the guidance by providing summaries in the Consultation Report.

17. Whilst acknowledging that the Applicant has been developing its proposals throughout this period, it would have significantly helped the Councils if more information had been available earlier for the Councils to be as fully informed as possible. There was an ongoing concern throughout each stage of public consultation that detail and evidence were missing from the consultations. The Councils still have many issues outstanding in advance of the DCO submission; more detailed evidence and information could have enabled a better understanding of these issues, and potentially resolved some of them. It is clear from the Councils' responses at each stage of public consultation (executive summaries for Stages 3 and 4 and link to full documents for all stages of consultation included in Appendix A) that we had requested more detail on a consistent basis. This absence of elements of information has not just created difficulties for the Councils but, we assume, for a wide number of consultees as well.

18. These information gaps have persisted through to the final consultation stages, in the material provided for at Stages 3 and 4. The outstanding information requested by the Councils at Stage 3 or Stage 4 but still outstanding at the time of submission include:

- a. Evidence for the removal of a marine-led strategy;
- b. Detailed evidence of the challenges of delivering a rail-led strategy and how these have been/can be attempted to be overcome;
- c. Justification for the need of four new pylons on the development site, and full evidence why undergrounding of the cabling was not possible;
- d. Evidence that the proposed outage car parking areas in the Area of Outstanding Natural Beauty, at Goose Hill and as part of the relocated Sizewell B facilities, are unavoidable;
- e. Evidence of the impact of and resulting mitigation proposals for the increase of workforce number to 8,500;
- f. Further ecological surveys and mitigation proposals, to address significant remaining gaps, and evidence of the feasibility of proposed mitigation and compensation sites;
- g. Clarity on and alternative option assessments for the platform's footprint and position and evidence of the resulting impacts;
- h. Evidence related to impacts on coastal processes, including detail on an ongoing monitoring regime;
- i. Further information and supporting evidence on the SSSI crossing and Northern Mound proposals, including addressing specific concerns raised by the Councils at Stage 3;

- j. Further information on the Beach Landing Facility, including addressing specific concerns raised by the Councils at Stage 3;
 - k. Further detail and evidence related to the spoil management proposals, including addressing specific concerns raised by the Councils at Stage 3;
 - l. Evidence for justifying the siting of the accommodation campus;
 - m. Evidence in relation to the Sizewell Link Road route selection (SCC);
 - n. Further detail and evidence on surface, ground and potable water impacts, including surface drainage solutions for the Land east of Eastlands Industrial Estate;
 - o. Proposals to address concerns related to impacts on the Leiston Recycling Centre, Lovers Lane;
 - p. Additional information and mitigation proposals in relation to network highway issues where the Sizewell C traffic would exacerbate a capacity or road safety concern, particularly along the A12, and on the wider road, rights of way and cycling network, as raised by the Councils at Stage 3;
 - q. Further details of the construction programme and the timescales of the delivery of associated sites; and
 - r. Full justification for the number of car parking spaces.
19. The Applicant sought to address some issues raised at Stage 3 and Stage 4 pre-submission of the DCO, however those listed above remained unresolved at the point of submission. The Councils have consistently sought to receive more information from the Applicant in order to be able to come to more informed judgements about the impacts of the scheme and to allow them to work more effectively on any mitigation proposals. The design details of the plant are largely consistent with those of Hinkley Point C, which has been examined and is now in construction and there has been ample time for surveys and modelling work to be done over the last 12 years of the development of the Sizewell C scheme. However, it has been difficult to ascertain the supporting information that provides the background to the views of the applicant on the impact of the scheme on the communities and environment of the local area. This is in the context of what will be the largest infrastructure project in the East of England in many decades and it was important to the Councils and the wider community that we fully understood the application's impacts.

Concerns of other parties

20. We are aware that several statutory consultees are also concerned about the level of information that has been made available through the consultation exercises. For instance, the Environment Agency said, in response to the Stage 4 consultation, said:

“In reviewing the stage 4 consultation documents we consider that many of the areas you need to take into account have been identified. As previously raised in the stage 3 consultation, the assessments which underpin these areas have not yet been provided and as such we maintain the comments previously raised. Consequently, the impacts and proposed suitability of mitigations cannot be assessed at this time. These material considerations will need to be resolved before you submit an application for a Development Consent Order (DCO).”¹

21. This concern continued to persist closer to submission date as evidenced by the minutes of a meeting of the DEFRA family (Environment Agency, Natural England, and Marine Management Organisation) with the Planning Inspectorate on 20 January 2020 (minutes published on PINS website).

22. Other important organisations have also expressed concern. As an example, the National Trust (also being a local landowner) has written to the Councils setting out their misgivings about the process in terms of the information available during the consultation stages and their lack of engagement between those stages due to the requirement to enter a confidentiality agreement which they did not feel able to do. (This letter is appended to this document as Appendix B). Minsmere Levels Stakeholder Group representing landowners and other interests in this area has also said that it has not been able to make informed responses to consultations (letter to Planning Inspectorate 9 March 2020).

