



**The Planning Act 2008**

**Sizewell C (SZC) Nuclear Power Station**

**Planning Inspectorate Reference: EN010012**

**Procedural Deadline B – 7 April 2021**

**Preliminary Meeting Part 1 23 and 24 March 2021**

**East Suffolk Council's Post Meeting Summary and responses**

**Preliminary Meeting Part 1 23 and 24 March 2021**

East Suffolk Council take this opportunity to confirm that we would welcome the opportunity to attend Preliminary Meeting Part 2 on Wednesday 14 April. Attendees on behalf of ESC will be: Andrew Tait QC [REDACTED] [@ftbchambers.co.uk](mailto:andrew.tait@ftbchambers.co.uk), Philip Ridley, Head of Planning and Coastal Management [REDACTED] [@eastsoffolk.gov.uk](mailto:philip.ridley@eastsoffolk.gov.uk).

This response is to be read in conjunction with ESC’s written submission for Procedural Deadline A.

Examining Authority’s Comment	East Suffolk Council’s Summary of Oral Case	References
<b>Agenda Item 1 – Welcome and introductions</b>		
<b>Agenda Item 2 – ExA’s remarks about the virtual Preliminary Meeting</b>		
<p>Invite written submissions on digital events and feedback on the virtual PM.</p>	<p>ESC considers that virtually held hearings can be more convenient and enable a wider number of persons to attend than a meeting held at a specific location. However, there are technological challenges with large scale meetings being held digitally and we did notice some issues during the Preliminary Meeting. However, after lunchtime on Day 2 ESC did notice an improvement, in particular with the livestream.</p> <p>East Suffolk is a popular location for tourism. There is a concern that if meetings are to be held in person with no virtual option, there may be challenges for ESC to find available accommodation for our consultants who live further afield. We ask that the ExA take this into consideration – as stated under Agenda Item 6 we would welcome the option to attend virtually to be retained throughout the Examination period.</p>	

<b>Agenda Item 3 – ExA’s remarks about the Examination process</b>		
Purpose and nature of the PM and format and nature of the Examination process	ESC has no comment	
<b>Agenda Item 4 – Initial Assessment of Principal Issues</b>		
<p>Following the ExA’s consideration of the written comments made to Procedural Deadline A, it will confirm at the PM that it is minded to consider both Coastal Geomorphology and Community Impacts as separate PIs for the Examination. If there are any opposing views to the consideration of those topics in that way, these should be made in writing by Procedural Deadline B, in advance of Part 2 of the PM. For that reason, it is not necessary for participants to speak at the PM on those matters but instead should make any further written representations considered necessary by Procedural Deadline B.</p>	<p>ESC would welcome the ExA including Coastal Geomorphology and Community Impacts as Principal Issues.</p> <p>We confirm that we consider the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) to be an important issue during the Examination process which should be given greater prominence than at present in the list of Principal Issues. However, we consider that this issue is closely linked to and integral to the Landscape and Visual Impact Assessment issue and in accordance with section D8 of EN-6 Vol. 2 page 209 which indicates that impacts on the AONB are dealt with under “areas of amenity, cultural heritage and landscape value”, we consider that the impacts on the AONB should be examined as part of the assessment of landscape and visual amenity impacts. ESC does not consider it would be appropriate to examine AONB issues separately from landscape and visual amenity issues.</p> <p>Towards the end of the Examination, it is suggested that an Issue Specific Hearing that specifically draws together all AONB issues be scheduled to ensure it is given appropriate consideration and prominence in the process.</p> <p>ESC highlights that recreational displacement, in particular the potential for recreational users to move from Sizewell beach to other protected areas resulting in undue pressure on European</p>	

