



Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Pro

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

PART 1 OF 6

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ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
G.1 General and Cross-topic Questions		
G.1.0	The Applicant	<p>Limits of deviation</p> <p>As drafted the DCO has no limitation on the depth to which works could be undertaken. Please explain how this aligns with the assessment carried out within the ES.</p> <p>In order to reflect the assessment within the ES does the DCO not require a maximum depth of excavation – with a potential for a limit of deviation? If this is not considered to be necessary, please explain how the ES has assessed the potential effects of unlimited excavation.</p>
	Response	
G.1.1	The Applicant	<p>Plans</p> <p>The Planning Statement, Plate 3.2, identifies the nominated site area for Sizewell C from NPS EN-6. Please provide a set of the Figures from the original Government Appraisal of Sustainability for the site, and an overlay of the DCO Application site highlighting any additional land included or excluded from that assessed including identification of the temporary construction area.</p>
	Response	
G.1.2	The Applicant	<p>Plans</p> <p>On an appropriately scaled ordnance survey plan show the land within the DCO for the main development site and the lines of latitude and longitude referred to in paragraph C.8.88 of NPS-6 Vol II.</p>
	Response	
G.1.3	The Applicant	<p>Local and Parish Council Boundaries</p> <p>A number of local and parish councils have made Relevant Representations. To assist in a full understanding of their relationship to the sites, provide a plan showing the</p>

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ExQ1	Question to:	Question:
		geographical boundaries of County, District, Town and Parish Councils that have made Relevant Representations.
	Response	
G.1.4	The Applicant	Policy approach The Planning Statement, section 1.7, provides a summary of the Applicant's approach to legislation and policy. Section 3 sets out those matters in more detail. Please provide an update to and/or expansion of that approach including reference to any subsequent Government responses or publications and the changes made to the original application.
	Response	
G.1.5	The Applicant	Policy approach The Planning Statement, paragraph 3.9.11, identifies matters identified in the NPSs as not relevant for the decision-maker, principally because they have already been considered by the Government or because they are subject to control through other regimes. Please explain further why those matters should not be regarded as relevant considerations?
	Response	
G.1.6	The Applicant	Policy approach The Planning Statement, paragraph 3.9.13, states that: " <i>The principle of a new nuclear power station at Sizewell, therefore, has been accepted and that acceptance is important and relevant and continues to carry significant weight.</i> " Please explain further why that 'in principle' acceptance and the overall policy approach of the NPSs should continue to carry significant weight?
	Response	

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ExQ1	Question to:	Question:
G.1.7	The Applicant	<p>Policy approach</p> <p>The Planning Statement, paragraph 11.1.5, makes reference to the consideration of alternative energy sources and sites by Government in developing national policy and states that they do not need to be considered again in the determination of this application. Please provide an update to include reference to the National Infrastructure Strategy (NIS) and National Infrastructure Commission (NIC) Government response statements.</p>
	Response	
G.1.8	The Applicant	<p>Policy approach</p> <p>The CCC's 6th Carbon Budget December 2020, recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035 and sets out a number of key recommendations including for electricity generation and in relation for uncertainties that need to be resolved. Please comment on the implications of that report for the proposed development and the role of nuclear in electricity generation generally.</p>
	Response	
G.1.9	The Applicant	<p>Policy approach</p> <p>The Government recently provided a Response to the CCC's 2020 Progress Report to Parliament and also announced a 10 point plan for a 'Green Industrial Revolution'. Please comment on that response and announcement with particular reference to the role of nuclear power generation of the type proposed by the scheme as part of that plan?</p>
	Response	
G.1.10	The Applicant	<p>Policy approach</p> <p>The Planning Statement, section 3.8, considers whether there has been a change in circumstances since the EN-6 site specific assessment. Please identify and list all changes</p>

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ExQ1	Question to:	Question:
		to the site area/circumstances for the Sizewell C Project application compared to what was considered by EN-6.
G.1.11	The Applicant	<p>Policy approach</p> <p>The Planning Statement, paragraph 3.6.4, draws support from the Secretary of State’s decision in respect of a DCO application for a new gas-fired power station at Drax:</p> <p>(i) Please provide an update in the light of the Court of Appeal judgment dated 21 January 2021 in the case of R (oao) Client Earth and Secretary of State BEIS (1) and Drax Power Ltd (2)?</p> <p>(ii) Please comment on what represents a realistic, and not an exaggerated, view of the weight to be given to ‘considerations of need’ in this particular case?</p>
G.1.12	The Applicant, SCC, ESC	<p>Policy approach</p> <p>The Planning Statement, paragraph, 3.9.2, states that it is appropriate to treat EN-1 and EN-6 as providing the primary policies relevant to the determination of the application. Likewise, section 3(10)(b), paragraph 3.10.2, refers to EN-1 (paragraph 4.1.6) as stating that other matters which the decision-maker may consider both important and relevant to its decision making include development plan documents or other documents in the local development framework. However, it goes on to say that in the event of a conflict between the NPS and local policy, the NPS prevails for the purposes of decision making given the national significance of the infrastructure:</p> <p>(i) Does that correctly reflect the position where both the NPS and the development plan fall within the scope of s105(2)(c)?</p> <p>(ii) Alternatively, in such a case, do NPS policies not “<i>sit alongside</i>” other national and local planning policies?</p>

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ExQ1	Question to:	Question:
	<p>Response</p>	<p>(iii) How should the weight to be attributed to those matters and the question of primacy be assessed by the decision-maker in each case?</p> <p>(i) Where both the NPS and the development plan fall within the scope of s105(2)(c), the SCC does not consider the statement “in the event of a conflict between the NPS and local policy, the NPS prevails for the purposes of decision making given the national significance of the infrastructure” correctly reflects the position.</p> <p>The Secretary of State must have regard to the matters set out in section 105(2)(c) (and summarised above). There is nothing in section 105(2)(c) which states that the NPS prevails for the purposes of decision making. Nor is there any guidance or case law to assist on this specific question. While the WMS says it is “likely” that “significant weight” would be given to policy in EN-1 and EN-6, that is a matter for the Secretary of State to decide when determining the application. If, for instance, the Secretary of State considered in the circumstances of an application that greater weight should be given to (say) local policy, the Secretary of State could reach that conclusion, subject to the usual public law considerations.</p> <p>(ii) SCC agrees with the premise of question (ii) i.e. in the circumstances described, the NPS policies “sit alongside” other national and local planning policies.</p> <p>(iii) Section 105(2)(c) does not attribute weight to matters or state how primacy must be assessed by the decision-maker. This is a matter for the Secretary of State’s reasonable discretion.</p>
G.1.13	The Applicant, SCC, ESC	<p>Policy approach</p> <p>The Applicant’s Planning Statement, paragraph 3.10.13, sets out a number of regional or other policy documents which are relevant to the Sizewell C Project and have been considered within the ES technical assessments. The Applicant indicates that this is not a complete list. Are there any other policy documents that should be drawn to the ExA’s attention to at this stage?</p>
	<p>Response</p>	<p>The LIR [REP1-045] sets out, in sections 4 and 5, all policies and strategies that SCC and ESC consider relevant to be considered for the Sizewell C project. A copy of these policy documents has been included in the Appendices to the LIR.</p>

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ExQ1	Question to:	Question:
		<p>The policies/strategies not referenced in para 3.10.13 are:</p> <ul style="list-style-type: none">• Green access strategy (Rights of Way Improvement Strategy)• Suffolk County Council Travel Plan Guidance• Suffolk Guidance for Parking• New Anglia Local Enterprise Partnership (NALEP) Economic Strategy for Norfolk and Suffolk 2017• Integrated Transport Strategy for Norfolk and Suffolk• East Suffolk Economic Growth Plan 2018 - 2023• East Suffolk Business Plan• East Suffolk Strategic Plan 2020-2024• Suffolk County Council Priorities 2017-2021• Suffolk Coast and Heaths Area of Outstanding Natural Beauty Management Plan 2018-2023• Natural Beauty and Special Quality Indicators of the AONB• Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)• AONB: The selection and use of colour in developments guide• Section 106 Developers Guide to Infrastructure Contributions in Suffolk• State of the AONB Report 2018• Suffolk Flood Risk Management Strategy• Leiston Surface Water Management Plan Update
G.1.14	SCC, ESC	<p>Policy approach</p> <p>If not already provided, please submit complete copies of all relevant development plan and emerging policies and indicate in LIRs whether the status of any of those plans has changed.</p>

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ExQ1	Question to:	Question:
	Response	The LIR [REP1-045] sets out, in sections 4 and 5, all policies and strategies that SCC and ESC consider relevant to be considered for the Sizewell C project. A copy of these policy documents has been included in the Appendices to the LIR.
G.1.15	The Applicant, SCC, ESC	Policy Approach The ESC Local Plan was adopted towards the end of 2020, please advise on the current position in respect of the policies that should now be considered and whether this change affects the assessment of policies set out by the Applicant.
	Response	We defer to ESC to respond to this question.
G.1.16	The Applicant, ESC	Policy approach The Applicant's Planning Statement section 3.10(b), paragraph 3.10.8, states that where the strategies of the Local Plan relate to generic issues such as the protection of the environment, the relevant policy tests are those set out in the NPS. Likewise, paragraph 3.10.11 states that for Policy SP13 of the emerging local plan, which sets out a series of matters against which SCC believes that major infrastructure proposals should be considered, the NPSs would prevail in the event of any conflict with local and national policy: (i) Does that reflect the correct position and is the primacy of the NPSs agreed between ESC and the Applicant? (ii) If not, please identify and explain any areas of disagreement?
	Response	
G.1.17	The Applicant, MMO	Policy approach The Planning Statement, section 3(10)(c), paragraph 3.10.19, refers to EN-1 (paragraph 4.1.6) which states that " <i>The IPC must have regard to the MPS and applicable marine plans in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area. In the event of a conflict between any of these marine planning documents and an NPS, the NPS prevails for purposes of IPC decision making given the national significance of the infrastructure.</i> " Given that the decision in this case would be made pursuant to s105 PA 2008 and not s104 PA 2008,

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ExQ1	Question to:	Question:
		should the NPS still prevail in the event of a conflict or is the weight to be attributed to those matters a question for the decision-maker to assess in the light of the particular circumstances of each case?
	Response	
G.1.18	The Applicant	Policy approach The Planning Statement, paragraph 3.9.15, and Tables 3.2 and 3.3 provide an NPS tracker. The Applicant is requested to provide a more comprehensive NPS Accordance Table (NPS Tracker) for both EN-1 and EN-6 setting out the relevant NPS paragraph number, the requirement of the NPS, the compliance with the NPS by way of reference to submitted documentation and summary explanation, together with any subsequent update. The updated tracker to be submitted at each Examination deadline as specified in the Examination Timetable. This should record any changes and supplements to the Applicant's position on NPS compliance demonstrated by submissions during the Examination.
	Response	

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ExQ1	Question to:	Question:
G.1.19	The Applicant	<p>Need</p> <p>The Planning Statement, section 3.5, sets out why the Applicant considers that EN-1 and EN-6 establish an urgent need for new nuclear power generation in the UK. This is disputed by a number of IPs. For example, the relevant representations of Leiston Labour Party [RR-0678], Mark Hoare [RR-0752], Friends of the Earth Grassroots Nuclear Network [RR-0400], Stowarzyszenie 'Wspólna Ziemia' (Association Common Earth) [RR-1163], Swilland and Witnesham Grouped Parish Council [RR-1198], and Stop Sizewell C (Theberton & Eastbridge Action Group) [RR-1162] advocate the use of other technologies as being preferable. Likewise, Together Against Sizewell C (TASC) [RR-1231], contends that there is no NPS which establishes the “need” for a new nuclear power station post 2025, or the appropriateness of SZC for that purpose, when judged against the reasonable alternatives. The Applicant is requested to provide further justification and explanation in the light of these comments for its stance that the principle for the need for new nuclear plants such as Sizewell C is established in EN-1 and that significant weight should be attached to the statements of need set out in EN-1 and EN-6.</p>
	Response	
G.1.20	The Applicant	<p>Need</p> <p>The Planning Statement, section 3.7, considers the EN-1, EN-6 site specific assessment and amongst other things, asserts that, in principle, Sizewell C is identified as a site suitable for the development of a new nuclear power station. The relevant representation of Walberswick Parish Council [RR-1257] submits that this potential suitability is no longer valid since it was based on an ability to use a sea-based transport strategy. Please provide a specific response to that matter in the light of the changes to the original application.</p>
	Response	

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ExQ1	Question to:	Question:
G.1.21	The Applicant	<p>Need</p> <p>The Planning Statement, paragraph 7.2.11, states that based on current grid intensity the operation of Sizewell C would displace the equivalent of its construction emissions within the first 6 years of operation. The representation of Ian Marshall [RR-0490], states that <i>"the carbon footprint of Sizewell C's construction will have an adverse impact on carbon targets; it cannot positively contribute to UK's carbon neutral timetable until 2040 at the earliest"</i>. Please comment on that assertion and set out the anticipated timetable for the displacement of construction emissions and the achievement of a positive contribution to the UK carbon neutral timetable.</p>
	Response	
G.1.22	The Applicant	<p>Need</p> <p>The Planning Statement, paragraph 7.2.12, compares the lifecycle GHG emissions with lifecycle emissions from other sources. The representations of IPs such as East Suffolk Council on behalf of Green, Lib Dem & Independent Group [RR-034], assert that nuclear power compares unfavourably, in terms of GHG emissions, to wind power. Please explain further the derivation of the figure of 4.5g CO₂e/kWh for lifecycle GHG emissions for the scheme.</p>
	Response	
G.1.23	The Applicant	<p>Need</p> <p>The Institute for Resource and Security Studies [RR-0499] states that it is untrue that Sizewell C 's CO₂ equivalent emissions would be <i>"similar to wind and lower than solar"</i>. When the carbon footprint of its full uranium 'fuel chain' is considered - from uranium mining, milling, enrichment (which is highly energy intensive), fuel fabrication, irradiation, radioactive waste conditioning, storage, packaging to final disposal - nuclear power's CO₂ emissions are between 10 to 18 times greater than those from renewable energy</p>