23. We are aware that numerous local town and parish councils have contacted the Planning Inspectorate raising concern about the lack of detailed information available during the consultation period. For example, Theberton and Eastbridge Parish Council’s letter to the Planning Inspectorate dated 14 February 2020 makes clear that these communities feel there was insufficient data for them to be adequately informed during the consultation exercises. Similar views have been expressed by other parish councils, as well as by local pressure groups. You will have received several emails directly from these organisations and groups; Appendix C

¹ From https://www.gov.uk/government/publications/sizewell-c-response-to-edf-szc-co-stages-3-and-4-consultations?dm_i=3O4M,11XB8,4YC1KN,3O0KN,1

sets out in a table an overview of the representations the Councils have received and considered when preparing this response.

24. The concern is that this lack of information for all parties has diminished the quality of their responses to the consultation exercises.

Compliance with Guidance and Advice on Pre-Application Process

25. The Councils consider the following matters of process anticipated in Government Guidance and Planning Inspectorate Advice for the pre-application phase have not been undertaken in full by the Applicant:

Requirements

26. Guidance on the Pre-Application Process has been issued by Government. It suggests early discussion with a range of parties on the content of the draft Development Consent Order. The Planning Inspectorate's Advice Note 13 proposes that the draft order should be made available to both themselves and other parties who may have useful comments on the operation of the order. In particular, it recommends that the developer should seek to agree wording for proposed requirements with the body to whom details are to be submitted for subsequent approval.
27. The Applicant consulted the Councils on elements of the draft order in December 2019. However, this did not include proposed requirements. Draft requirements were only shared with the Councils on 1 March 2020. This was without the context of any associated and supporting documentation. The Councils have not yet had the opportunity to discuss these further with the Applicant, and that is currently being sought.

Results of Consultation Exercise and Consultation Report

28. As part of the documents submitted at the time of the DCO, the applicant must include a Consultation Report. The Guidance states that the Consultation Report should summarise relevant responses to the consultation and set out whether and how the information was used in developing the final proposals. It says that it is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise before the application is submitted to the Planning Inspectorate. The Inspectorate's advice is also that local authorities be provided with early sight of the Consultation Report so that they can commence consideration given the short period that they will have to respond to a request for preparation of an Adequacy of Consultation report.
29. The Applicant shared the Consultation Report with the Councils on 29 April 2020, four weeks in advance of submission.

30. At the end of each round of public consultation the Applicant held a Sizewell Community Forum – a meeting held in public, for invited representatives of various organisations, at this meeting the Applicant would summarise outcomes from the previous round of consultation and how they propose to move the project forward. At the end of the final round of public consultation the Applicant's proposal was to move the project towards submission
31. The Applicant continued holding regular meetings with statutory and some non-statutory consultees and also had monthly meetings with specific stakeholders. While this has enabled some issues to be tackled with those stakeholders, many remain outstanding. Furthermore, we are not aware that there has been any information given to the wider consultees on how the results of the most recent consultation would be used to shape and influence the project nor how any outstanding issues would be addressed.

Statements of Common Ground

32. The Guidance promotes early discussion on Statements of Common Ground and suggests that these can be submitted to accompany the application. The Inspectorate's advice is that an early Statement of Common Ground can and should be signed by both parties in the pre-application stage (albeit with the opportunity to review it before the end of the Examination). This will assist in the preparation of other documents such as the Local Impact Report. Written representations can then focus on the most controversial outstanding issues.
33. Whilst discussions on a range of subjects have continued to take place regularly between Councils and the Applicant, there has been no attempt by the Applicant to bring these together as a Statement of Common Ground in advance of submission. However, the Councils have produced a detailed Issues Tracker in relation to their concerns raised in Stages 3 and 4 of public consultation and have shared this tracker with the Applicant in order to address issues raised, with the understanding that it could help with Statements of Common Ground discussions and the drafting of Section 106 agreements in due course. Whilst there have been no discussions on Statements of Common Ground pre-submission, both Councils and the Applicant have committed to commence formal discussions on this matter during the proposed extended s56 stage.
34. Given the complexity of the scheme, the duration of the construction period, the many decades of its operational use and the impact on communities and designated environmental resources, there will be many issues that the Examining Authority will need to consider within the finite period mandated by the Planning Act 2008. This will not be assisted by the fact that the Councils, communities and other stakeholders will not have seen all the

details of the proposals, their impacts and possible mitigations in advance of the submission, notwithstanding the significant amount of information provided. There has not been the opportunity before submission to narrow the field of discussion to areas where there are clear differences between the Applicant and others, nor for parties to consider fully whether they support or object to the proposals.