	<p>sites, is an important component under the Biodiversity and Ecology Principal Issue (HRA).</p> <p>ESC is keen to ensure that skills enhancement is examined as this is a key opportunity area for Sizewell C to boost skills offerings in the region linked to this project, as a sub-heading of the Socio-Economic Principal Issue</p> <p>We echo our support of SCC in highlighting deliverability of the freight management strategy as a Principal Issue under the Traffic and Transport topic.</p> <p>Although the effects on the supply of Potable and Non-potable Water during construction appears as a sub-heading under Waste and Material Resources, we consider that it merits greater prominence and should be a Principal Issue in its own right. It is suggested that Borrow Pits (use and impacts) should appear as a sub-heading under Waste and Material Resources.</p>	
<p><b>Agenda Item 5 – Applicant’s proposed changes to the application</b></p>		
	<p>ESC considers that the project, incorporating the amendments proposed by the Applicant, would remain in substance that which was originally applied for.</p> <p>The change submission, if accepted into the Examination, should be examined as an integral part of the DCO application. We do not consider it practical to examine the change submission as an addendum to the original proposal.</p>	

	<p>The Applicant suggested that receipt of the additional modelling information in respect of the BLFs is imminent (Deadline B). On receipt of that modelling ESC can determine the length of time it will take to review in full. It is difficult to anticipate the minimum length of time required for this, as we will need to involve our coastal consultants in the assessment. This is likely to apply also to the modelling in respect of the hard and soft coastal defences where the information is understood to be expected in two phases (by the end of April and mid-June). Clarification from the Applicant as to the level of information to be provided at each of these dates would be welcomed by ESC.</p> <p>In their oral response to the ExA, the Applicant stated that further modelling of impacts on coastal processes from both permanent and temporary BLFs had been recently shared with ESC via a 'Marine Technical Forum' (MTF) meeting. This overstates the nature of consultation that took place. In the MTF meeting we were given a presentation comprising draft report extracts and summaries of key outputs with advice on how the data should be interpreted.</p> <p>However, the modelling report for the Beach Landing Facility and Jetty (TR543) was received by ESC on the 29 March 2021. We aim to complete our review of this during April in time to inform our position to be presented at any Coastal Processes Issue Specific Hearing. At this point, after an initial review, we consider the scope of the modelling report falls short of what ESC will need to see to allay our concerns on matters concerning beach morphology.</p>	
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	<p>It is our view that this report should be provided to the ExA and other interested parties as soon as possible.</p> <p>We do not accept the Applicant’s statement in their oral response that the design and assessment of impact of the Hard and Soft Coastal Defences, as presented in the January Change submission, is complete. Those proposals introduced a significant seaward advance of parts of the HCDF and a fundamental alteration in the form and function of the soft coastal defence. More information is required for ESC to reach a view on the coastal processes impacts of the HCDF (initial and future adapted forms), together with the design, viability and sustainability of the SCDF.</p> <p>One essential role of the SCDF is to enable mitigation for the HCDF impacts, in particular with respect to the eventual case when the HCDF becomes directly exposed to the sea, whereupon (or before) so called “secondary mitigation” measures, e.g., sediment by-passing, would come into play.</p> <p>In ESC’s view there are information gaps both in describing and qualifying the proposed mitigation measures.</p> <p>At this late stage in the process, ESC considers that it is necessary for the Applicant to establish a worst case HCDF foundation / toe detail and plan position because this is the feature that has potential to interfere with the active shoreline and is the reason for mitigation by the SCDF. We do not consider it acceptable at this stage to suggest that design of,</p>	
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	<p>and mitigation for, the HCDF toe feature can be dealt with on a 'within parameter' basis that implies the design / location may alter again with consequences for impact assessment and design of mitigation actions.</p> <p>The management and mitigation strategy for the SCDF is fundamental to the manner in which the HCDF may, or may not, interact with the marine environment; it could have implications for Suffolk's coastline and might influence compliance with the Habitats Regulations and so this should be fully considered, when the Coastal Processes Principal Issue is examined. ESC needs the additional modelling information noted in the Applicant's oral response to demonstrate that the change design is sustainable over the site lifetime to 2160+ by which time, without effective mitigation, the HCDF will probably be a marine structure and will have negative impacts on the adjacent shoreline caused by interruption of natural sediment movement.</p> <p>The Applicant's oral response makes reference to draft Requirements 12B and 7 in support of their argument. We have proposed major amendments and additions to the draft Requirements submitted by the Applicant with the DCO. The Applicant has cited these documents in their response to the ExA, ESC has not agreed these documents and amendments to them are part of the process by which ESC's concerns about coastal processes may be overcome.</p>	
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<p>In relation to those matters, the discussion will include:</p> <ul style="list-style-type: none"> <li>(i) the non-statutory consultation already undertaken by the Applicant in respect of the proposed changes;</li> <li>(ii) the submission by the Applicant of any outstanding information in support of the changes request;</li> <li>(iii) Compliance with the Infrastructure Planning (Compulsory Acquisition) Regulations 2021; and</li> <li>(iv) the carrying out of publicity that reflects the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, should the proposed changes be accepted</li> </ul>	<p>We note concerns highlighted by the EA with regards to outstanding HRA matters and reserve the right to comment following further detail received.</p> <p>To help us plan and prepare our response in readiness for the examination, we request that the ExA obtain from the Applicant a programme for the release of awaited information and reports – setting out the timetable of submission to ensure that sufficient time is allowed for its review within the examination programme.</p> <ul style="list-style-type: none"> <li>(i) No further comment.</li> <li>(ii) Modelling still required in relation to the revised and new defences and beach landing facility – as above ESC will need time to analyse these submissions with our consultants.</li> <li>(iii) No comment.</li> <li>(iv) No comment.</li> </ul>	