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ExQ1	Question to:	Question:
		technologies. Please comment on the criticisms made and indicate whether the comparisons made by the Applicant take account of the factors mentioned and, if not, why not?
G.1.24	The Applicant, Relevant local planning authorities	<p>Benefits - Economic</p> <p>The Planning Statement, paragraph 7.2.18, states that home-based jobs generated by the project would equate to around 1% of all employment in Suffolk. This is regarded by the Applicant as a significant increase in employment and a major beneficial change to employment in the area:</p> <p>(i) What reliance can be placed upon the estimate that around 2,000 home based workers would be employed on the main development site at peak?</p> <p>(ii) What weight can be placed upon such relatively temporary employment benefits in the overall balancing exercise?</p>
	Response	<p>i) SCC considers that any estimate like this has to be treated with a degree of caution, and should be considered as an indication rather than a worst or best case scenario.</p> <p>When looking to understand the home-based workforce and the figures that have been presented it is worth to review experience from the build of Sizewell B, as considered in the longitudinal research study led by John Glasson of Oxford Brookes University (summarised in an article in "Impact Assessment and Project Appraisal", vol 23, September 2005, pages 215–226 [submitted by SCC as ExQ SE.1.5 SCC Appendix]). This study identified a 'substantial boost to local employment especially in the civil engineering phase of construction'.</p> <p>Looking at Hinkley Point C, the Oxford Brookes Study commissioned by the New Nuclear Authorities Group ([REP1-089] para 3.2.3) independently confirms that local employment percentages are above those predicted for the first years of construction.</p>

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		<p>Both of these studies indicate that the level of home-based recruitment estimated by the Applicant can be reached. However, both studies confirm that these levels of home-based recruitment were underpinned by effective employment and training measures.</p> <p>Therefore, SCC considers that, subject to a robust and sufficiently funded employment, skills and education strategy, the estimate of 2,000 home-based workers is a conservative one that can be met, and then encourages home-based employment to be maximised beyond this estimate.</p> <p>It is important for the ExA to note that, in the context of Sizewell B, approximately 60% of local recruitment was into semi-skilled/unskilled and clerical jobs. This has limited the legacy benefits for the local community. Therefore, SCC considers that the Sizewell C employment, skills and education strategy as set out by the Applicant needs to ensure there are a range of measures to increase local employment levels in higher skilled roles, identified as legacy roles, which would be valuable for the region in the long term.</p> <p>ii) As set out in para 25.1 – 25.12 LIR and in answers to SE1.28, SE1.29 & SE1.31 SCC’s approach to the employment opportunities is to view the opportunities as a catalyst for long term employment, especially for those furthest from the labour market, in roles that have an increasing and enduring demand in the region as identified in the report “Technical Skills Legacy for Norfolk & Suffolk” by Pye Tait Consulting [submitted by SCC as ExQ SE.1.39 Appendix 2]. The higher number of individuals and the further they have been supported to progress (i.e. from unemployed to work or from within work to better work) the greater the value of the home-based worker opportunities to the region.</p> <p>We expect the Applicant to proactively support this ambition through the Employment, Skills and Education Strategy. Through an agreed Governance structure we will work with the Applicant to deliver a Workforce Delivery Strategy (WDS) and Annual Workforce Delivery Implementation Plans (AIP), which would secure a flexible, dynamic process enabling reaction to any impacts picked up through monitoring, such as workforce churn, and take account of the changing skills and employment landscape, legacy opportunities and the economic cycle we are in.</p>

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ExQ1	Question to:	Question:
G.1.25	The Applicant	<p>Benefits - Economic</p> <p>The Planning Statement, paragraph 7.2.20, states that the project would also create extensive supply chain opportunities:</p> <p>(i) What reliance can be placed upon the experience of development at Hinkley Point C by way of a comparator for such opportunities given the different location and circumstances of the Sizewell site?</p> <p>(ii) What is the likelihood of a similar level of spending on the regional supply chain at Sizewell C taking place and how would that be secured?</p>
	Response	
G.1.26	The Applicant	<p>Benefits - Education, Jobs and skills</p> <p>Please provide further explanation and details to support the claim set out in the Planning Statement, paragraph 7.2.33, that the economic effects of Sizewell C Project on skills, employment and the labour market would be substantial given the relatively short-term nature of many of those economic effects.</p>
	Response	
G.1.27	The Applicant, Relevant local planning authorities	<p>Benefits – Tourism</p> <p>The Planning Statement, section 7.2 (e), explains the provision of the proposed Tourism Fund and what that is anticipated to achieve:</p> <p>(i) Please explain further why the provision of such a fund could be relied upon to mitigate the potential for adverse impacts on tourism as anticipated by the ES distinguishing between construction and operational impacts?</p> <p>(ii) Please list the locations of particular concern and explain how the provision of a Tourism Fund would specifically assist those particular aspects of the tourist economy most likely to suffer an adverse impact?</p>
	Response	<p>(i) SCC considers that most negative tourism impacts will occur during the construction phase. The 2019 visitor survey [APP-268] shows that potential visitors will be dissuaded from coming to the area during the construction phase. In light of these expected negative perceptions, it is considered that the Fund could fund a variety of interventions</p>

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		<p>to mitigate this – such as effective marketing and promotion of the area, creation of new and improved visitor experiences, infrastructure, effective monitoring of the impact on the visitor economy during construction etc. For the years immediately after the completion of construction, SCC has concerns that at the end of the construction period, there could be a “boom and bust” effect for the local economy (referred to in the LIR [REP1-045] para 26.12) ; therefore the proposed tourism fund should include provision to mitigate the impacts at this post-construction period. Impacts further into operation are considered to be less important but may still have a negative impact on existing business viability as people may continue to use alternative tourism locations elsewhere.</p> <p>(ii) The development is located within the AONB which is a significant tourist attraction in its own right with a reputation for quiet, peace and natural tranquillity built up over many years. The proposed construction of Sizewell C within what is a highly sensitive area will have significant negative impacts on people’s willingness to visit during construction. The construction phase will have significant impacts on the experience of the AONB and as a result will negatively impact the associated reputation of the whole of the Suffolk coast as a high quality recreational destination. The tourism fund is designed to mitigate these negative impacts in a number of ways including effective marketing of the area and other tourism hotspots nearby and providing new visitor experiences to attract a new generation of visitors to the area. Key fund areas should include:-</p> <ol style="list-style-type: none"> 1. Visitor Experience Development 2. Infrastructure Asset Investment 3. Destination Marketing and Promotion 4. Tourism Business Support Grants 5. Tourism Support Resources 6. Research Visitor/Business Surveys
G.1.28	The Applicant	<p>Indicative Construction Programme [APP-599]</p> <p>The early years assessment of traffic is done for an assumed year of 2023. On the indicative programme the years are not referenced. Annotate the years on the programme so it can be easily referenced to other submission documents.</p>
	Response	

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ExQ1	Question to:	Question:
G.1.29	The Applicant	Construction Phases Figures 2.2.34 to 2.2.38 in [AS-191] show Construction Phases 1 to 5. They do not appear to relate to the Implementation Plan provided in [APP-599]. Provide: (i) Information on other construction phases, given temporary access and haul roads are still in place in Phase 5; and (ii) Cross reference these documents so that the construction phases can be identified in the Implementation Plan.
	Response	
G.1.30	The Applicant	Main Platform - Underground Construction Provide long and cross sections of the main development platform showing the cut-off wall extent and also any deep excavations proposed, including marine tunnelling shafts.
	Response	
G.1.31	The Applicant	Main Platform - Underground Construction Explain how dewatering will be undertaken for the revised marine tunnelling area outside of the cut off wall.
	Response	
G.1.32	The Applicant	Permanent SSSI Crossing In paragraphs 2.2.135 and 2.2.136 of [AS-181] the crossing bridge is said to be 30m long and 45m wide, in paragraphs 2.7.7 and 2.7.9 of [AS-202] the crossing bridge is said to be approximately 40m long and 40m wide and in paragraph 3.2.3 of the FRA Addendum [AS-157] the bridge is said to be 30m wide. In the plan SZC-SZ0100-XX-000-DRW-100205 [PDA-005] it is 40m long and 30m wide. Confirm the following: (i) The length of the proposed bridge (north /south); and (ii) The width of the proposed bridge at soffit level (east/west). Please update the plans to record the conclusion.

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	Response	
G.1.33	The Applicant	Permanent SSSI Crossing Explain in detail why the width of the crossing needs to be around 40m at crest level given only the permanent access road will remain at operation.
	Response	
G.1.34	The Applicant	Permanent SSSI Crossing A number of IP's have referred to a crossing option of a three span bridge, that was considered at Stage 2 consultation. This is outlined in Appendix D7 [APP-072]. In Table 7.2 of that document it sets out the relative merits of a number of options including a three span bridge. This three span bridge option is stated to have the least land take from the SSSI and also has the least width of 35.5m, which includes the temporary bridge that would be ultimately removed. The current proposal has a final footprint width of 70m. This width is greater than any option in that previous consultation and presumably has a higher land take from the SSSI especially as there would be no removal of temporary incursion into the SSSI. Provide: (i) Explanation in detail why the three span bridge approach in the Stage 2 consultation is no longer being proposed, given the implications for the SSSI set out in Table 7.2 and Table 7.3; and (ii) The estimated land take of the current single span bridge proposal.
	Response	
G.1.35	The Applicant	Permanent SSSI Crossing Paragraph 2.7.8 of [AS-202] states " <i>The carriageway would have an approximate width of 12m and require approximately 3m high safety barriers on either side.</i> " Explain the following:

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ExQ1	Question to:	Question:
		(i) Whether the carriageway width of 12m is in its usual meaning the vehicle running width or includes the width of the footways on either side; and (ii) Why there is a requirement for a safety barrier of 3m high on either side of the carriageway.
	Response	
G.1.36	The Applicant	<p>Permanent SSSI Crossing Figure 2.2.16 in [AS-190] seems to show that the carriageway and the top of the embankment crossfall towards the sea. The road level in paragraph 3.3.4 is stated to be 7.3m AOD. Is this proposed level at the lowest point of the road, which in the plate would be the seaward side? Is this interpretation correct?</p>
	Response	
G.1.37	The Applicant	<p>Permanent SSSI Crossing – Adaptive Sea Defence Paragraph 2.2.134 of [AS-181] states that by 2090 the maximum crest height of the SSSI crossing is likely to need to be increased to 10.5m AOD. Provide:</p> <p>(i) A section similar to the adaptive design shown in Figure 2.2.25 in [AS-190] showing how the adaptive design may be constructed on the SSSI crossing;</p> <p>(ii) An explanation of the monitoring process to ensure the adaptive defence is delivered when required and how this process is secured within the DCO;</p> <p>(ii) A description of how the works required to deliver the adaptive defences are secured within the DCO; and</p> <p>(iv) An explanation as to whether consideration has been given to construct the SSSI crossing at the 10.5m AOD height at the start of the project.</p>
	Response	

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ExQ1	Question to:	Question:
G.1.38	The Applicant	Permanent BLF Paragraph 3.4.66 of Appendix 2.2B [AS-202]. Provide: (i) The approximate size of the ground beams; and (ii) The approximate size of the cross beams;
	Response	
G.1.39	The Applicant	Permanent BLF Paragraph 3.4.68 of Appendix 2.2B [AS-202] states that the platform may require reinstallation following storm events or at the beginning of each summer period during construction use. In this scenario is it assumed that platform elements could be lost to the sea?
	Response	
G.1.40	The Applicant	Permanent and Temporary BLF – Diversion of Coastal Paths Paragraph 15.5.11 to 15.5.20 [APP-267] sets out the potential implications for the Suffolk Coast Path, Sandlings Walk and the future route of the England Coast Path. Diversions are explained and shown in The Access and Rights of Way Strategy, Appendix 15I [APP-270]. The introduction of the new temporary beach landing facility is likely to affect the periods for which diversions would be in place. Set out the approximate length and frequency of closures associated with: (i) Construction of the permanent beach landing facility; (ii) Construction of the temporary beach landing facility; (iii) Operation of the permanent beach landing facility during construction; (iv) Operation of the temporary beach landing facility when conveyor belt is in use, if closure of path beneath is required; and (v) Operation of the permanent beach landing facility during operation.