Conclusions

35. Regarding the formal elements of this response on the Adequacy of Consultation, the compliance with Sections 42, 47 and 48 of the Planning Act 2008, the Applicant has, in the view of the Councils, met the legal tests. However, this response has also looked at the wider issues of consultation and compliance with guidance and advice on the pre-application process to review the quality of the consultation, which raises numerous issues.
36. In advance of the DCO submission, the Councils have not seen the full Environmental Statement, nor draft copies of some of the more critical documents including for example the Transport Strategy. There has been piecemeal feeding of further information on elements of the project. Although the Applicant has sought to engage with the Councils on the principles and strategic approaches, we would have preferred more detailed pre-application engagement.
37. Only now at the point of submission will we be able to review the proposal as a whole and make a considered and informed judgement on the proposal. Such an approach means the Councils have, as a result, been silent on some issues. The lack of a comprehensive set of documents has also compromised the engagement that has taken place because the complex inter-relationship between all the documents means no single document can ever be understood in isolation. As such, the Councils have not been able to complete the engagement on the pre-application work with the Applicant as envisaged in the regime set out by the Planning Act 2008.
38. Government guidance anticipates applications being well-developed and understood by the public, with important issues articulated and considered as far as possible in advance of submission, allowing for shorter and more efficient examinations. From the responses quoted from other statutory and non-statutory agencies, local town and parish councils and the wider public, it is clear that other parties have felt that there has not been adequate information available at the consultation stages to allow a properly informed response from stakeholders and the public.
39. The Councils have been keen, at every stage, to progress with all the outstanding elements in a constructive way with all parties but are

concerned that, with the substantial and complex work still to be done on the Statements of Common Ground, the s106 legal agreement and agreeing mitigation, there may not be adequate opportunity for the Examining Authority to undertake its work fully within the six months from the Preliminary Meeting. The Councils remain keen and ready to make progress on this matter.

40. The Councils consider that the likelihood of an extended Section 56 period as a result of the Covid-19 emergency may enable Relevant Representations to fully take account of the detail available in the full Environmental Statement, therefore it is expected that there will be some clarity on the issues that will require detailed examination for the Examining Authority to consider. The additional time must also allow progress to be made on outstanding matters, such as Statements of Common Ground, that would benefit the Examination.
41. The Councils welcome that to date the Applicant has provided resources to the Councils through agreed Planning Performance Agreements to date to undertake the necessary engagement and joint working. The Councils require an appropriate level of funding to continue to provide them with the required resources to engage fully with the Applicant on these matters.
42. The Councils further request that, in using its discretion in setting a date for the Preliminary Meeting, the Examining Authority maintains dialogue with the Councils and the Applicant in order to enable progress to be made prior to formal commencement of the Examination period. The Councils consider this would be beneficial to the Councils, the Applicant and the Examining Authority.

Nicola Beach
Chief Executive
Suffolk County Council

Stephen Baker
Chief Executive
East Suffolk Council

APPENDIX A: Suffolk Councils' responses to Sizewell C Public Consultations

STAGE 1 PUBLIC CONSULTATION

6 February 2013

Suffolk Councils' response to the Stage 1 Consultation – available here:

<https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/stage-one-consultation/>

STAGE 2 PUBLIC CONSULTATION

February 2017

Suffolk Councils' response to the Stage 2 Consultation – available here:

<https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/stage-two-consultation/>

STAGE 3 PUBLIC CONSULTATION

26 March 2019

Joint response of Suffolk Coastal District Council and Suffolk County Council to EDF Energy's Stage 3 Public Consultation (extract below)

Full document available at: <https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/stage-three-consultation/>

SUFFOLK COUNCILS' STAGE 3 RESPONSE EXECUTIVE SUMMARY

1. This document is the joint response of Suffolk County Council and Suffolk Coastal District Council (referred to as "the Councils" in this response) to EDF Energy's Stage 3 public consultation. Unless it is identified otherwise in specific sections, the Councils share the views on matters within this response. The response has been formally agreed in Cabinet Meetings of the Councils, on 11 March 2019 by Suffolk Coastal District Council's Cabinet, and on 12 March 2019 by Suffolk County Council's Cabinet.
2. In line with previously determined policy, the Councils continue to support the principle of a new nuclear power station at Sizewell, recognising the significant benefit that such a development would bring to Suffolk. The Councils are disappointed that the Stage 3 proposals have not evolved more considerably since Stage 2, particularly given the time that has been available and that this is a final public consultation. There remain a considerable number of issues to be addressed between Stage 3 and submission of the Development Consent Order (DCO). At this stage there are still some areas where the Councils are not content, cannot come to a clear view or have been unable to update our response since Stage 2.
3. Based on the new information put forward in the Stage 3 Consultation, the Councils are still not able to support all the specific proposals put forward by EDF Energy and the impacts of the proposed development are still not yet fully developed or evidenced. The Councils expect to work with EDF Energy towards a position where the Councils can conclude that on balance the advantages of EDF Energy's proposals outweigh the disadvantages.