<b>Agenda Item 6 – Draft Examination Timetable</b>		
<ul style="list-style-type: none"> <li>• Deadlines for submissions and notifications</li>   <li>• Dates and format for hearings</li> </ul>	<ul style="list-style-type: none"> <li>• ESC noted some small errors in the timetabling – repeated here for ease: Deadline 5 includes: Post Hearing submissions but does not correspond to any preceding hearings, and there is no Post Hearing submissions item for the hearings on 17 – 27 August.</li> <li>• The dates and format for hearings are noted. ESC welcomes the gaps between hearings which will be important to retain given the documentary requirements during the gaps.            In order to co-ordinate staff and consultant attendance at Issue Specific Hearings we would welcome identification of issues to be discussed on specific dates as early as possible in the programming.            ESC is concerned that there may not be enough Issue Specific Hearings in the programme given the breadth of the proposal. However, we also welcome the gaps in the timetable that currently exist and would not wish to see these eroded. In the event that additional Issue Specific Hearings are required, timetabling those hearings prior to those scheduled in July may be more easily accommodated in the Timetable. Working with SCC we attach at Appendix 1 to this response, a suggestion of the areas that may need to be examined during the Examination process which we hope the ExA may find helpful.</li> </ul> <p>Format of hearings: ESC remains of the opinion that all attendees to hearings should be given the option to attend virtually post lifting of Covid-19 restrictions.</p>	

<ul style="list-style-type: none"> <li>• Arrangements for site inspections</li> </ul>	<p>There may be attendees who cannot safely attend in person or who are some distance from East Suffolk (e.g., consultants working on behalf of ESC), who would benefit from attending virtually.</p> <p>POST-HEARING: ESC was disappointed to be informed of the extension by 3 months of the Examination timetable for the East Anglia One North and East Anglia Two DCO Examinations. We are concerned that this may result in implications for and complications to ESC’s ability to respond to three challenging DCO examination timetables simultaneously given that there is shared technical expertise and Counsel across all three Examinations. The ExA is asked to consider revising the timetable for the Sizewell C Examination to take this into account – one solution could be some flexibility in initial deadlines through May and June, another would be to delay the start of the Sizewell C Examination. This would recognise the difficulty ESC and others, including residents local to all projects, would have in participating, co-ordinating, and responding to both.</p> <ul style="list-style-type: none"> <li>• ESC notes the date for the Accompanied Site Inspections pre- potential lifting of Covid-19 measures. We would welcome the opportunity to attend the ASI, so if this is better facilitated after June 21, 2021 then we would welcome a revision to the timetable to incorporate this. However, if the current dates are retained, we would welcome the opportunity to discuss further how ASI may</li> </ul>	
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	be carried out in a Covid-19 secure manner. We will respond to the Applicant’s draft itinerary at deadline 1.	
<b>Agenda Item 7 – Procedural Decisions taken by the ExA</b>		
The ExA will outline its expectations in relation to the submission of Statements of Common Ground (SoCGs). It will propose an additional SoCG between Suffolk Coastal Friends of the Earth and the Applicant and consider any suggestions for others including between the Applicant and Suffolk Coast Destination Management Organisation.	ESC will continue to discuss with the Suffolk Coast DMO and the Applicant the suitability of a Statement of Common Ground between those parties. We have clarified that this is not a matter on which the formal decision of the ExA is sought. We note the Applicant has begun drafting a SoCG on these matters and we look forward to receiving it.	
<b>Agenda Item 8 – Any other matters</b>		
<b>Adjournment of the Preliminary Meeting until Wednesday 14 April 2021</b>		