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	Response	
G.1.41	The Applicant, Essex & Suffolk Water Company	<p>Water Supply</p> <p>In [AS 189] you indicate that the provision of the preferred pipeline may have adverse effects in respect of noise, air quality and terrestrial ecology.</p> <p>Please explain how mitigation could be secured for these operations when the pipeline would not appear to be part of the DCO application.</p>
	Response	
G.1.42	The Applicant	<p>Draft DCO</p> <p>In [AS148] Table 2 refers to how Article 3 and 4(1)(a) set vertical limits to control the parameters of development.</p> <p>(i) Please explain how this would be achieved for each of the associated development sites where there are no parameters plans and are not specifically covered by these articles except for Work No. 4C, Work No. 11 and Work No. 12.</p> <p>(ii) Is it not fairer to say that there are no vertical limits of deviation in these locations as parameter plans have not been provided and as the DCO is currently drafted?</p> <p>As this document is intended to be a signposting document to aid the public's understanding of the DCO, is this a fair representation to them?</p>
	Response	
G.1.43	The Applicant	<p>Vertical Limits of Deviation</p> <p>In [APP 451] SLR, Noise and Vibration para 4.6.40 the ES seeks to explain that a parameters approach has been adopted, and this is duplicated in para 4.6.37 of [APP 415] (TVB Noise and Vibration) . Both Chapters appear to rely on a limitation of vertical deviation of 1m. Please show where this is set out and secured in the DCO.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
G.1.44	The Applicant	<p>Park and Ride Sites (Parameters)</p> <p>In [APP 384 and APP 354] for the Southern and Northern Park and Rides respectively there appears to be no reference to any form of vertical limit of deviation or what parameters the development would be undertaken within. Are these two elements of the scheme to be treated differently from other aspects of the proposed development?</p>
	Response	
G.1.45	The Applicant, All relevant local authorities, EA	<p>Code of Construction Practice</p> <p>The CoCP [AS 273] sub heading m) indicates SZC Co. would hope to lead on complaints. Please explain how this would be undertaken to respect privacy and comply with the GDPR as well as enforcing authorities' responsibilities to investigate complaints.</p>
	Response	We defer to ESC's response to this question.
G.1.46	The Applicant, Network Rail	<p>Green Rail Route and Land East of Eastlands Industrial Estate (LEEIE)</p> <p>(i) In the event the Saxmundham to Leiston branch line is modified as proposed and both the LEEIE and Green Rail Route are established could they both be operational at the same time?</p> <p>(ii) Please explain whether this is possible and if not what would be in place to prevent it?</p> <p>(iii) Has the ES assessed the possibility of both operating together?</p>
	Response	
G.1.47	The Applicant	<p>Main Development Site</p> <p>Please will the Applicant confirm that the Main Development Site as defined in the ES glossary [APP-005] is exactly the same as the Main Development Site as defined in the dDCO (both the original [APP-059] and the current version). The wording is different. If there are differences, please supply plans setting them out and an explanation.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
G.1.48	The Applicant	<p>Main Development Site</p> <p>Please will the Applicant state whether or not the Works numbers 2, 3 and 4 are wholly located on the Main Development Site as defined in the dDCO and that the only works to be carried out on the Main Development Site as defined in the dDCO are Works No.s 1-4.</p>
	Response	
G.1.49	The Applicant	<p>Plans</p> <p>The Main Development Site Temporary Construction Area – General Arrangement Sheet 4 of 4 indicates the eastern extent of the proposed green rail route, this however, extends beyond the area defined in the Works Plans as Work No. 4B. Please clarify the position or provide corrected plans.</p>
	Response	
G.1.50	The Applicant	<p>Flood Defences</p> <p>In Table 2.3 Parameters for other development on the main platform. You specify the maximum height of the sea defence as 14.2m AOD. This is explained in the subsequent paragraphs 2.4.6 and 2.4.7.</p> <p>(i) Is the intention to construct the flood defence to the greater height from the outset? (ii) If not, when would you anticipate this would be done and how would this be secured?</p>
	Response	
G.1.51	The Applicant, Network Rail	<p>Freight Trains</p> <p>(i) Please advise of the stages to go through to confirm that freight trains could begin to deliver materials to both Land East of the Eastlands Industrial Estate (LEEIE) and the Main Development Site (MDS) using the Green Rail Route.</p> <p>(ii) Please set out what you consider to be a realistic time frame for the delivery and facilitation of both options in the event the DCO were to be granted.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
G.1.52	The Applicant	<p>Accommodation Strategy</p> <p>(i) Please provide a plan showing how the site would be laid out within the Land to the East of the Eastlands Industrial Estate which demonstrates that the 400 caravans you propose can be accommodated and facilitate appropriate separation and circulation spaces as required.</p> <p>(ii) Please advise what within the DCO triggers the delivery of and secures the provision of the caravan site.</p>
	Response	
G.1.53	ESC, SCC, EA, Natural England	<p>Code of Construction Practice (CoCP)</p> <p>The CoCP would be an important part of the mitigation strategy for dealing with and controlling potentially adverse effects from the various construction activities. Do you consider that as drafted it is sufficiently robust and precise and consequently enforceable?</p>
	Response	<p>SCC considers that the wording of the CoCP should be less ambiguous and more precise (noting that PINS guidance "Drafting Development Consent Orders" (July 2018, section 3) requests that ambiguous wording should be avoided), but we defer to ESC to comment further on enforceability.</p> <p>See also AQ.1.72 and AQ.1.78.</p>
G.1.54	The Applicant	<p>Code of Construction Practice</p> <p>Draft DCO Requirement 8 says that the work to be undertaken should be in general accord with the Construction Method Statement (CMS) - but this document is not referenced in the Mitigation Route Map - so it is not clear where the CMS fits in respect of the mitigation or the Code of Construction Practice.</p> <p>Please explain how the various documents are intended to operate together and how the different controls within them are secured.</p> <p>In addition the ExA notes that [APP-184] is updated by appendix 2.2.B of [AS-202]. Should the CMS as defined in the dDCO refer to [AS-202] section 3.4 and not [APP-184] if the change request is accepted?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
G.1.55	The Applicant	Construction Shift Patterns (i) Please provide a breakdown of the numbers of staff anticipated to be arriving and leaving the site during each of the construction phases of the project. Linking this information to the indicative working patterns identified in Table 3.1[APP-184] would assist in the understanding of movements on and off the site. (ii) Please include the mode of travel you have assumed for them to arrive and leave by with assumed numbers by each mode. (iii) How does the DCO secure the shift pattern assumed?
	Response	
G.1.56	The Applicant	EQS There are many references, notably in the ecology parts of the ES, to EQSs. "EQS" is defined in the Glossary [APP-005] as " <i>Concentration of a specified contaminant considered to be none harmful to the environment, agreed at a European level under the Environmental Quality Standards Directive</i> ". Please will the Applicant explain the legal and policy consequences of a breach of an EQS. Does it vary depending on the directive / law in which the EQS is being used? Please will the Applicant also clarify the definition. Should "none harmful" be "non-harmful"?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
G.1.57	The Applicant	<p>Legislation</p> <p>Section 3 of the Planning Statement [APP-590] entitled Legislative and Policy Context after a description of policy and some parts of the Planning Act 2008, then, in a paragraph entitled "Other legislative requirements", refers the reader to the Legislation and policy context sections of the ES at Chapter 1 of each volume for the relevant law, and to the Schedule of Other Licences, Consents and Agreements [APP-153]. In fact the ExA has found the lists near the opening of the chapters of the volumes, for example in section 7.2 of the main site terrestrial ecology chapter [APP-461]. They in turn refer the reader to Volume 1 Appendix 6 [APP-171].</p> <p>Whilst this is helpful to a point, the documentation does not spell out how the legislation applies and the steps the Secretary of State and the ExA are expected to take. For example, the ExA has been unable to find any reference to ss.28G and 28I of the Wildlife and Countryside Act 1981 and the duties they contain. In contrast, there is a mention of the approach to ss.40 and 41 of the Natural Environment and Rural Communities Act 2006, though the relevant parts of the Convention on Biodiversity 1992 are not referred to. Nor does, for example, Appendix 6J state how the various international conventions and treaties have been incorporated into the laws of England and Wales. Appendix 6R, whilst it refers to the Marine and Coastal Access Act 2009, does not deal with the duties under ss.125 and 126.</p> <p>Returning to the topic chapters of the ES, having once listed the legislation they do not refer to it again.</p> <p>Please will the Applicant prepare a statement of the legislation and international obligations which apply, explaining the actions and steps which the ExA and SoS should take to comply with them.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
G.1.58	The Applicant	<p>The ES contains many statements and promises at various places that certain steps or actions or mitigation will be delivered. For example, at paragraph 14.7.46 of [APP-224] there is a reference to a Recreation and Amenity Strategy. The conclusion at para 14.7.67 relies on the delivery of embedded mitigation. Para 14.7.79 states that if monitoring indicates exceedance of a threshold, then additional mitigation measures would be adopted. At para 14.7.136 funding for alternative fen meadow compensation is referred to. At para 14.7.276 a management strategy is stated to be in place. There are many other examples in other chapters of the ES.</p> <p>However, the ES does not appear to the ExA to set out where these things are secured in the dDCO, by which Requirement, or under other documents regulating the development.</p> <p>How does the Applicant propose that the ExA can be assured that all these matters will have been secured properly in the dDCO and other documentation regulating the development, should the SoS decide to grant the Application?</p>
	Response	
Ag.1 Agriculture and Soils		
Ag.1.0	ESC, Natural England	<p>Approach</p> <p>Are you satisfied with the overall assessment approach and findings in respect of Agriculture and Soils?</p>
	Response	
Ag.1.1	The Applicant	<p>Impact Assessment</p> <p>In chapters [APP-277], [APP-371], [APP-402], [APP-435], [APP-470], [APP-502], [APP-531] and [APP-563] a table is included titled 'Assessment of magnitude of impact on soils and agriculture' which defines high, medium, low and very low magnitudes of impact:</p> <p>(i) Please confirm whether each of the criteria listed in the table is to be met for the magnitude to be allocated?</p> <p>(ii) Please provide detailed justification for how the magnitude of impact of the loss of Best and Most Versatile land is determined. How is severance, whether temporary or</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>permanent, taken into consideration, particularly associated with smaller agricultural holdings?</p> <p>(iii) How does the methodology assess smaller agricultural or other holdings for which a permanent or long-term loss or degradation of <10ha of BMV land, and/or loss of <5% of farmed land and/or no severance would be seen by the owners and/or occupiers as having more than a very low impact?</p>
	Response	
Ag.1.2	The Applicant	<p>Impact Assessment</p> <p>The following areas have not been surveyed due to lack of access:</p> <p>(i) 14.5ha of the SLR (ii) 3.15ha of the TVB (iii) 14.4ha of the MDS</p> <p>Please explain why access was not possible.</p>
	Response	
Ag.1.3	The Applicant	<p>Impact Assessment</p> <p>Please provide an update as to whether questionnaires have been completed with landowners at Theberton Hall Farm, Yew Tree Farm and Theberton House Estate [APP-470]. What assumptions were made to ensure that the lack of information did not affect the conclusions of the assessment?</p>
	Response	
Ag.1.4	ESC, Natural England	<p>Impact Assessment</p> <p>The temporary compounds associated with the Saxmundham to Leiston branch line rail improvement works have not been included in the agriculture and soils assessment [APP-563]. Please confirm if you are satisfied with this approach?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Ag.1.5	The Applicant	Impact Assessment Paragraph 10.6.7 of [APP-563] states that the effect on two of the four land holdings would be significant. Paragraph 10.7.5 later states that three farm business would experience a significant effect. Please clarify the number of land holdings which would experience a significant effect.
	Response	
Ag.1.6	Mollett's Partnership [RR—0812] Finn Dowley [RR-0382] LJ and EJ Dowley Farming Partnership [RR-0697] Justin Dowley [RR-0638] Myles Dowley [RR-0866] Miss Frances Paul on behalf of Mrs J F Flick [RR-0806] NJ Bacon Farms [RR-0867] Ward Farming Business [RR-1259]	Effect on Business Operations Please provide more detail in respect of your concern on the impact that the Proposed Development may have on your business.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Ag.1.7	CLA County Land [RR-0029]	<p>Effect on Business Operations</p> <p>Please explain in greater detail your concern that the Proposed Development would result in the fragmentation of farms and other rural businesses due to new infrastructure and the overall impact.</p>
	Response	
Ag.1.8	The Applicant	<p>Effect on Business Operations</p> <p>What consideration has been given to the effect on the health and wellbeing of animals housed or grazing close to the Proposed Development including through noise and dust? What measures could be put in place to mitigate any impacts and how could this be secured through the DCO?</p>
	Response	
Ag.1.9	The Applicant	<p>Mitigation</p> <p>Paragraphs 17.7.5 of [APP-277], 10.7.5 of [APP-531], 10.7.3 of [APP-371] and [APP-402, 10.7.5 of [APP-563] and 10.4.59 of [APP-502] state that the impact on the landholding(s) would not be significant. However, further consultation with the landowner(s) is proposed to reduce impact on the farm business.</p> <p>Please expand on what the consultation will consist of, when this will occur and what specific measures are to be implemented to reduce impact? How will such measures reduce the level of impact?</p>
	Response	
Ag.1.10	ESC, Natural England	<p>Outline Soil Management Plan</p> <p>Are you satisfied with the approach and content of the outline Soil Management Plan [APP-278]? Please provide specific comment regarding whether soils would be suitable for the required end use and the proposed soil restoration methods?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Ag.1.11	The Applicant	<p>Outline Soil Management Plan [APP-278]</p> <p>(i) Please provide confirmation as to which stakeholders would be consulted with regarding possible cessation of works due to wet weather working.</p> <p>(ii) Please confirm how the Soil Management Plan and the review/approval role by relevant consultation bodies would be secured through the DCO?</p> <p>(iii) How will soils that are to be re-used for landscape restoration to be kept free of foreign matter or other materials which would render the soils unsuitable for re-use? A list of general principles relating to stockpile location and stability are detailed in paragraph 6.6.3:</p> <p>(iv) What measures would be employed to manage topsoil and subsoil stockpiles throughout their lifetime to maintain stability and integrity?</p>
	Response	
Ag.1.12	The Applicant	<p>Soil Management</p> <p>In [RR-0304] ESC comment that the modelling of emissions from stockpiled materials, as set out in the Environmental Statement, is subject to significant uncertainty and should not be considered as providing definitive results. Please provide a response to this concern.</p>
	Response	
Ag.1.13	The Applicant	<p>Soil Management</p> <p>ESC note that dust nuisance is likely to be minimal with the proposed mitigation in place [RR-0304]. ESC has however requested that stockpiles and earth bunds are turfed and fenced/screened in locations which are within 350m of sensitive human health and ecological receptors to minimise wind whipping of loose bund or stockpile material. Please provide a response to this request including confirmation of how any such commitments would be secured.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Ag.1.14	The Applicant	Soil Management Paragraph 1.2.3 of Appendix 12A [APP-213] states that surface strip material from Zone A is anticipated to have low organic content and therefore would not be separated into top/sub soil. Paragraph 6.3.2 of Appendix 17C [APP-278] states that separate stockpiles will be created for different types of topsoil and subsoil. Please confirm if soils are to be separated?
	Response	
Ag.1.15	The Applicant	Dust Management Please provide a response to the issues raised regarding dust management for spoil heaps and stockpiles [RR-0960, RR-0181, RR-1230, RR-0636, RR-577, RR-1162, RR-319].
	Response	
Ag.1.16	The Applicant	Drainage How has the size and locations for the drainage treatment areas/other drainage infrastructure been considered to minimise the effect on operational agricultural land?
	Response	
Ag.1.17	The Applicant	Drainage How will any affected field drainage on agricultural land be reinstated post construction phase? How will this be secured as part of the DCO?
	Response	
Ag.1.18	The Applicant	Drainage Paragraph 10.4.8 of [APP-531] states that as the site is quite low lying, adequate fall for field drainage may be problematic. Please confirm how this issue has been addressed.
	Response	
Ag.1.19	The Applicant	Consultation