4. This document provides a comprehensive response on all matters of the Stage 3 consultation. The most significant points made in this document are summarised below: b) The introduction of four tall pylons to the development site, which would have considerable detrimental impact on the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the justification for these and the lack of alternatives needs to be demonstrated;

5. To make the development deliverable in Suffolk and address areas of considerable public concern, there are several issues that EDF Energy needs to address. The Councils are not content with the following aspects of the proposal:

a) The dropping of a marine-led materials transport strategy with the introduction of a road-led strategy alongside the alternative of a rail-led option. The Councils continue to support marine-led and rail-led transport strategies and have not yet seen convincing evidence that a marine-led strategy is not feasible or environmentally preferable. If the marine-led option is proven to be impossible, the Councils wish to see the rail-led strategy implemented (in accordance with National Policy Statement (NPS) EN-1 paragraph 5.13.10. The Councils are not content with a road-led option, with the significant number of additional Heavy Goods Vehicles (HGVs) resulting in a detrimental effect on Suffolk's road network. The Councils are not content with the possibility of a relaxation of HGV operating hours into the night-time.

b) The introduction of four tall pylons to the development site, which would have considerable detrimental impact on the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the justification for these and the lack of alternatives needs to be demonstrated;

c) The introduction of additional permanent development within the AONB, including the proposal of a training centre and outage car parking on Goose Hill. There are no exceptional circumstances justifying these elements of the scheme in the AONB (NPS EN-1, paragraph 5.9.9, 5.9.10);

d) The mitigation proposals for Wickham Market – while the Councils welcome the recognition of potential delays on the B1078 in Wickham Market as a result of additional Sizewell C traffic, the two proposed options for mitigation (removal of on-street car parking in Wickham Market or a diversion route via the narrow, weight restricted, listed Glevering Bridge) are not appropriate (contrary to NPS EN-1 paragraph 5.13.7).

6. Due to a lack of further detail and / or enough evidence, the Councils are not yet able to come to a considered view regarding the following topic areas put forward in the Stage 3 Consultation, and expect further engagement with EDF Energy to consider more appropriate solutions on:

a) Socio-economic impacts: While the Stage 3 consultation recognises the areas of work and impacts that need to be addressed, more information is required on the delivery mechanisms to achieve the socio-economic aspirations and mitigations. EDF Energy need to further detail their assessment of the adverse economic impacts, on tourism and other industries, and provide further detail to determine and mitigate the impact of the proposal on public services;

b) Mitigation proposals for a possible increase of the expected workforce from 5,600 + 500 to 7,900 + 600, as part of EDF Energy's sensitivity testing: To consider the acceptability of an increase of the workforce number beyond 5600, the Councils expect deliverable and enforceable mitigation proposals, to avoid or mitigate impacts on the local housing market, the local workforce and transport infrastructure. The Councils do not

accept that the consultation suggests that an increase of the workforce to up to 7900 does not create any additional traffic impact as suggested;

c) Ecological surveys and mitigation: EDF Energy need to undertake further significant work to seek to survey, understand, quantify and qualify and mitigate impacts of the development on the ecology;

d) The platform footprint and position: The Councils highlighted at Stage 2 that the proposed footprint is further seaward than Sizewell B, which gives the Councils significant concerns around the impact on coastal processes and coastline and may make this design unacceptable. The Councils need to see a full assessment of the coastal process impacts and an assessment of alternatives (such as moving the platform back inland, or redesigning the layout);

e) Coastal processes: EDF Energy need to undertake further assessments, and establish with the Councils a robust process for ongoing monitoring of coastal change and Sizewell C impacts, with an obligation for EDF Energy to provide mitigation if actual change departs from anticipated baseline change;

f) The design of the proposed nuclear power station: While improvements have been made to the design of some non-nuclear buildings (see 7.c) below), the Councils remain concerned about the overall design of the site, and request that notwithstanding the limitations with regards to nuclear critical buildings, the nuclear power station design is independently reviewed through The Design Council (formerly known as CABE);

g) The site access crossing over the Site of Special Scientific Interest (SSSI): The Councils require further evidence to show why EDF Energy have chosen the causeway with culvert as their proposed scheme above the three-span bridge, which had been the Councils' preference at Stage 2;

h) The Beach Landing Facility (BLF): While the Councils support the principle of a BLF to allow deliveries of large items via sea, EDF Energy need to provide appropriate levels of detail and evidence on the impacts and practicalities of such a facility, addressing concerns including impacts on coastal processes, ecology, landscape and access to the beach and the England Coast Path;

i) The proposed redevelopment of the Northern Mound: Further detail and impact assessment need to be provided;

j) The spoil management proposals: The Councils require additional information and evidence to convince them that the proposed borrow pits and stockpiling will not have an unacceptable impact on the sensitive local environment (including on the AONB and Royal Society for the Protection of Birds (RSPB) Minsmere) and on neighbouring land uses;

k) The location of the accommodation campus remains a local concern: EDF Energy is requested to provide further evidence to demonstrate why they consider their favoured location to be the optimal location. The Councils would like to see the evidence behind not choosing either Ipswich or Lowestoft for an accommodation campus. Suffolk County Council request EDF Energy to also reconsider the nearby Leiston airfield site as an alternative location for the campus. Subject to receipt of that justification, whatever accommodation campus site is chosen, EDF Energy will need to prove that environmental impacts can be sufficiently mitigated and compensated for;