## Appendix 1: Suggestions for topic areas for ISH

Ref	Issue Specific Hearing (note that not all will require a full day)	Items to be covered	Phasing consideration in Timetable
1	Policy and need	Including: need of the development Role and status of NPSs E-1 and EN-6, Planning Act 2008 Strategic consideration of ES approach to alternatives.	
2	Draft Development Consent Order	Including S106, dDCO requirements, regulatory approvals, environmental permits etc.	To avoid repetition of arguments, discussions on the topic content of draft S106 agreements, other obligations and agreements, and dDCO requirements may be best scheduled after hearings of topic specific areas.
3	Transport Strategy	<ul style="list-style-type: none"> <li># Transport modelling.</li> <li># Freight Management Strategy incl. additional rail paths on East Suffolk Line, and impacts of both HGV and rail movements.</li> <li># Workers transport strategy</li> <li># Sustainability and carbon footprint</li> <li># Cumulative transport impacts including road safety, road capacity, noise, air quality, vibration, impact on emergency services, community impacts, economic impacts, amenity impacts, impact of phasing.</li> <li># Caps and controls, transport management plans.</li> </ul>	<p>Evidence on the deliverability of the freight management strategy is still evolving (in particular in relation to feasibility of train movements and required upgrades to East Suffolk Line, and deliverability / acceptability of beach landing facilities). It is not known how conclusive or otherwise the information to be provided before the ISHs in July will be.</p> <p>Due to its importance, this topic area should be considered in the first set of ISHs, preferably in the second week (13-16 July). However, the Councils expect that it will have to be revisited in later ISHs when further information becomes available and to address outstanding issues including those arising from related topic areas.</p>

4	Rail improvements: Green rail route, East Suffolk Line, Leiston Branch Line	LVIA, ecology, air quality, noise and vibration, PROW, heritage, archaeology, minerals, soils and agriculture, highway impacts, deliverability	This topic area relies on Network Rail assessments to be as advanced as possible, so may be advisable to be scheduled later in the examination.
5	Associated development: Park and Ride	North and South Park and Ride - Principle of need and alternatives, LVIA, ecology, air quality, noise, lighting, access, operation, archaeology, heritage, minerals, soils and agriculture, PROW, highway impacts	
6	Associated development: Freight Management Facility	Principle of need and alternatives, highway impacts, LVIA, ecology, air quality, noise, drainage, lighting, access, archaeology, heritage, minerals, soils and agriculture, PROW	
7	Associated development (permanent): Two Village Bypass	Principle of need and alternatives, highway impacts, LVIA, ecology, air quality, noise, drainage, lighting, access, archaeology, heritage, minerals, soils and agriculture, PROW	
8	Associated development (permanent): Sizewell Link Road and Yoxford roundabout	Principle of need and alternatives (during construction and operation of power station), highway impacts, LVIA, ecology, air quality, noise, drainage, lighting, access, archaeology, heritage, minerals, soils and agriculture, PROW.	
9	Other highway improvements	Improvements proposed by the Applicant, and possible need for additional highway improvements across the affected network, to mitigate road safety, road capacity and amenity and severance impacts	This topic area has some dependency on the deliverability of the freight management strategy, as fewer materials being transported by rail or sea may exacerbate impacts on the highways network. Therefore, it may be helpful to schedule