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Paragraph 17.3.30 [APP-277] refers to landowner interviews. Please confirm how many landowners were not interviewed (Paragraph 17.3.30 [APP-277])? Please confirm why it wasn't possible to interview all landowners?
	Response	
Ag.1.20	The Applicant	Consultation In response to [RR-0878], please confirm how NE advice and consultation responses, relating to soils and agriculture, has been considered in the drafting of the dDCO?
	Response	
Ag.1.21	ESC, Natural England	Code of Construction Practice The below issues may increase effects on soils and agricultural land required for reinstatement of land, landscape planting areas, land outside the site boundary and soils required for reinstatement of land required temporarily: (i) ground contamination, soil erosion and silt-laden runoff; (ii) hydrological or hydrogeological changes; and (iii) noise and dust Are you satisfied with the measures detailed within the CoCP [AS-273] to manage/reduce the risk of the above occurring?
	Response	
Ag.1.22	The Applicant	Code of Construction Practice In [RR-0304] ESC requested that the CoCP should specify that dust deposition monitoring is required when soil stripping is undertaken within proximity of sensitive receptors. Please provide a response.
	Response	
Ag.1.23	The Applicant	Code of Construction Practice [RR-1099], [RR-1101], [RR-1100], [RR-1098] request that a record of condition and soil statement is included within the CoCP. Additional requests have also been made for more

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		detail regarding the measures to be put in place to bring soil back to its original condition and quality, the need for a pre-construction soil statement and an aftercare plan. Please provide a response.
Ag.1.24	The Applicant	<p>Water Supply</p> <p>[RR-0215], [RR-0366], [RR-0424], [RR-0437],[RR-0891], [RR-0937], [RR-1122], [RR-1098], [RR-1099], [RR-1100], [RR-1122] commented on the provision of water supplies for agricultural businesses. Please provide a response to the below:</p> <p>(i) What measures would be put in place to ensure that private water supplies for agricultural businesses are not adversely affected by the Proposed Development</p> <p>(ii) What measures would be put in place to monitor any effects during the construction phase?</p> <p>(iii) What measures would be put in place to monitor any effects post construction?</p> <p>(iv) How would any remedial action (such an alternative supply) be provided if private supplies are adversely affected, including through supply levels and contamination?</p>
Ag.1.25	<p>Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885]</p> <p>Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259]</p> <p>Mollett's Partnership [RR-0812]</p>	<p>Water Supply</p> <p>Please provide information, including annotated maps, confirming whether your agricultural business(es) rely on private boreholes for water supply. Please also indicate whether you rely partly or solely on such supplies.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	<p>Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098]</p> <p>Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100]</p> <p>Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust</p> <p>Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382]</p> <p>LJ & EJ Dowley Farming Partnership [RR-0697] Dowley Family Business [RR-0319]</p> <p>Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]</p>	
	Response	
Ag.1.26	The Applicant	<p>Water Supply</p> <p>Has Parkgate Farm constructed the large irrigation pond detailed in paragraph 10.4.31 of [APP-435]? If so, have alternative crops been grown other than those considered in the assessment and has the land remained in arable production? If changes have been made, do they have an impact on the findings of the assessment?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
Ag.1.27	<p>Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885]</p> <p>Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259]</p> <p>Mollett's Partnership [RR-0812]</p> <p>Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098]</p> <p>Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100]</p> <p>Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust [RR-0003]</p> <p>Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382]</p> <p>LJ & EJ Dowley Farming Partnership [RR-0697] Dowley</p>	<p>Land Ownership and Severance</p> <p>Please provide information, including annotated maps if possible, to illustrate where agricultural land may be severed by the Proposed Development.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Family Business [RR-0319] Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]	
	Response	
Ag.1.28	The Applicant	<p>Best and Most Versatile land</p> <p>NPS EN1 (paragraph 5.1.080) states that "<i>Applicants should seek to minimise impacts on the best and most versatile agricultural land (defines as land in grades 1,2 and 3a of the Agricultural Land Classification and preferably use land in areas of poorer quality (grades 3b, 4 and 5)...</i>".</p> <p>Please explain how the test in paragraph 5.10.8 of the NPS is satisfied in the respect of the location of the Northern Park and Ride, the SLR and the TVB.</p>
	Response	
Ag.1.29	The Applicant, ESC, Natural England	<p>Best and Most Versatile land</p> <p>Paragraph 17.6.6 of [APP-277] confirms that an area of 14.4ha has not been surveyed. Please can the Applicant detail why the area was unable to be surveyed.</p> <p>Do ESC and NE agree with the assumption that the un-surveyed area is unlikely to be Best and Most Versatile land?</p>
	Response	
Ag.1.30	The Applicant	Agricultural Liaison Officer

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Please provide a response regarding the need for the appointment of an Agricultural Liaison Officer [RR-1099].
	Response	
Ag.1.31	The Applicant	Grazing land In relation to the proposed sites for fen meadow habitat Table 1.1 of Appendix 17B [APP-278] states that following completion of the works, it is anticipated that grazing would continue, albeit with a possible reduction in density. Please confirm whether grazing would continue and specify if grazing density would be lost? If a loss is to occur, please confirm by how much.
	Response	
Ag.1.32	The Applicant	Grazing land Please comment regarding the concern over potential damage to Minsmere Sluice and subsequent damage to grazing land [RR-0319].
	Response	
Ag.1.33	The Applicant	Access Table 10.9 of [APP-470] confirms that Fordley Hall Farm, Old Abbey Farm, Trust Farm, Hawthorn Farm, Dove House Farm and Theberton Hall Farm will be required to use the public highway. Please provide specific information relating to the location and anticipated level of use of the public highway.
	Response	
Ag.1.34	The Applicant	Access In respect of Farnham Hall [APP-435], how much longer would journey times to the fields within the landholding east of the new road be?
	Response	
Ag.1.35	The Applicant	Access

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Table 10.9 of [APP-470] confirms that Kelsale Manor will experience severance in the area to the north of the Sizewell Link Road. Please detail what restricted access would be experienced by the landowner?
	Response	
Ag.1.36	ESC, Natural England	Materials Management Strategy Are you satisfied with the approach and content of the Material Management Strategy regarding soils and agriculture [AS-202]?
	Response	
Ag.1.37	The Applicant	Committed Developments Please confirm what are the two committed developments within 700m of the Freight Management Facility, as detailed in paragraph 10.4.26 of [APP-531]. Please confirm why they do not have the potential to materially alter baseline conditions.
	Response	
Ag.1.38	The Applicant	Land to East of Abbey Lane Mr John Poll has confirmed [AS-307] that he rents approximately 20 acres of land to the east of Abbey Lane which would be lost to the proposed rail line. Mr Poll contends that this area has not been identified as agricultural land which he farms. Please confirm whether this land has been included within the assessment?
	Response	
AQ.1 Air Quality		
AQ.1.0	The Applicant	Methodology/Construction Traffic and Air Quality Please confirm that the emissions from traffic operating within the site during construction has been included in the assessment of air quality affects arising from the main development site and the associated sites. Please set out where this information can be found within each chapter.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
AQ.1.1	ESC, EA, Natural England	<p>Air quality receptors</p> <p>Are you satisfied that all potential sensitive receptors have been taken into account in the Air Quality Assessment (AQA), and with the Applicant's identification of worst-case locations for air quality?</p>
	Response	
AQ.1.2	ESC, EA	<p>PM 2.5</p> <p>(i) Are you satisfied that potential impacts of PM2.5 concentrations have been fully taken into account in the ES and appropriately assessed as a fraction of PM10 particulate concentrations?</p> <p>(ii) Do you consider using PM₁₀ as a surrogate for PM_{2.5} an acceptable methodology?</p>
	Response	
AQ.1.3	ESC	<p>Dust emissions</p> <p>Do you agree with the findings of the ES that the only potential source of significant air pollution would arise from construction dust?</p>
	Response	
AQ.1.4	The Applicant	<p>Dust Emissions</p> <p>It is recognised within the Air Quality chapters that the development activities could give rise to dust emissions:</p> <p>(i) Please explain where in the Air Quality chapter or elsewhere there is an assessment of the potential impacts upon agriculture as implied by the Agriculture Chapter.</p> <p>(ii) Please explain where the potential effects in terms of crops and animals have been considered and where any necessary mitigation has been set out.</p> <p>(iii) Please explain where any mitigation, should it be necessary, is delivered through the DCO.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
AQ.1.5	The Applicant	<p>Dust Emissions</p> <p>In light of the concern raised by the NFU [RR-805] please respond setting out how the effects on agriculture, and crops has been assessed and mitigated to acceptable levels</p>
AQ.1.6	The Applicant	<p>Dust emissions (Baseline)</p> <p>(i) Please advise how you selected the sites for measuring the current dust levels.</p> <p>(ii) Please explain the reasoning behind there being no monitoring being undertaken at Land East of the Eastlands Industrial Estate, Valley Road or Bucklewood Road.</p>
	Response	
AQ.1.7	ESC	<p>Dust emissions</p> <p>Are you confident the baseline monitoring locations chosen for assessing the significance of dust emissions arising from the main development site would satisfactorily provide sufficient information such that appropriate standards can be monitored managed and mitigated to safeguard health and amenity for local receptors?</p>
	Response	
AQ.1.8	The Applicant	<p>Dust emissions</p> <p>In section 12.5.3 [APP-212] in seeking to minimise construction dust effects on sensitive receptors, iii suggests access points into sites are located as far from sensitive receptors as possible. Explain how this correlates with the junction/access into Land East of the Eastlands Industrial Estate and the proximity to LE7 Common Farm Cottages.</p>
	Response	
AQ.1.9	The Applicant	<p>Dust emissions</p> <p>Please provide a plan identifying the location and extent of the bunds referred to in 12.5.4 [APP-212] or advise where this can be found.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.10	The Applicant	<p>Dust Monitoring</p> <p>Please explain the approach to determining the location of dust monitoring stations, and in particular how during the different construction phases how ongoing monitoring would ensure dust emissions remain below the predicted thresholds and sensitive receptors are protected.</p>
	Response	
AQ.1.11	The Applicant, ESC	<p>Dust Monitoring</p> <p>(i) A High Risk of dust spoiling and medium risk to human health is identified from activities undertaken on Site E yet no dust monitoring stations are identified in close proximity – please explain why this is the case?</p> <p>(ii) How will sensitive receptors be safeguarded; and</p> <p>(iii) the work monitored; and</p> <p>(iv) standards enforced?</p>
	Response	
AQ.1.12	The Applicant, ESC	<p>Dust Monitoring</p> <p>(i) As no monitoring has been carried out to understand base levels of dust particles in the vicinity of construction site C – what confidence do you have that the effects of the construction activities on this site would remain at acceptable levels?</p> <p>(ii) How can this be demonstrated when the base line is an important part of the initial consideration?</p>
	Response	
AQ.1.13	The Applicant, ESC, PHE	<p>Temporary Accommodation</p> <p>(i) In light of the close proximity of the accommodation campus to both the active working site but also the stockpiles of materials, what safeguards are in place to ensure appropriate levels are monitored and maintained for the future occupiers of the campus.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Are the Council/PHE satisfied the relationship between the accommodation campus and the stockpiles/working areas can achieve an appropriate living environment to protect human health?
	Response	
AQ.1.14	The Applicant, ESC, EA, PHE	Air Quality Assessment Please respond to each of the concerns expressed by Laurence Moss [RR 673] and in light of them whether there are any outstanding concerns in this regard.
	Response	
AQ.1.15	The Applicant	Air Quality Assessment Please respond in light of the concerns raised by ESC [RR 342] regarding the potential release of carbon monoxide and formaldehyde from the diesel generators. If these are to be scoped out of the assessment, please provide a full justification for this approach.
	Response	
AQ.1.16	The Applicant, ESC, SCC	Air Quality [RR 804 and RR 820] both express concern that the increased emissions from increased traffic along the A12 could have a disproportionate effect on the health of students at Farlingaye High School. Please respond to this concern.
	Response	The Applicant has demonstrated within their air quality assessment that background, or existing air pollutant concentrations (NO ₂ , PM ₁₀ and PM _{2.5}) are low enough that impacts from additional traffic will not be significant across the majority of the East Suffolk administrative area, including Farlingaye High School. The only exception to this is in the Stratford St Andrew Air Quality Management Area (AQMA). The LIR [REP1-045], paragraph 19.30 sets out further controls requested on HGV emission standards to ensure acceptable impacts. The expected improvements in emissions controls from HGVs travelling to and from the proposed development will also have a small benefit at