l) Land east of Eastlands Industrial Estate (LEEIE): While the Councils are content with the principle of operational construction use of the LEEIE, to provide evidence that the site can be appropriately drained from a surface water perspective, does not include overdevelopment of the caravan site, and can provide mitigation for potential detrimental environmental health impacts on neighbouring residents;

m) Surface, ground and potable water impacts: EDF Energy is asked to provide detailed proposals on drainage and dealing with surface water. EDF Energy needs to provide assessments on potential impacts on ground water, and evidence that the development does not result in unacceptable impacts on groundwater levels and related biodiversity (including from an increase in weight of the platform as a result of its increased height). They need to provide evidence that the development has no detrimental impact on potable water supply in the area. This is required to comply with NPS EN-1 section 5.9.

n) Impact on the Leiston Recycling Centre in Lovers Lane: EDF Energy is asked to discuss with Suffolk County Council how to mitigate the impact of increased traffic on Lovers Lane on the Recycling Centre so that Leiston and the surrounding area can continue to receive a good and safely delivered recycling service;

o) Notwithstanding paragraph 5.a) regarding our overall concerns with the transport strategy, the Councils consider that for the following aspects of a rail-led, road-led or indeed marine-led proposal, lack of sufficient evidence means the Councils cannot come to a considered view on:

i. The suitability of proposed traffic mitigation measures: The Councils require further clarification in several areas related to EDF Energy's traffic modelling and gravity model to determine whether the traffic mitigation measures are enough. The Councils require evidence to explain the modelled HGV numbers, to justify the assumption of a split of 85% of materials coming from the South and 15% from the North, and an indication of the number of Abnormal Indivisible Loads (AILs) arriving by road and by sea. As part of EDF Energy's sensitivity testing, the Councils require clarity on assumptions and resulting impacts of an increase of the workforce number, and do not accept that the consultation suggests that an increase in workers has no additional transport impact;

ii. The route of the proposed Sizewell Link Road from the A12 to the development site in the road-led strategy: the provision of a relief road for the B1122 is welcome but the option proposed is yet to be supported by sufficient evidence. The case to justify the best possible route must revisit the routes considered, with a comprehensive highways analysis and be mindful of any impact on allocations in the District Council's Local Plan and potential other developments;

iii. The requirement for road and junction improvements in addition to those proposed in Stage 3: EDF Energy is asked to develop mitigation proposals for additional traffic pinch points affected by Sizewell C construction traffic which have not been covered, or to provide full evidence that these locations and communities are not significantly affected by their proposal. The Councils expect that improvements are required for the A12 in the Woodbridge area, for several other junctions along the A12, and for the B1078 and A1120 as well as Leiston and rural roads;

iv. Phasing of associated transport infrastructure: The Councils require a firm commitment for early delivery of the associated transport infrastructure to avoid disruption to the main haul route (A12-B1122) during the construction period;

v. Car park spaces: EDF Energy need to justify that the total number of proposed car park spaces, at Park and Ride sites, on site and at the accommodation campus, is required;

vi. (Rail-led strategy) Additional road mitigation: EDF Energy need to evidence whether the rail-led strategy may require additional road mitigation as proposed under the road-led strategy, including mitigation for Middleton Moor and the provision of a Freight Management Facility.

7. The Councils recognise that positive progress has been made in several topic areas, and support the following proposals put forward in the consultation:

a) The aspirations set for the socio-economic topics, although the Councils ask EDF Energy to be even more ambitious in increasing the percentage of locally based workers (see also recommendation 6.a) above);

b) The proposal to set up a Housing Fund and Tourism Fund to provide mitigation in these areas, the details of which are still to be developed;

i. Two-villages bypass for Farnham and Stratford St Andrew: The Councils welcome this proposal as we had requested the two-villages bypass as minimum mitigation in Stage 2, however the Councils are still reviewing whether additional mitigation, particularly for a road-led strategy, for Marlesford and especially Little Glemham will be required;

ii. Two-villages bypass for Farnham and Stratford St Andrew: The Councils welcome this proposal as we had requested the two-villages bypass as minimum mitigation in Stage 2, however the Councils are still reviewing whether for a road-led strategy additional mitigation for Marlesford and particularly Little Glemham will be required;

iii. The proposed locations for Park and Ride facilities in Darsham and Wickham Market / Lower Hacheston;

iv. The principle of the proposed roundabout at the A12 / B1122 junction in Yoxford;

v. (Rail-led strategy) The proposed upgrade of the East Suffolk Line, including a new passing loop and upgrades of level crossings (subject to specific comments particularly related to some of the proposed level crossing closures);

vi. (Rail-led strategy): The principle of mitigation for the B1122, and creating a bypass for Theberton (further consideration will need to be given whether additional mitigation is required for Middleton Moor);

vii. (Road-led strategy) The principle of mitigation for the B1122, and of creating an alternative route from the A12 to site in the road-led strategy (but see 6.o)ii) above);

viii. (Road-led strategy) The principle of a Freight Management Facility in the wider Ipswich area, although further information, including the assessment of alternative options, is required to advise on the Councils' preferred location.