			this topic area at a later ISH when it is hoped further evidence on the deliverability is available.
10	Associated development: Accommodation campus	Principle of need and alternatives, LVIA, design including flexibility to sizing, ecology, air quality, noise, drainage, lighting, access, archaeology, heritage, minerals, soils and agriculture, PROW, highway impacts,	It is suggested that this topic is best covered after Community Impacts covering housing impacts (item 16 on this list), so that it can focus on the campus proposals rather than the wider accommodation market.
11	Associated development: Land east of Eastlands Industrial Estate	Highway impacts, LVIA, ecology, air quality, noise, drainage, lighting, access, archaeology, heritage	Interrelationships of this item with housing strategy in respect of the proposed caravan site (proposed to be covered under Community Impacts - item 18 in this list) should be considered when scheduling.
12	Coastal Geomorphology	Associated development: beach landing facility - temporary and permanent. Permanent development: Hard and Soft Coastal Features (sea defences), temporary CDO outfall, FRR etc - construction and operational, PROW. Also in light of climate change and resilience.	Further information is due to be provided in respect of the BLF by the Applicant at Deadline B and at later dates in respect of the sea defences. If this evidence is not conclusive or comprehensive, further detail may be required for a full assessment. Again, it may be required to revisit this topic at a later ISH when further information is available.
13	Natural Environment and Heritage Impacts (main development site)	Focus on: # Specific proposals and alternatives: Design, pylons, spoil heaps, borrow pits, SSSI crossing # Landscape and visual impacts (incl. SLVIA, design of the power station, spoil heaps) # Biodiversity and ecology (incl. impacts on SSSI and adjacent protected sites, impacts on HRA and Suffolk Priority Species, impacts of borrow pits)	Given the importance of this topic area, it is suggested that this should be prioritised in the first two weeks of ISH in July.

		# Heritage/archaeology # AONB special qualities and AONB land take	
14	Amenity impact (main development site)	Noise and vibration, PROW, recreational impacts	
15	Offshore issues	Marine ecology, fisheries, marine water quality and sediment, marine navigation	
16	Offsite ecological mitigation	Fen meadows at Benhall, Halesworth and Pakenham Off site marsh harrier mitigation sites	
17	Economic development, skills and education, tourism	Impacts on and opportunities for local economy, local businesses, supply chain, employment impacts, required skills and education initiatives, tourism impacts and mitigation measures	
18	Community impacts	To include demographic modelling (including gravity model), housing, public services, health and emergency services, sports and recreation, community safety, quality of life and wellbeing - including residual mitigation funding	This may have to be covered in two parts, as it would be beneficial to consider demographic/gravity modelling and housing impacts early in the process.  Note that health/emergency services may not be ready with their evidence at the time of the July hearings.
19	Waste and material resource management	Conventional waste management strategy, materials management including stockpiling and borrow pits	
20	Water supply	Supply of potable and non-potable water	
21	Flood risk - surface water and coastal, ground water	Flood risk assessments; effects on groundwater and surface water; compliance with WFD	



22	Cumulative impacts	Cumulative impacts with other major planned developments in the area, including onshore infrastructure of offshore wind farms and interconnectors and other major non-energy projects	
23	Radiological considerations; and Major accidents and disasters	Provision of facilities for safe storage of Intermediate Level Waste and spent fuel rods. Longer term plans for this storage. Provision for responding to major accidents and disasters.	
24	Compliance with HRA and WFD, including IROPI	Whether the proposed development would comply with legal requirements including consideration of alternatives in respect of HRA and WFD, and whether Imperative Reasons of Overriding Public Importance have been appropriately applied.	
25	AONB Residual impacts	The Councils consider that it would be helpful, after hearings about the individual topic areas, to dedicate a hearing to bring together all aspects impacting the AONB (as the designation is wider than solely landscape issues) and natural environment. This should then also consider the need and scale for required mitigation for residual impacts on the natural environment (proposed to be through the Natural Environment Fund).	It is suggested that this hearing should take place after all elements of the natural environment, heritage and amenity topics have been considered, as the AONB designation is based on many of these elements.