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Farlingaye High School compared to the impacts that would result without such emission controls.
AQ.1.17	ESC, EA	Air Quality Do you agree that paragraph 5.2.9 of EN-1 does not apply as the Applicant suggests in the Planning Statement as “there would be no substantial changes in air quality levels”?
	Response	
AQ.1.18	ESC, EA, PHE	Air Quality Receptors Are you satisfied that all potential sensitive receptors have been taken into account in the Air Quality Assessment and with the Applicant’s identification of worst case locations for Air Quality?
	Response	
AQ.1.19	ESC	Approach (i) Is the Council satisfied with the overall approach of the Applicant to dealing with Air Quality? (ii) Do the Council have any specific criticisms it would like to make?
	Response	
AQ.1.20	PHE	Approach Are you satisfied that the Air Quality Assessment has responded fully and addressed all matters raised by PHE at the scoping stage?
	Response	
AQ.1.21	ESC, The Applicant	Additional Information Additional information was requested by ESC as referred to in ESC RR at paras 1.84 and 1.87: (i) Has this information been provided to the Examination? (ii) If so where can it be found?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.22	ESC, SCC	Air Quality Can the relevant public health authorities confirm that they consider the effects on air quality from the additional traffic along the A12 have been adequately assessed and confirm that they would not result in significant adverse effects along this transport corridor as suggested by RRs 804, 820 amongst others.
	Response	<p>The Applicant have demonstrated within their air quality assessment that background, or existing air pollutant concentrations (NO₂, PM₁₀ and PM_{2.5}) are low enough that impacts from additional traffic will not be significant across the majority of the East Suffolk administrative area. The only exception to this is in the Stratford St Andrew Air Quality Management Area (AQMA), situated along the A12. The LIR [REP1-045], paragraph 19.30 sets out further controls requested on HGV emission standards to ensure acceptable impacts. The expected improvements in emissions controls from HGVs travelling to and from the proposed development will also have a similar benefit in other areas close to the A12 and throughout the ESC area.</p> <p>However, the assessment of the air quality impacts of road traffic is based on the transport modelling and the subsequent assumptions in changes in traffic flows. Those assumptions whilst generally not unreasonable mean that there is inherent risk to the assessment. It is reasonable to manage those risks by ensuring that there are relevant caps and controls, as set out at Table 12 and 21 of the LIR [REP1-049], on construction vehicle movements so that they do not exceed those assessed.</p>
AQ.1.23	ESC	Air Quality (i) Are you concerned that the scheme may result in the failure to comply to any statutory air quality limit? (ii) If this is the case please provide details of the concerns, the limits that apply and the area(s) this would cover. (iii) If answering the above in the affirmative do you consider additional mitigation could be offered that might resolve these issues, what would this entail and how could it be delivered?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
AQ.1.24	The Applicant	<p>Combined Heat and Power Plant (Accommodation Campus)</p> <p>The ES does not fully explain what type of plant has been assessed within the ES. It refers in various paragraphs to different elements. Paragraph 12.3.14 indicates it to be a gas fuelled plant, with Table 12.11 indicating location, flue height and emissions.</p> <p>Paragraph 12.5.3 ii refers to an optimised stack height while Table 12.3.14 appears to set the height?</p> <p>(i) Please clarify the situation.</p> <p>(ii) Please provide the details of the type of plant assessed within the ES and how this would be delivered through the DCO to ensure it fell within those parameters.</p>
	Response	
AQ.1.25	The Applicant	<p>Combined Heat and Power Plant/back up energy centre</p> <p>In the event this plant was to be retained as a backup power supply for emergencies during operation of the power station as referred to in the ES.</p> <p>(i) Would all or some of the diesel generators still be required?</p> <p>(ii) Has the ES assessed the effects of the diesel generators running as well as the CHP and or energy centre/back up such that the potential cumulative effects have been fully set out? Please advise where the alternative assessments can be found.</p>
	Response	
AQ.1.26	The Applicant	<p>Combined Heat and Power Plant</p> <p>Paragraph 12.5.8 refers to the campus energy centre:</p> <p>(i) Please confirm that this is the combined heat and power plant, if not please provide details of where this has been assessed within the ES.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) What effect does 'designed, maintained and operated within the Medium Combustion Plant Directive' requirements have, please clarify whether this would be covered by the other licence requirements set out in Table 1.1 of the Other Licences and Consents Document?</p> <p>(iii) Has this operation regime been assumed within the ES assessment? How would this be delivered through the DCO?</p>
AQ.1.27	The Applicant	<p>Combined Heat and Power Plant</p> <p>Following receipt of the explanation of the assessment of the CHP/back-up generator in correspondence dated 12.01.21 in response to PD 05 there remains some uncertainty as to what has been assessed.</p> <p>It is understood that the CHP may not be utilised, however an appropriate assessment of the CHP and the alternative still needs to be clearly described so assessment of likely effects is contained within the ES if it is to be delivered through the DCO.</p> <p>In response [APP 184] Description of Construction and [APP-180] Description of Permanent Development were referred to.</p> <p>In Table 2.7 of Vol 2 Chapter 2 [APP-180] Description of Permanent Development it states the parameter for the back-up power generation plant in Zone 1M as a maximum height of 36m (plus 3.5m tall stack). This would appear to exceed the construction parameter plans as listed in Schedule 6 of the dDCO (drwg no. 10092) which specifies a maximum height of 35m, it also exceeds the height of the stack as set out in Table 12.11.</p> <p>The height of the back-up generator and stack appear to exceed the construction parameter plans [APP-022] which indicate a maximum height of 35m.</p> <p>The operation parameter plans for this area appear to be higher as defined in Table 2.7 linked to the dDCO. Please clarify how something could be operationally higher than the limit for construction?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.28	The Applicant	Back Up Generator In the event the CHP is not utilised and a back up generator is subsequently provided for the operational period: (i) What form of generator would it be and where are the details for this set out within the ES chapters for noise, air quality, and landscape? (ii) Explain why it would be appropriate and necessary to site a permanent building potentially up to 35m in height (plus 3.5m stack) within the AONB, when you advise a stack height of just over 12m results in adequate emissions. (iii) How would this sit with the aims and purposes of the AONB?
	Response	
AQ.1.29	The Applicant	Combined Heat and Power Plant Appendix 12F provides an assessment of the CHP emissions. It does not however specify what form of plant was utilised to generate the data. (i) What type of plant does this assess, running what fuel and with what assumed flue height/location? (ii) How would this be delivered through the DCO?
	Response	
AQ.1.30	The Applicant	Accommodation Campus It is understood that alternative forms of power plant are still being considered to support the accommodation campus as reference is also made to air source heat pumps. (i) As alternatives are being sought what process would prevent more than one alternative being provided? (ii) Has a cumulative assessment been carried out in the event that more than one power source were to be provided?

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
AQ.1.31	The Applicant	Combined Heat and Power Plant The position is further complicated by the information set out in the Noise Chapter of the ES which states " <i>The final designs for the proposed CHP, electrical sub-station and back-up generator (including component parts and sound power data) are not available at this time.</i> " [APP156] para 11.6.165. This suggests the CHP and back-up generator may be different things and it makes it more difficult to understand what has actually been assessed. If the CHP is not utilised what back up energy system has been assessed and where can the details of this be found?
	Response	
AQ.1.32	The Applicant	Combined Heat and Power Plant It is important to understand how the concerns highlighted in Q 1.17-1.24 knock on, if at all, to the assessment within the other chapters of the ES in particular, Noise and Vibration, Heritage, Landscape, Ecology, Agriculture. In answering the above questions please address any knock on effects which may be relevant to these aspects of the scheme.
	Response	
AQ.1.33	The Applicant	Accommodation campus As can be seen from the previous questions there is a great deal of uncertainty over what has been assessed in respect of the power source for the accommodation campus during construction and what would be in place post construction to support operation: (i) Please provide a clear explanation of the alternatives considered and set out clearly where they have been assessed within the ES.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Please explain how the alternatives would be delivered, monitored and controlled through the DCO such that they remain within the assessment parameters covered by the ES.
	Response	
AQ.1.34	ESC, SCC, PHE, EA	<p>Dust Soiling</p> <p>(i) Are you satisfied with the suggested mitigation to control the levels of dust arising from the development?</p> <p>(ii) If not what additional mitigation would you wish to see supplementing the Dust Management Plan, Outline Dust Management Plan or Code of Construction Practice?</p>
	Response	<p>(i) SCC is broadly in agreement with the approach to mitigation proposed by the Applicant but has made some further requests for controls in relation to dust mitigation.</p> <p>(ii) Additional controls requested by the Councils are set out in paragraphs 19.25 to 19.29 of the LIR [REP1-045].</p>
AQ.1.35	ESC, SCC, PHE, EA, Natural England	<p>Dust Soiling</p> <p>(i) Are you satisfied with the suggested monitoring of dust emissions from the development?</p> <p>(ii) If not what additional mitigation would you wish to see and how do you consider this should be secured?</p>
	Response	<p>SCC interprets this comment as referring to <u>monitoring</u>, rather than <u>mitigation</u> of dust. Dust mitigation is addressed in AQ.1.34.</p> <p>(i) SCC is generally satisfied that dust deposition monitoring has been recommended within the enforceable CoCP. A flexible approach will be needed as the construction programme develops.</p> <p>(ii) Changes to CoCP wording are recommended by ESC in their response to AQ.1.11. This should strengthen mechanisms for corrective actions following monitored exceedances and agreement of CEMPs.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.36	The Applicant	<p>Dust Soiling</p> <p>In light of the comments from ESC in [RR-0342] can you confirm that the CoCP will address the need for dust monitoring during soil stripping to protect sensitive receptors? If you don't agree with this approach, please explain why.</p>
	Response	
AQ.1.37	The Applicant	<p>Dust Soiling</p> <p>Please explain how the monitoring referred to in paragraph 12.6.8 [APP 212] would be secured.</p>
	Response	
AQ.1.38	The Applicant	<p>Dust Emissions</p> <p>Minsmere Levels Stakeholders Group [RR-803] consider that fugitive dust from the borrowpits and spoil heaps would have the great potential to adversely affect both ground water and surface water run-off. Please respond to these specific concerns.</p>
	Response	
AQ.1.39	The Applicant	<p>Dust Emissions</p> <p>Estimates of quantities of material extracted from the main development site during construction are provided within the Air Quality Chapter:</p> <p>(i) Please explain how these quantities have been determined with cross reference to relevant sections of the ES or other application documents as appropriate</p> <p>(ii) Does the dDCO not need to specify a maximum depth of excavation to ensure that these quantities are a fair reflection of the activities proposed for which consent is sought? And to safely link back to the assessment of effects assessed by the ES.</p>
	Response	
AQ.1.40	The Applicant, ESC, SCC	<p>Mitigation</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>(i) The Applicant suggests in paragraph 14.7.79 [APP-224] that if exceeded of dust levels occurs additional mitigation would be adopted – please explain what this might entail – particularly in light of the commitment within the CoCP to best practice?</p> <p>(ii) How would this additional mitigation be secured?</p> <p>(iii) In the event the threshold of 0.5g/m²/day had been exceeded – what would the consequence be? E.g. would work need to cease until the threshold level had fallen below the agreed level? Please explain the practicalities of what would occur on the ground and how this would be monitored, and the agreed level reached.</p>
	Response	<p>SCC considers that this is principally a comment for consideration by the Applicant.</p> <p>It is envisaged that any additional mitigation will be secured through the CoCP and be implemented into each contractor’s CEMP. The CoCP does not currently have satisfactory wording regarding this matter for corrective actions such as mitigation to be included within a contractor’s CEMP. As such, SCC recommends that the CoCP is updated to explicitly state the monitoring exceedance thresholds and that corrective actions should be taken to ensure impacts are brought well below exceedance thresholds.</p> <p>SCC expects the details of corrective actions to be defined by the contractors in the CEMP, once construction details are better understood. As such, SCC requests that CEMPs are agreed with the Councils in advance of construction works commencing to ensure that corrective actions are satisfactory.</p> <p>SCC anticipates that mitigation measures may include measures such as temporarily halting dust-generating activities during periods of adverse meteorological conditions, increasing the intensity of interventions such as water spraying, or extending the zones within which specific measures such as road surfacing are implemented. Any such measures would generally be proposed by the Applicant or its agents for consideration and agreement by the Councils.</p>
AQ.1.41	The Applicant, ESC	Dust Emissions (Rail)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) ESC in the [RR-0342] at paragraph 2.207 – please clarify if you are seeking screens/fences in relation to general earthworks across the main development site and associated development sites.</p> <p>(ii) Have further discussions progressed identifying the areas of concern? Please advise the ExA where these are and whether an agreed approach to protecting these receptors has now been reached?</p>
	Response	
AQ.1.42	The Applicant, ESC, PHE	<p>Human Health (particulate matter)</p> <p>Paragraph 12.6.11 of [APP-212] suggests that there could be a risk to human health if long term dust generating activities increase the baseline level within a receptor area. Do you consider the mitigation identified would be sufficient to avoid adverse effects to human health?</p>
	Response	
AQ.1.43	The Applicant, Natural England, ESC	<p>Ammonia Deposition</p> <p>It has been suggested that the ES fails to deal with ammonia deposition [RR-908] as would appear to be advocated by the Institute of Air Quality Management’s 2020 Guidance and would also need to be carried out to comply with Natural England Guidance. Please respond to these specific concerns.</p>
	Response	
AQ.1.44	The Applicant	<p>Darsham Parish Council</p> <p>The Parish Council have indicated concern about the effects of the closure of the level crossings and the diversion of traffic this causes, with the resultant increase in air pollution particularly from HGVs.</p> <p>Please advise where the consideration for effects on NO_x, CO₂, and PM_{2.5} and PM₁₀ levels from diversions is set out.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.45	The Applicant, ESC	<p>Stratford St Andrew AQMA</p> <p>Please advise on the latest position in respect of the assessment of air quality in the Stratford St Andrew AQMA and whether the assessment is now considered robust indicating whether there remain concerns on the assessment undertaken or whether the additional sensitivity testing has now resolved any concerns in this area.</p>
	Response	
AQ.1.46	The Applicant, ESC, SCC	<p>Stratford St Andrew AQMA</p> <p>In paragraph 2.153 of the Council RR concern was expressed in respect of the speed of traffic continuing to exceed the speed limit and accelerating such that there remained concerns about the level of NOx. Does this concern remain?</p>
	Response	SCC defers to ESC in relation to this matter.
AQ.1.47	The Applicant, ESC	<p>Stratford St Andrew and Woodbridge AQMA</p> <p>(i) In light of the proposed development do you agree that both AQMAs would remain within legal limits assuming the worst-case scenarios for traffic movements?</p> <p>(ii) Is there an agreed management and monitoring approach through the lifetime of the project?</p> <p>(iii) How will traffic from other projects be taken into account to ensure that air quality standards will be maintained?</p> <p>(iv) In the event there is congestion on the A12 what would be in place to monitor this, and ensure air quality remained within acceptable levels within Woodbridge and Stratford St Andrew AQMAs but also would not adversely affect other areas?</p> <p>(iv) What would be in place to secure appropriate mitigation?</p>
	Response	
AQ.1.48	The Applicant	Air Quality Monitoring

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please confirm the commitment to undertake air quality monitoring and the timing of when this would commence for the main development site and all the associated development sites both prior to, and during construction and subsequent operation.</p> <p>(ii) In light of the concerns raised by ESC over NO₂ levels in Stratford St Andrew AQMA, please advise how you would propose to monitor the air quality levels in this area and elsewhere to ensure standards were maintained and no breaches of standards occurred.</p>
	Response	
AQ.1.49	The Applicant	<p>Non Road Mobile Machinery (NRMM)</p> <p>ESC have requested the adoption of low emitting plant and an assessment both alone and in combination of impacts on both human health and ecology from NRMM and other sources.</p> <p>(i) Please advise whether there is a commitment to low emitting plant and if so how this would be delivered.</p> <p>(ii) Has an assessment now been undertaken of the potential effects of NRMM and other sources as requested by the Council?</p>
	Response	
AQ.1.50	EA	<p>Concrete Batching Plants</p> <p>Are the EA satisfied with the level of information on concrete batching plants and are you satisfied sufficient dust controls are/would be in place to meet appropriate safety standards to protect both human and ecological receptors?</p>
	Response	
AQ.1.51	ESC, EA, Natural England	<p>Haul Routes</p> <p>(i) The applicant has indicated that haul routes would be hard surfaced 'where practicable' – do you consider this approach to be adequate to safeguard sensitive receptors?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Are there specific locations you consider that a more robust approach should be required, or should a more robust approach be provided across the main development site and associated development sites?
	Response	
AQ.1.52	The Applicant	NO₂ Emissions A resident of Leiston [RR-204] expresses concern that the development would lead to adverse NO ₂ emissions from HDVs, please respond to this specific concern.
	Response	
AQ.1.53	The Applicant	Traffic emissions at Yoxford Dr David Perry [RR-0323] expresses concern that idling traffic particularly HGVs at the Yoxford Roundabout would result in adverse effects in the locality and result in adverse effects at the local hotel. Please respond to this specific concern.
	Response	
AQ.1.54	The Applicant	Mitigation Please explain how the various elements of mitigation relate to each other, and how they are secured by the dDCO. In particular how the Outline Dust Management Plan (oDMP), Dust Management Plan (DMP) relates to the Construction Environmental Management Plans (CEMP) and the Code of Construction Practice (CoCP). Please also set out which document would have precedence in the event of a conflict.
	Response	
AQ.1.55	The Applicant	Mitigation Table 12.17 of [APP-212] Refers to LE25 – The Round House: (i) How would any specific mitigation be delivered to protect the amenity and living standards of this property such that appropriate air quality standards were maintained? (ii) How would this be enforced?