c) The improvements in the design of some of the non-nuclear buildings on the main development site (see also 6.f) above);

d) The location of sports facilities in Leiston;

e) Notwithstanding paragraph 5.a) regarding our concerns of the transport strategy, the Councils support the principle of the following aspects of a transport strategy:

8. For those impacts of the development that are residual and cannot be mitigated, EDF Energy is expected to provide wider compensation packages, including to compensate for the lasting impact on and damage to the AONB and the wider landscape around the development which is important to protect and enhance the setting of the AONB and is highly valued by the local community and visitors. The Councils will want to discuss the governance of such a fund with EDF Energy. It should be stressed that compensation should only be considered after having exhausted options to avoid or mitigate impacts.

9. The Councils expect EDF Energy to assess the in-combination effects of Sizewell C and proposals related to Offshore Wind projects and National Grid interconnectors in the Leiston area. EDF Energy, and each of the other developers, will be required to explain how the in-combination effects will be addressed. EDF Energy is asked to work closely with other developers, including Scottish Power Renewables and National Grid Ventures, to consider how mitigation across the schemes can be combined to minimise the impact of the totality of developments on the local area.

10. EDF Energy should work with the Councils, Government and other partners to seek to maximise the wider benefits and skills and employment opportunities from the development.

11. A substantial amount of evidence, assessments and detail is still required at this, likely to be final, stage of public consultation. The Councils are very concerned that by the time of EDF Energy's submission of a DCO application, due to the expected short time scale, there may still not be sufficient evidence for the Councils to come to an informed view on many topic areas. The Councils expect EDF Energy to discuss with the Councils at the earliest opportunity how to address and prioritise the evidence gaps and concerns highlighted by the Councils in this response.

12. The Councils will continue to work closely and pro-actively with EDF Energy to help them address the issues the Councils identify in this response and develop their proposals, including seeking mutually to resolve the necessary mitigation and compensation.

STAGE 4 PUBLIC CONSULTATION

September 2019

Joint response of Suffolk Coastal District Council and Suffolk County Council to EDF Energy's Stage 4 Public Consultation (extract below)

Full document available at: <https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/stage-four-consultation/>

SUFFOLK COUNCILS' STAGE 4 RESPONSE EXECUTIVE SUMMARY

A. This document is the joint response of Suffolk County Council and East Suffolk Council (referred to as "the Councils" in this response) to EDF Energy's Stage 4 public consultation. Unless it is identified otherwise in specific sections, the Councils share the views on matters within this response. The response has been formally agreed in Cabinet Meetings of the Councils, on 23 September 2019 by East Suffolk Council's Cabinet, and on 24 March 2019 by Suffolk County Council's Cabinet.

B. Previously, the joint responses have been between Suffolk County Council and Suffolk Coastal District Council, with Waveney District Council sending their own independent response. Following the successful merger of the Councils earlier this year, Suffolk County

Council are now working jointly with East Suffolk Council which represents the formerly identified areas of Suffolk Coastal and Waveney Districts.

C. The Councils' response is prepared after a community consultation event with the Parish Councils on 26 July 2019 and, alongside representations from local residents, draws upon their advice and local understanding. The Councils have also discussed the issues raised by EDF Energy with other statutory consultees.

D. The Cabinets of the two Councils agreed a comprehensive response to the previous Stage 3 public consultation in March 2019. This response still stands in its entirety (unless specified), and the Councils' Stage 4 response will need to be considered in combination with and with reference to the Stage 3 response.

E. This document provides a comprehensive response on all matters of the Stage 4 consultation. In summary, based on the new information put forward in the Stage 4 Consultation, the Councils ask EDF Energy to particularly address the following points:

- 1) As highlighted in the joint Stage 3 response, the Councils expect EDF Energy to use a deliverable sustainable transport strategy to transport materials to/from the site. Unless there is strong appropriate evidence and justification, deviation away from a sustainable transport strategy should be considered to be unacceptable and the Councils continue to expect maximising the use of marine- and rail-based transport to transport materials to/from the site. The Councils are disappointed that Stage 4 suggests that the lack of progress on the rail-led strategy is now jeopardising delivery of this option.
- 2) Based on the above, the Councils expect EDF Energy and other stakeholders including Network Rail to prioritise pursuing the rail-led strategy and confirm that we will support EDF Energy where required in pursuing a rail-led strategy above alternative road-led options.
- 3) The Councils expect EDF Energy to provide proportional mitigation to address their impacts at locations where their traffic is exacerbating a capacity or road safety concern, most prominently at the A12 in Woodbridge, but also other locations to the North of Woodbridge.
- 4) The Councils express their continued opposition to four new tall pylons to the development site, which would have considerable detrimental impact on the AONB, and the options presented at Stage 4 do not appear to significantly reduce this impact;
- 5) The Councils are pleased to see revisions to the layout of the Land east of Eastlands Industrial Estate (LEEIE) but express concern about the continued lack of detail, in particular in relation to surface water drainage solutions for the site.
- 6) The Councils welcome the additional ecological mitigation and compensation areas, for Fen Meadow and Marsh Harriers, but are concerned that the feasibility of these sites cannot be evidenced and overall ecological mitigation and compensation for the whole Sizewell C DCO remains insufficient.
- 7) The Councils welcome the identification of flood compensation areas but defer to the Environment Agency to provide expert advice as to their suitability, size and locations. Further detail is required for the Councils to comment on the environmental impacts of these options.
- 8) Suffolk County Council requires further evidence in relation to the Sizewell Link Road route selection and the potential option for removal of the Sizewell Link Road post-construction phase.