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
AQ.1.56	The Applicant	<p>Early Years</p> <p>B1122 Action Group [RR-0124] express concern that the level of traffic generated during the early years creates an unreasonable burden on the local community in terms of traffic, noise and air quality. Please address this particular concern and explain how the effects during early years could be considered reasonable in light of the recognised need to mitigate for similar levels of traffic later.</p>
	Response	
AQ.1.57	The Applicant	<p>Southern Park and Ride</p> <p>Campsea Ashe Parish Council [RR-0170] express concern that the assessment of effects from the Southern Park and Ride have not been adequately addressed. Please respond to these specific concerns</p>
	Response	
AQ.1.58	The Applicant	<p>Rail Emissions</p> <p>(i) Please advise on any likely effects of trains that are waiting to move onto or off site, or waiting on the line and what impact if any this may have on sensitive receptors. (ii) How might this be controlled, should it be necessary?</p>
	Response	
AQ.1.59	The Applicant	<p>Back Up Generators</p> <p>Whilst it is understood that these are an essential part of the safety systems which would be in place to support the overall safe operation of the site, please explain: (i) Whether a cleaner alternative to diesel generators has been considered, and if so why this has been discounted. (ii) What mechanisms would be in place to ensure that the generators would operate as cleanly as possible and therefore be as sustainable as possible in the long term.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
AQ.1.60	Natural England, ESC, EA	<p>Back Up Generators</p> <p>[APP 212] Paragraph 12.6.65 indicates that the NO_x level would be 428% of the critical level at Sizewell Marshes SSSI and that daily exceedances would also occur at other sensitive ecological receptors:</p> <p>(i) Do you agree that the short term exposure is less important?</p> <p>(ii) Is the level at 428%, albeit likely to be for a short period, tolerable such that any sensitive receptor exposed to these levels of NO_x would be expected to recover?</p>
	Response	
AQ.1.61	Natural England, ESC, EA	<p>Back Up Generators</p> <p>[APP 212] Paragraph 12.8.3 indicates that there could be significant adverse effects from NO₂ concentrations, and this could exceed air quality strategy objectives:</p> <p>(i) Please comment on this assessment and whether you regard this as reasonable in light of the likelihood of these circumstances occurring as being 'once in the lifetime of a fleet of nuclear sites'.</p> <p>(ii) Even in accepting this is an unlikely scenario would it lead to an exceedance of any statutory limits?</p>
	Response	
AQ.1.62	The Applicant	<p>Back Up Generators</p> <p>It is indicated that the back-up generators would operate a maximum of 720 hours in any one year (paragraph 14.7.245) [APP-244]. Whilst this might be regarded as a conservative estimate it is not something that could be limited. In these circumstances where you have already identified exceedances of NO_x is it justifiable to say the addition generated by this development is 'not significant'? Please also explain what guidance or precedents you rely upon to support this position.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
AQ.1.63	The Applicant	<p>Background Levels</p> <p>The data provided suggests that in future years there will be reductions in NO₂, NO₁₀ and PM_{2.5} figures - because of overall falls in emissions more generally - is there an assessment that shows the relative effects of this scheme and what the levels might be without it taking place?</p>
	Response	
AQ.1.64	The Applicant	<p>Two Village Bypass - Foxburrow Wood</p> <p>It is suggested by The Woodland Trust [RR 1213] that a buffer zone of at least 30m would be required to ensure that the woodland would be adequately protected in line with standing advice from Natural England:</p> <p>(i) Please advise whether the design and layout of the road accommodates such a buffer; and</p> <p>(ii) If it does how this would be secured; and</p> <p>(iii) If it does not, why it does not.</p>
	Response	
AQ.1.65	The Applicant	<p>The Round House</p> <p>The Round House (Receptor LE25) is indicated to be subject to activity specific mitigation to protect air quality during construction, but it is also indicated to be subject to compulsory acquisition.</p> <p>The property is in close proximity to both construction works and large areas for storing spoil, please advise how you anticipate ensuring the property and it's occupiers could be adequately protected from the onsite construction activities when in such close proximity to this residence or do you anticipate that it would not be occupied throughout the duration of the works? If so, how would that be secured?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
AQ.1.66	The Applicant, ONR, Environment Agency, Natural England, PHE	<p>Tritium Gas</p> <p>Please comment on the concerns raised in [RR-785] in respect of the potential release of tritium gas and any controls that would be in place to safeguard human health and ecology.</p>
	Response	
AQ.1.67	The Applicant, SCC	<p>Mitigation</p> <p>In the Air Quality Chapter [APP-212] you refer to primary mitigation as 'minimising' freight movements on roads in light of the other delivery methods envisaged via rail and sea.</p> <p>(i) Is it really fair to say these movements would be minimised when to date neither the rail nor sea alternatives are confirmed, or to what degree they could operate?</p>
	Response	<p>SCC agrees that this is a valid question. SCC has raised concerns, both at numerous occasions with the Applicant, and in the Local Impact Report (e.g. para 15.4 [REP1-045]), that we had yet to see the evidence that the measures to achieve an increased proportion of rail transport and sea borne transport are deliverable at the time required by the project to mitigate its impact on the road transport network.</p> <p>In addition, SCC has not seen evidence that, if the proposed increases in rail and sea deliveries are achievable and if they may have spare capacity, that they 'minimise' freight movements by road as much as reasonably possible, i.e. that the proportion of materials being brought to site using rail and sea-borne transport modes cannot be increased further beyond the 60% proposed by the Applicant.</p> <p>See answer to Question AL.1.10 for further detail.</p>
AQ.1.68	The Applicant	<p>Mitigation</p> <p>In terms of tertiary mitigation please advise what is meant by the following terms:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) 'as far as practicable' (first bullet point para 12.5.4 [APP-212]) and how you would expect this to be secured?</p> <p>(ii) 'additional mitigation as necessary' (third bullet point of para 12.5.4 [APP-212]) and how you would expect this to be secured?</p> <p>It seems that to be enforceable and to ensure the mitigation to be appropriate a standard needs to be defined against which the construction activities can be assessed, please explain where this standard can be found and how it is secured and would subsequently be monitored.</p>
	Response	
AQ.1.69	ESC, SCC	<p>Mitigation</p> <p>The Outline Dust Management Plan [APP-213] would be an essential part of the mitigation required to control construction activities on site.</p> <p>Do you consider it sufficiently precise that it would be enforceable?</p>
	Response	SCC defers to ESC, which will be responsible for enforcement of this measure, on technical matters related to enforceability.
AQ.1.70	The Applicant	<p>Mitigation – Earth Bunds</p> <p>A 5m high bund is proposed along the southern boundary of the temporary construction area:</p> <p>(i) Is this indicated on any of the plans to be approved? – if so please provide the number.</p> <p>(ii) The ES relies on this as tertiary mitigation and it is assumed it would be secured through the CoCP – is this correct?</p> <p>(iii) What mechanism ensures it is provided in a timely manner to achieve the mitigation it would offer?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AQ.1.71	The Applicant	<p>Code of Construction Practice (CoCP)</p> <p>Is there a definition of 'plant with significant dust rising potential'? Should there be a threshold specified so this term is fully understood?</p>
	Response	
AQ.1.72	The Applicant, ESC, SCC	<p>Code of Construction Practice</p> <p>The CoCP contains general phrases such as 'where possible' and 'will seek to ensure'. In such circumstances how would the local authorities be able to enforce compliance?</p>
	Response	<p>SCC would prefer that ambiguous phrases like this are replaced (noting that PINs guidance "Drafting Development Consent Orders" (July 2018, section 3) requests that ambiguous wording should be avoided), but we defer to East Suffolk Council to comment further on enforceability.</p>
AQ.1.73	The Applicant	<p>Northern Park and Ride – Air Quality/Noise</p> <p>Within the Equality Statement [APP-158] a high potential for adverse effects from the Northern Park and Ride is indicated. Please advise where these concerns are set out in the corresponding air quality and noise chapters and how they might be mitigated to ensure there would not be a significant effect.</p>
	Response	
AQ.1.74	The Applicant	<p>Bus Fleet</p> <p>(i) Is the bus fleet proposed to operate to and from the main development site and associated sites intended to be electric, zero emission or ultra low emission?</p> <p>(ii) Please advise on the types of bus to be employed and the effect on emissions/air quality.</p> <p>(iii) How might any commitment to electric, zero emission or ultra low emission be secured?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
AQ.1.75	The Applicant	<p>Conveyor on BLF</p> <p>It is not clear from the information provided how the conveyor system on the BLF would be powered. Please explain where this is set out in the ES.</p> <p>If it is to run via a non mains generator please explain how this would be delivered through the DCO and the mechanism for ensuring any environmental effects were not significant.</p>
AQ.1.76	The Applicant, ESC (part ii), SCC (part ii)	<p>Mitigation</p> <p>The revised Mitigation Route Map [AS 276] has added for the Main Development Site</p> <p><i>“ Use of contractor vehicles as far as practicable that meet the Euro VI emissions standards and Euro V standards (98/69/EC) as a minimum, unless otherwise agreed with the local authority.</i></p> <ul style="list-style-type: none"> <i>• Use of non-road mobile machines as far as practicable and available that meet the Stage IV engine standards of the NRMM Emission Standards Directive to minimise NOx and particulate emissions on site.”</i> <p>(i) This wording is not consistent across the main development site and other associated sites – is there a reason for this?</p> <p>(ii) Do the Councils consider that as reworded this is sufficiently robust?</p>
	Response	<p>SCC does not consider the rewording is sufficient.</p> <p>We would like to refer the ExA to the requirements proposed for East Anglia One North and East Anglia Two: Recognising the risk to the Stratford St Andrew AQMA, the SPR Outline Construction Traffic Management Plan (Rev 5) section 5.1.5 (see https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010078/EN010078-004789-8.9%20EA2%20Outline%20Construction%20Traffic%20Management%20Plan%20(Tracke%20d).pdf) sets out the requirements and controls agreed with the Councils for that project. This includes a requirement that if either SPR project overlaps with SZC there would be a requirement that ensures 70% of SPR’s HGVs are of a Euro VI standard.</p> <p>SCC would expect similar proposals and monitoring for Sizewell C.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		This is also set out in our LIR (particularly para 19.30 [REP1-049]).
AQ.1.77	The Applicant	<p>CoCP</p> <p>Table 4.1 [AS 273] requires an adequate water supply to be made available to suppress dust/particulate matter.</p> <p>The latest information provided with the ES Addendum appears to prefer the provision of a water supply which does not form part of the dDCO.</p> <p>Please explain the rationale for this approach and how the ExA can be assured adequate water supplies would be available in a timely manner to ensure dust and particulate matter is limited to agreed levels.</p>
	Response	
AQ.1.78	The Applicant, ESC, SCC	<p>CoCP</p> <p>Table 4.2 refers to regular inspection and monitoring and this terminology is used in several places. Regular could ostensibly be once a year, While, it is assumed this is not the intention is there a more precise term that could be used to ensure maintenance and monitoring is undertaken expeditiously?</p>
	Response	SCC would prefer that ambiguous phrases like this are replaced (noting that PINS guidance "Drafting Development Consent Orders" (July 2018, section 3) requests that ambiguous wording should be avoided), but we defer to East Suffolk Council to comment further.
AI.1 Alternatives		
AI.1.0	The Applicant	<p>General assessment principles</p> <p>Having regard to NPS EN-1, Section 4.4:</p> <p>(i) Please identify all legal and policy requirements relating to the assessment of alternatives applicable to this project and summarise the Applicant's compliance with</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>those requirements; (ii) Please identify any such legal or policy requirements where compliance has not yet been agreed with the relevant statutory regulator? For example, in relation to the Habitats Directive, the Water Framework Directive or flood risk.</p>
	Response	
Al.1.1	The Applicant	<p>General assessment principles The Planning Statement, paragraph 7.3.35, explains that SZC Co. has not considered any alternatives for elements of the Sizewell C Project which have been determined through other processes, policies or legislation, including the proposed siting of Sizewell C. Please identify all elements including any associated development for which alternatives have not been considered, providing reasons for each element in that category.</p>
	Response	
Al.1.2	The Applicant	<p>General assessment principles The Planning Statement, paragraph 7.3.33, states that EN-6 clarifies how alternatives should be considered in the context of applications for new nuclear power stations. EN-6, paragraph 2.4.5, explains that in addition to the consideration of alternative sites, an assessment was undertaken as part of the Nuclear Appraisal of Sustainability (AoS) to consider whether the objectives of this NPS could be delivered using alternative options. It concludes that: <i>"It is the Government's view that none of the alternative options looked at can be relied upon to deliver the objectives of this NPS by the end of 2025"</i>: Given that it is accepted those objectives cannot be delivered by the current scheme within that timescale, what reliance can be placed upon the EN-6 approach to alternative options?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Al.1.3	The Applicant	<p>General assessment principles</p> <p>The Planning Statement, paragraph 7.3.34, refers to EN-6, section 2.4, which outlines how alternatives were considered through the nomination process that led to confirmation in EN-6 of the eight sites for new nuclear power stations. It states that there is nothing in the consultation on the new NPS or the Government’s July 2018 response which suggests that the Government’s position on this has changed. The representations of Ian Marshall [RR-0490] and Walberswick Parish Council [RR-1257], submit that this conclusion is out of date. Please comment on the criticisms made in those representations and provide further justification to support the view that the proposed siting of Sizewell C should not have been reconsidered for this application?</p>
	Response	
Al.1.4	The Applicant	<p>General assessment principles</p> <p>The Government response: consultation on the siting criteria and process for a new national policy statement for nuclear power with single reactor capacity over 1 gigawatt beyond 2025 July 2018 Annex II, paragraph II.4 states that : <i>“Government’s approach therefore is to carry the list of potentially suitable sites in EN-6 through to the new NPS. This will be subject to confirmation from the current developers associated with each potentially suitable site that they wish it to remain listed in future and subject to those sites meeting the strategic criteria as well as demonstrating they are credible for deployment by 2035. The finalised strategic siting criteria at Annex I are based on the original Strategic Siting Assessment (updated to be consistent with current law and policy and to take account of the views received as part of this consultation)”</i>. Please explain further:</p> <p>(i) How the scheme would comply with the strategic siting criteria set out in Annex I, paragraph 1.14, in relation to the flooding, tsunami, storm surge and coastal processes aspects of nuclear safety and security; and</p> <p>(ii) the credibility of this particular scheme for deployment by 2035.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Al.1.5	The Applicant	<p>Site specific assessment – change in circumstances</p> <p>The Planning Statement, paragraph 3.8.9, indicates that further details of the evolution of the main development site boundary and the alternatives considered by SCZ Co. are provided at Volume 2, Chapter 6 of the ES:</p> <p>(i) Please provide a separate summary of those changes and the justification for them. (ii) Explain further why the changes to the nominated site area and the siting of the temporary construction area in close proximity to the main construction area do not represent a change in circumstances?</p>
	Response	
Al.1.6	The Applicant	<p>Reactor design</p> <p>The NPS EN-6 Vol I, Section 2.6, considers the Regulatory Justification process and the planning regime. It explains that in October 2010 the Secretary of State published his decisions that two nuclear reactor designs, Westinghouse’s AP1000 and Areva’s EPR, are justified and that Justification is a separate regulatory process. However, given the period that has elapsed since the Regulatory Justification decision and the criticisms raised by IPs in relation to reactor design, should requirements be attached to draft DCO to the effect that the order is conditional on the existence of a valid Regulatory Justification decision?</p>
	Response	
Al.1.7	ONR	<p>Reactor design</p> <p>The Office for Nuclear Regulation (ONR) [RR-0911] explains that in June 2020, NNB Generation Company (SZC) Ltd applied for a nuclear site licence to allow it to install and operate two EPR™ reactors at the Sizewell C site. The design of the proposed twin reactor development at Sizewell C is closely based on that for the power station that is currently under construction at Hinkley Point C. ONR carried out an assessment of the generic EPR design in 2012 and concluded that it could be safely constructed and operated in the United Kingdom. Whilst the ExA appreciates that the ONR is currently assessing the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		nuclear site licence application, does it have any concerns at this stage in the light of experience and development of the EPR reactor since 2012 at Hinkley Point C?
	Response	
Al.1.8	The Applicant	<p>Strategic alternatives for accommodation infrastructure</p> <p>The Planning Statement, Appendix A - Site Selection Report sets out SZCs approach to site selection. Section 2.2 considers the strategic alternatives for accommodation infrastructure. This is further explained in the Accommodation Strategy. Please explain in detail:</p> <p>(i) Why it was considered that an off-site campus would be unlikely to make a significant difference in terms of any localised community or environmental impacts around the main development site; and</p> <p>(ii) Why the delivery of permanent housing was not considered as a reasonable alternative to the on-site campus?</p>
Al.1.9	The Applicant	<p>Strategic alternatives for accommodation infrastructure</p> <p>The Planning Statement, paragraph 7.3.36, indicates that appropriate strategic options have been considered by SZC Co. for the accommodation of workforce. In addition, the Planning Statement, Appendix A - Site Selection Report, section 3 sets out the sets out the site selection process for development on the main development site. Section 6 considers the temporary construction area including c) the on-site campus location. However, there is criticism raised by IPs of the site selection process that led to proposal for the Eastbridge Lane site to accommodate a worker campus including by the Theberton and Eastbridge Parish Council [RR-1214] which states that justifications for selecting the single Eastbridge Lane site are poorly evidenced. (i) Please provide further justification of the selection of the Eastbridge Lane site; (ii) Explain in further detail, how that decision</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		has taken on board responses to the Stage 1 consultation process including the concerns raised by the nearby communities of Theberton and Eastbridge; (iii) What consideration and weight was given to those community concerns, as opposed to the logistical benefits of an 'on-site' campus?
	Response	
Al.1.10	The Applicant, SCC	<p>Strategic alternatives for the movement of freight</p> <p>The Suffolk County Council [RR-1174] states that the Council does not support the Applicant's proposed freight transport strategy as it stands, and considers that it is still reasonably achievable to increase the proportion of rail and potentially sea-borne deliveries. In the light of the Applicant's strategic assessment of alternatives, and the Applicant's subsequent Changes to the original application, please indicate:</p> <p>(i) Why it is considered that an increased proportion of rail transport and sea-borne transport can be achieved without causing undue delay to the construction programme?</p> <p>(ii) Whether the changes to the application have overcome the SCCs concerns in this respect?</p>
	Response	<p>(i) It is not clear to us whether the question refers to (a) an increased proportion of rail and sea-borne transport in relation to the proportion (around 40%) set in the original DCO submission; or (b) an increase beyond the proportion (60%) set in the DCO change application. Our response deals with each of these aspects separately:</p> <p>(a) With its change application, the Applicant has conceded that in its view, an increased proportion of rail and sea-borne, from 40% in the original submission to 60% in the change application can be achieved. The Applicant states that this can be achieved as required for the construction programme timetable, although SCC has raised concerns about needing to evidence the deliverability.</p> <p>These concerns, that we had yet to see the evidence that these are deliverable at the time required by the project to mitigate its impact on the road transport network, were raised at numerous occasions with the Applicant, and in the Local Impact Report (e.g. para 15.4 [REP1-045])). Some of the outstanding issues to deliver the proposed rail strategy are summarised in the LIR Para 15.39 onwards.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>We have also not seen clear evidence that HGVs can be reduced to the levels indicated in the change documents.</p> <p>The Implementation Plan [APP-599] shows that delivery of the rail and marine infrastructure is at a similar stage in the programme to the highway mitigation, at the end of the Early Years Scenario. This implies no greater delays are forecast for the delivery of rail and marine transport than for road. SCC is not party to the detailed programming of the construction phase nor the associated risks so does not feel informed to comment in more detail.</p> <p>(b) SCC is not satisfied at the moment that the increased proportion set in the change application (60% by rail and sea) is the upper limit that can be achieved. We think a higher proportion can be achieved if the capacity of rail and marine modes allows for this, and we do not see why this should delay the programme. Both the marine and rail options have been shown by the Applicant to in theory deliver significant tonnages of materials, likely to be above the 60%, and the Applicant has not evidenced why 40% of materials have to be transport by HGV and thus the proportion of materials being brought to site using rail and sea-borne transport modes cannot be increased further beyond 60%. The Applicant states, but has not evidenced, that some specialist materials such as concrete powders have to be delivered by road. SCC considers that the Applicant has not fully explored the maximisation of delivery of materials by modes other than road and is not matching the aspirations of recently examined projects such as Wylfa New Nuclear Plant (while the Transport Assessment there was based on a minimum 60% of materials being delivered by sea, Wylfa's target was 80% - see ExA's recommendation report EN010007-003948-Recommendation Report - English.pdf (planninginspectorate.gov.uk) paragraphs 17.4.1 and 17.4.5) nor evidencing that it is matching the aspiration of the NPS. (see LIR [REP1-045] para 15.50)</p> <p>(ii) The changes to the freight management strategy, aiming to increase rail and sea-borne transport, are broadly welcome by SCC; however, at this point, the changes in the application have not yet overcome SCC's concerns, due to unknowns and outstanding matters in terms of:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>a) Uncertainty in the deliverability and timing of additional train movements, and lack of clarity in the timing of the construction of a second beach landing facility (as set out under (1) and in the LIR para 15.35)</p> <p>b) SCC is not satisfied at the moment that the increased proportion of deliveries by rail and sea set in the change application (60% by rail and sea) is the upper limit that can be achieved. Unless it is clearly evidenced why the proportion of materials being brought to site using rail and sea-borne transport modes cannot be increased further beyond 60%, a higher target should be set if the capacity of rail and marine modes allows for this (see part (1) (b) of the answer above).</p> <p>c) Concerns that adverse impacts of the transport strategy have not sufficiently been minimised and mitigated. This includes impacts from the additional night-time train movements as well as from road traffic. It should be noted that even when marine and rail deliveries are maximised, a substantial amount of additional traffic will be created as a result of the construction activity. The LIR sets out (in para 15.91 onwards) the negative impact on the highway network and (in Table 14-17) highway related mitigation that will, or may be, required, with a number of locations not being agreed by the Applicant.</p> <p>d) The residual carbon footprints, as even if sustainable transport modes of rail and sea are maximised, the carbon footprint of the construction traffic will be substantial. As set out in the LIR (para 21.3), SCC encourages the Applicant to consider ways to off-set the carbon footprint of the development.</p> <p>In summary, SCC considers the proposed changes in the freight management strategy, to increase rail and sea-borne transport modes, as important. If deliverable, and secured by suitable requirements and/or obligations, combined with a comprehensive mitigation package, the changes would make the application more acceptable to SCC. However, as set out in the LIR, many of the issues highlighted above remain unresolved and "work in progress".</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Due to the uncertainties around the deliverability, if the project is consented it is SCC's strong stated position that the DCO must include suitable controls and monitoring secured by requirements to ensure that mitigation is delivered in a timely manner and impacts on communities do not exceed those assessed in the ES and Transport Assessment, as set out in the LIR.
Al.1.11	The Applicant	<p>Strategic alternatives for the movement of freight</p> <p>The ES 6.2 Volume 1 Chapter 4 – Project Evolution and Alternatives, sets out the strategic alternatives that have been considered by SZC Co. and how these have guided the evolution of the proposed development. In relation to the movement of freight, this explains why the option of a wide jetty was rejected including the assessment of the potential delay to the construction programme. In the light of the changes to the application including in relation to sea-borne deliveries: Please explain why the amended proposal would be acceptable in environmental terms compared to options previously considered for sea-borne deliveries and how the potential delay to construction and any other disadvantages previously identified associated with sea-borne deliveries would be overcome.</p>
	Response	
Al.1.12	The Applicant	<p>Strategic alternatives for the movement of freight</p> <p>The ES 6.3 Volume 2 Chapter 6 – Main Site Development, Alternatives and Design Evolution, paragraph 6.2.98, sets out the principal reasons why SZC Co. has chosen not to proceed with the two jetty options which are informed by design development and environmental work since Stage 2 and SZC Co.'s experiences from the construction of Hinkley Point C. Please provide an update in the light of the changes to the application and distinguish the current proposal from the jetty options previously rejected with particular regard to underwater noise, seasonal controls on construction activity, and the potential for delay to the construction programme and the commencement of operation of the power station.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Al.1.13	The Applicant	<p>Strategic alternatives for the movement of freight</p> <p>The ES 6.2 Volume I, Chapter 4 – Project Evolution and Alternatives, paragraph 4.3.66, states that the BLF is now to be the only marine based capacity promoted: Please explain how the findings and conclusions expressed in the ES submitted in support of the application are compatible with the ES Addendum information relating to Change 2, in that previously the BLF was the “only capacity promoted” and now it is two BLFs and jetty components including the previous concerns expressed as to potential delay to the overall time taken to construct the power station caused by the implementation of those measures?</p>
	Response	
Al.1.14	The Applicant	<p>Strategic alternatives for the movement of freight</p> <p>The ES 6.2 Volume I, Chapter 4 – Project Evolution and Alternatives Paragraph 4.3.63 states that the level of uncertainty of the works needed to deliver the rail-led option would affect SZC Co.’s ability to secure the necessary funding for the Sizewell C Project, and the ability to demonstrate to the Government that the Sizewell C Project can be deployed in time to meet the urgent need for new nuclear power generation. Paragraph 4.3.64 concludes that on the basis of these concerns, the works needed to support a rail-led strategy would not be deliverable. Instead, an integrated strategy was developed to seek to secure the best deliverable rail outcome, whilst addressing the concerns expressed in relation to the road-led strategy:</p> <p>(i) Please provide further details of the reasons for the uncertainty surrounding the deliverability of the works associated with the rail-led option and why it was considered that these could not be overcome within the required timescale?</p> <p>(ii) Please provide further details to explain the complex nature of those rail works, and how this is overcome by the changes to the application?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(iii) Please explain how the findings and conclusions expressed in the ES submitted in support of the application are compatible with the ES Addendum information relating to Change 1? In particular, why is it now considered that the changes in relation to the use of rail are now regarded as being deliverable?
	Response	
Al.1.15	The Applicant	Site selection for the Freight Management Facility The Planning Statement, Appendix A - Site Selection Report, section 8, sets out the site selection process for the Freight Management Facility (FMF). The representation of Highways England [RR-0468] points out that the facility would be located to the east of the A14 Orwell Bridge which is susceptible to periods of disruption and closures to traffic during inclement weather. It seeks clarity around the proposed FMF location including whether viable alternative locations west of the A14 Orwell Bridge have been identified, and the criteria used to select the proposed location. Please summarise the selection criteria and explain: (i) The consideration given to the likelihood of closures of the Orwell Bridge in the site selection process; (ii) the consideration of viable alternatives west of the Orwell Bridge.
	Response	
Al.1.16	The Applicant	Site selection for the Two Village Bypass The Planning Statement, Appendix A - Site Selection Report, section 6, sets out the site selection process for the Two Village Bypass. This is also noted in the Site Selection Report, paragraph 6.4.70, and the reasons for rejection of that proposal are set out in subsequent paragraphs. The representation of Farnham with Stratford St Andrew Parish Council [RR-0379] expresses concern as regards the route alignment for the bypass of