9) The Councils welcome the commitments made for project and economic benefits of the programme including the Community Fund, but require further work related to the increase workforce number of 8,500 and its impact and required mitigation on local housing and tourism accommodation, workforce displacement, health and other socio-economic issues.

F. In addition to these key points, the response in this document provides detailed commentary on many of the more minor changes proposed in the Stage 4 consultation document.

G. The Councils note their disappointment that the opportunity of a Stage 4 consultation was not used to clarify and fully evidence at least some more of the issues we raised at Stage 3 (and previous), leaving the Councils unable to come to an evidence-based view on so many matters. We take this opportunity to re-iterate in summary the previously highlighted concerns.

APPENDIX B



**National
Trust**

Nina.Crabb@nationaltrust.org.uk

Direct line: +44 (0) 01284 747433

28th November 2019

Suffolk County Council

East Suffolk Council

By Email

Dear Sir/Madam

Sizewell C Proposed Nuclear Power Station – Pre-Application Consultation (Planning Act 2008)

I am writing on behalf of the National Trust to set out our concerns regarding the lack of pre-application consultation carried out by EDF in respect of the impending Development Consent Order application for a new nuclear power station at Sizewell C.

The National Trust acknowledges that EDF has a statutory duty to carry out pre-application consultation (as set out in Part 5 of the Planning Act 2008) and that it has carried out four rounds of consultation. This includes consultation with local communities, local authorities, and those who would be directly affected by the project. We have responded to all four of these.

Please be advised that as an organisation we did not agree to enter into a Non-Disclosure Agreement with EDF when asked. We are aware that other stakeholders did, and that this has precluded us from some discussions with the applicant and other organisations. The use of Non-Disclosure Agreements does not appear to be in the spirit of the pre-application process which is set out in the Planning Act 2008 and associated guidance issued by DCLG and the Planning Inspectorate. Furthermore, in an area where partnership working via the AONB Partnership is so strong, the NDA has been divisive and excluding. When declining to sign a Non-Disclosure Agreement, we made EDF aware that we would be an affected party and that key issues such as visual impact and coastal change (key issues of concern for us as a landowner at Dunwich Heath, overlooking the development site) should be discussed in a more open forum through stakeholder meetings and public consultation in order that we would be able to fully understand the possible effects and how they could be mitigated. EDF responded to the Trust in March 2015 to advise they it was their intention to continue to engage on socio-economic, coastal processes and landscape and visual impact (LVIA) matters. Whilst EDF has engaged with us on socio-economic matters (tourism and recreational displacement), it has not on the other matters of concern for us. We have sent a copy of this letter to EDF at the same time as raising these issues with you in the hope that they will now be moved to act.

DCLG's guidance note 'Planning Act 2008: Guidance on the pre-application process' emphasises the importance of front-loaded consultation as part of the major infrastructure

planning regime to ensure a more transparent and efficient examination process. The benefits are that proposals are better understood by the public and concerns about important issues can be discussed and considered in advance of the submission of the application. This can help identify and resolve issues at an early stage.

The information provided by EDF in the four pre-application consultations has been woefully inadequate, particularly in terms of the lack of information provided on the impacts of the development on coastal processes and landscape and visual impact. Notably EDF has not yet provided information in respect of the design of the development and the landscape and visual impacts (construction LVIA remains a significant concern for NT), also the design, technical and scientific information to assess the impacts of the development on coastal processes (both during construction and operation). These are extremely important material planning issues in respect of this development. We have raised this lack of information as an issue in each of our consultation responses and in direct correspondence with EDF. We consider that withholding such information is not beneficial to any party, nor to the Planning Inspectorate.

Para.19 of the guidance note states “The pre-application consultation process is crucial to the effectiveness of the major infrastructure consenting regime. A thorough process can give the Secretary of State confidence that issues that will arise during the six months examination period have been identified, considered, and – as far as possible – that applicants have sought to reach agreement on those issues”. It also states that consultation should be thorough, effective and proportionate” (Para.25).