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>Farnham and Stratford St Andrew villages. There are also objections from a number of local residents including Ashtons Legal on behalf of Farnham Environment Residents & Neighbours (FERN) and others [RR-0108 to RR-0117]:</p> <p>(i) Please respond in detail to the criticism made by the Parish Council and other IPs to the proposed alignment of the new road including any change to the Ancient Woodland designation, the impact upon the properties at Farnham Hall and the benefit of facilitating a future four village bypass.</p> <p>(ii) Please provide a larger scale plan of Plate 6.1: A12 Four village route options with the proposed Two Village Bypass route overlaid to aid comparison of those schemes.</p>
	Response	
Al.1.17	The Applicant	<p>Site selection for the Two Village Bypass</p> <p>The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.2.25, refers to analysis which suggested that congestion was only likely within Farnham due to the narrowing of the road at the Farnham bend. At Stage 2 of the consultation Stratford St Andrew was also added to the bypass options so as to remove Sizewell C traffic congestion from both villages. The Appraisal of Sustainability (AoS) for the Sizewell Site (DECC, 2010) noted the Four Village Bypass as one of the key transport interactions for the proposed Sizewell C development. Please explain in detail the reasons for concluding that congestion was only likely to occur at the bend and that the impact of Sizewell C traffic would not be sufficient to justify a bypass of all four villages.</p>
	Response	
Al.1.18	The Applicant	<p>Site selection for the Two Village Bypass</p> <p>The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.25, indicates that the alternative alignment put forward by the Parish Council was reviewed at the Stage 4 consultation stage, taking into account the impacts on woodland, environment and nearby receptors as well as operational matters, but it was not considered to be a better solution. Please explain:</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>(i) The operational matters that weighed upon that decision.</p> <p>(ii) The additional average journey time that users of the alternative alignment would be likely to take compared to the proposed route and the existing routes.</p> <p>(iii) Justification for the conclusion that the proposed route would be likely to encourage road users to bypass the current A12 route through Stratford St. Andrew and Farnham compared to the alternative route.</p>
	Response	
Al.1.19	The Applicant	<p>Site selection for the Two Village Bypass</p> <p>The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.27 states that the alternative alignment would be closer to Walk Barn Farm than the SZC Co. proposal is to any neighbouring property. Nonetheless the proposed route would pass close to the Farnham Hall complex. Please provide in summary a comparison of the distance of the two routes from residential properties in the vicinity; the numbers of residences in the various locations; the anticipated noise impact upon those residents and any impact upon heritage assets.</p>
	Response	
Al.1.20	The Applicant	<p>Site selection for the Two Village Bypass</p> <p>The Consultation Report Appendix G records concern that the two village bypass would damage Grade II listed buildings and other heritage assets in the area. The response indicates that potential loss of heritage significance through change to setting would be addressed through mitigation measures including standard CoCP measures to minimise noise and air quality effects (construction phase).</p> <p>(i) Please explain in detail why such measures are not proposed for the operational phase and identify the mitigation that is proposed for that phase?</p> <p>(ii) Specifically in relation to ES Vol 5 Chapter 4 Noise and Vibration para 4.7.12, how would further consideration of measures that could be implemented to further reduce</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		traffic noise at detailed design stage be secured, and what type of measures are anticipated?
	Response	
Al.1.21	The Applicant	Site selection for the Two Village Bypass The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.28, refers to the potential impact of the alternative alignment upon Friday Street Farm. Please explain further by reference to a plan the various impacts that would result from the alternative alignment upon the separate areas of the business mentioned.
	Response	
Al.1.22	The Applicant	Site selection for the Two Village Bypass The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.29, refers to the potential impact of the alternative alignment upon Foxburrow Wood ancient woodland and Palants Grove: (i) Please explain in detail the perceived difficulties in maintaining a 15m buffer to Foxburrow Wood and why this could not be overcome? (ii) Provide an update as to the status of Foxburrow Wood and Palant's Grove as ancient woodland. (iii) The extent of the County Wildlife Site that would be lost as a result of the alternative alignment.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Al.1.23	The Applicant	Site selection for the Southern Park and Ride The Planning Statement, Appendix A - Site Selection Report, section 5, sets out the site selection process for the Southern Park and Ride (SPR). The representation of the Hacheston Parish Council [RR-0447] suggests that the SPR should be situated further south on the A12 at Martlesham where an under-used Park and Ride exists. Please indicate whether consideration has been given to the specific alternative site proposed by the Parish Council and, if so, the reasons for rejection.
	Response	
Al.1.24	The Applicant	Site selection for the Southern Park and Ride The Site Selection Report, paragraph 5.4.7, indicates that for the Stage 1 consultation, Option 1 – Wickham Market was considered to be in the optimal position: (i) Please explain further why that was considered to be the case, in particular by way of comparison with a site located further south on the A12. (ii) Please explain further why Options 2 and 3 were considered to have the potential to cause greater issues in terms of congestion, access and highway safety compared to Option 1.
	Response	
Al.1.25	The Applicant	Site selection for the Southern Park and Ride The representation of Great Glemham Parish Council [RR-0438], submits that the SPR facility should be situated alongside the FMF at Sevenhills to reduce pressure on Wickham Market. What assessment has been made of existing pressures on Wickham Market and the impact that the proposed park and ride facility would have on those pressures in comparison to a location beside the FMF?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Al.1.26	The Applicant	Site selection for the Southern Park and Ride The ES 6.5 Volume 4 – Southern Park and Ride, Chapter 3 Alternatives and Design Evolution, paragraph 3.2.22 states that Option 2 (Woodbridge) and Option 3 (Potash Corner) were both considered to be potentially suitable sites in transport terms but would have been in less optimal locations. These would have had the potential to cause greater issues in terms of congestion, as well as access and highway safety when compared with Option 1 (Wickham Market). This is expanded upon in paragraph 3.2.26. Please explain further these potential transport issues identified with Options 2 and 3 and why Option 1 was considered to be preferable in highway safety terms?
	Response	
Al.1.27	The Applicant	Site selection for the Sizewell Link Road The Planning Statement, Appendix A - Site Selection Report, section 7, sets out the site selection process for the Sizewell Link Road (SLR). The Aldringham-cum-Thorpe Parish Council [RR-0019] is critical of the location of the SLR junction and submits that it is too far north for traffic from the south and does not provide the necessary relief to the existing road network further south. The Site Selection Report Table 7.1 provides a comparison between various route options including those further to the south of the chosen route. However, the impact on traffic relief to the existing road network is not considered in this analysis. The initial need for the road to alleviate traffic impacts is identified in paragraph 7.4.10 but consequently the route options presented do not consider any traffic network analysis of the various route options. Given the report suggests that traffic analysis has been undertaken on the various route options considered, this analysis should be submitted to support the option appraisal of alternatives. If this has not been undertaken the Applicant should explain how it can therefore conclude that the selected alignment offers the best route choice in terms of network management.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Al.1.28	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>The Planning Statement, Appendix A - Site Selection Report, paragraph 7.4.14, Route W is described as <i>"requiring engineering works to traverse the landform which would have had a significant adverse effect on the existing landscape character and there was the potential for the significant (sic) of several heritage assets to be affected adversely as a result of the route's alignment."</i> Yet in Table 7.1 in comparison with Route Z, the preferred option, there is very little difference in the summary presented in that table between the two options in terms of Landscape and Heritage. Given the level of engineering operations required to traverse the landform in the design progressed the Applicant is asked to explain in more detail why the Route W options have been discounted for the reasons set out in Table 7.1?</p>
	Response	
Al.1.29	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>It is a working assumption of the Transport Assessment that 85% of the HGV traffic travelling to the Main Development Site is coming from the south. Please additionally set out the proportion of the remaining other Sizewell C related traffic (i.e. construction and operational workers, LGVs, etc) that will be travelling to the selected route of the SLR from the south?</p>
	Response	
Al.1.30	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>The Site Selection Report, paragraph 7.4.27, recognises that Route W located to the south of Saxmundham was best placed to intercept the Sizewell C HGVs from the south. However, it is asserted that it would not have as effectively relieved B1122 communities of traffic as more northerly routes. Please explain the basis of that assertion and why greater weight was not placed upon the relief from HGVs and other traffic travelling from the south?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Al.1.31	The Applicant	Site selection for the Sizewell Link Road The ES 6.7 Volume 6 Sizewell Link Road Chapter 3 Alternatives and Design Evolution, paragraph 3.2.46, states that the W route could have had an adverse effect on the setting of the existing heritage assets including Hurts Hall and Leiston Abbey as they are situated approximately 450m north and 300m north of Route W respectively. Please provide further details of those heritage impacts and the landscape impacts and explain why they could not have been satisfactorily mitigated?
	Response	
Al.1.32	The Applicant	Site selection for the Sizewell Link Road The ES 6.7 Volume 6 Sizewell Link Road Chapter 3 Alternatives and Design Evolution, paragraph 3.3.21, confirms that once operational, the SLR would be open to general traffic during and after the construction of Sizewell C. The Consultation Report, section 8.10 - Changes to the Sizewell C Project in response to the Stage 4 consultation, indicates that a decision was made at that stage to propose the SLR as a permanent facility, rather than temporary. However, the Consultation Report Appendix G Stage 4 Issues Table f Sizewell Link Road/Theberton Bypass – records general support for removal of the SLR following the construction phase and for the land to be restored. Please explain in further detail the assessment of the consultation responses on this topic which led to the decision to permanently retain the SLR and how that reflects the Stage 4 consultation responses.
	Response	
Al.1.33	The Applicant	Site selection for the Sizewell Link Road The Suffolk County Council [RR-1174] submits that the SLR should not be permanent and instead be removed after Sizewell C construction is completed for the reasons set out in paragraphs 40 and 41 of its representation. It submits that the retention of the SLR would cause a greater permanent residual landscape and ecological impact than a temporary solution, as well as resulting in permanent loss of agricultural land. Since there is no