The National Trust is of course not a statutory consultee. However, the guidance indicates that applicant’s may strengthen their case by seeking the views of other people who may be significantly affected by the proposal. We acknowledge that EDF has engaged with us on some topic areas (recreational displacement and tourism impacts and Habitats Regulations Assessment) and this has been welcomed. However, we have significant concerns about other important aspects of the development and the lack of information means that we have been unable to consider, or influence EDF’s approach to these at NDA workshops and to consider the potential impacts. Nor have we been able to meaningfully work with other stakeholders to share information and co-ordinate proposed mitigation measures where possible. It may be the case that such information is not made available until the submission of the application which will mean that organisations with restricted resource and capacity will have limited time to be able to consider the detail. In turn, this may result in technical issues needing to be debated in detail during the examination.

The proposals for Sizewell C have been developed over a number of years (EDF first notified the Planning Inspectorate of its intention to apply for a DCO for Sizewell C in 2012), and we are extremely disappointed that after all this time EDF have still not provided important information to enable us (and others) to be able to properly understand and consider the impacts of the proposed development (despite raising this on several occasions).

I would be grateful if the content of this letter is taken into consideration when the Secretary of State consults with your authority as to whether the applicant has complied with the pre-application requirements of the Planning Act 2008.

We understand that your local authority may or may not agree with our concerns about the inadequacy of the consultation and may or may not raise this in response to the consultation from the Secretary of State prior to accepting the application for examination. Either way,

should the issues remain unresolved at the time of the DCO application we will need to raise this issue as part of our relevant representation if the application is accepted.

Should you wish to discuss any of the above in advance of, or at the time of the submission of the Development Consent Order application (including the consultation report) please do not hesitate to contact me.

Yours faithfully

Nina Crabb

Nina Crabb BSc (Hons), PGDip, MRTPI

Regional Planning Adviser (East of England)

Cc:

James Cutting (Head of Planning, Suffolk County Council)

Bryn Griffiths (Assistant Director, Suffolk County Council)

John Pitchford (SZC Planning Lead, Suffolk County Council)

Cllr Richard Rout (Suffolk County Council)

Philip Ridley (Head of Planning, East Suffolk Council)

Lisa Chandler (Energy Projects Manager, East Suffolk Council)

Cllr David Richie (East Suffolk Council)

APPENDIX C

Representations from Town and Parish Councils copied to the Councils, raising concerns with EDF Energy's Adequacy of Consultation:

Farnham with Stratford St Andrew Parish Council
Hacheston Parish Council
Kelsale-cum-Carlton Parish Council
Middleton-cum-Fordley Parish Council
Saxmundham Town Council
Theberton and Eastbridge Parish Council
Westleton Parish Council
Wickham Market Parish Council

Letter signed by the following 53 Town and Parish Councils:

Aldeburgh Town Council Aldringham-cum-Thorpe Parish Council Bawdsey Parish Council Benhall and Sternfield Parish Council Blaxhall Parish Council Brandeston Parish Council Bredfield Parish Council Bromeswell Parish Council Bungay Town Council Butley, Capel St Andrew and Wantisden Parish Council Campsea Ashe Parish Council Charsfield Parish Council Chillesford Parish Meeting Corton Parish Council Darsham Parish Council Dunwich Parish Meeting Earl Soham Parish Council Farnham with Stratford St Andrew Parish Council Friston Parish Council Great Glemham Parish Council Hacheston Parish Council Halesworth Town Council Iken Parish Council Kelsale-cum-Carlton Parish Council Kirton and Falkenham Parish Council Knodishall Parish Council	Leiston-cum-Sizewell Town Council Levington and Stratton Hall Parish Council Marlesford Parish Council Martlesham Parish Council Melton Parish Council Middleton Parish Council Nacton Parish Council Parham Parish Council Peasenhall Parish Council Pettistree Parish Council Rendham Parish Council Saxmundham Town Council Snape Parish Council Southwold Town Council Sudbourne Parish Council Sutton Parish Council Sweffling Parish Council Theberton and Eastbridge Parish Council Ufford Parish Council Waldringfield Parish Council Wenhaston Parish Council Westerfield Parish Council Westleton Parish Council Wickham Market Parish Council Wissett Parish Council Woodbridge Town Council Yoxford Parish Council
In addition to those formally signing above, Walberswick and Great Bealings expressed considerable concern.	

Representations from groups and organisations copied to the Councils, raising concerns with EDF Energy's Adequacy of Consultation:

Alde and Ore Estuary Group
Aldeburgh Society
Minsmere Levels Stakeholder Group
National Trust
RSPB and Suffolk Wildlife Trust (joint letter)
S.A.G.E Community Monitoring Group
Stop Sizewell C
Suffolk Coastal Friends of the Earth
Together Against Sizewell C

Representations from individuals copied to the Councils, raising concerns with EDF Energy's Adequacy of Consultation:

45 emails received from 31 individuals.
149 individual emails forwarded to ESC and SCC by Stop Sizewell C group.
Dr Daniel Poulter MP.

COPIES AVAILABLE ON REQUEST

Letters/emails received correct as of 12midday 9.06.2020