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>strategic transport case for permanent retention of the SLR the Council requests the road to be removed after the construction period:</p> <p>(i) Please provide a detailed response to these concerns relating to the need to retain the SLR on a permanent basis at this location.</p> <p>(ii) Whilst the proposed development would help to reduce the amount of traffic on the B1122 through Middleton Moor and Theberton during the peak construction phase of the Sizewell C Project, is it necessary for it to remain to achieve a reduction in traffic during the operational phase? And</p> <p>(iii) Please identify and explain the advantages and disadvantages of retention of the road versus its removal?</p>
	Response	
Al.1.34	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>The representation of Ward Farming Ltd [RR-1259] is critical of the process whereby the SLR route was selected. Please respond specifically to the criticisms made by Ward Farming Ltd including of the Aecom report commissioned by EDF.</p>
	Response	
Al.1.35	The Applicant, SCC	<p>Electrical connection to the National Grid substation</p> <p>The Suffolk County Council [RR-1174], submits that the provision of four additional tall pylons with overhead lines on the development site would have considerable additional detrimental impact on the Suffolk Coast and Heaths AONB. The review on behalf of the Council by Pöyry Energy Limited (AFRY) indicates that the use of Gas Insulated Lines (GIL) to connect to the National Grid (NGET) substation is a feasible alternative to overhead lines and pylons. This technical report has been supplied to the applicant for consideration:</p> <p>(i) Please explain further on whether GIL would provide a viable and less impactful alternative in this location?</p> <p>(ii) If not already submitted, please provide a copy of the AFRY technical report.</p>
	Response	<p>(i) SCC and its consultants AFRY consider that the use of GIL appears to be a viable, and significantly less impactful, alternative to pylons and overhead lines. This is explored in</p>

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>detail in SCC's Written Representation submitted at Deadline 2, and we refer the ExA to this document for further detail.</p> <p>(ii) The Written Representation has appended the AFRY report from September 2020 on the DCO submission information (Appendix WR4a). Further appendices provide commentary from SCC and AFRY to updated technical reports from the Applicant, in Appendix 4b and 4d.</p>
Al.1.36	The Applicant	<p>Electrical connection to the National Grid substation</p> <p>The ES Appendix 8.4 A Site Selection Report indicates that the 4 and 5 pylon and undergrounding options were assessed at Stage 4. The four pylon option was the preferred option.</p> <p>(i) Notwithstanding the details provided in the Site Selection Report, please explain further the safety issues and significant safety and programme-related risks associated with the construction and operation of an underground cable option that specifically apply to this location?</p> <p>(ii) Why could any adverse impact on the SSSI not be satisfactorily overcome by mitigation?</p>
	Response	
AR.1 Amenity and recreation		
AR.1.0	The Applicant, ESC, SCC	<p>Alde Valley Academy Leiston</p> <p>The off-site sports facilities are regarded as an important mitigation in assisting the assimilation of the workforce into the area. As currently set out the facility would not appear to have a time frame for delivery, or in light of the ESC [RR-0342] resolved potential drainage concerns:</p> <p>(i) Please advise on the latest position in respect of the progress of the S106, surface water management issue identified, and what the timeframe for delivery of this facility would be.</p>

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) In order to achieve the necessary mitigation what timeframe for delivery would be required?</p>
AR.1.1	The Applicant, ESC, SCC, Leiston and Sizewell PC.	<p>Alde Valley Academy Leiston</p> <p>(i) In the event that the sports pitches and supporting facilities are not in place in a timely manner would the effect on the local community be regarded as significant in your view?</p> <p>(ii) What time frame of delivery needs to be stipulated to avoid such effects?</p>

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) The effect on the local community is likely to be noticeable as there are limited facilities in Leiston currently. A shortfall of sports facilities in the local area would have an adverse impact on the health & wellbeing of the existing and new residents.</p> <p>(ii) SCC considers that the off-site sports facilities should be available prior to or at the same time as the campus opening. An early trigger point within the planning obligation for the payment of financial contributions should minimise the risk of non-delivery. It is suggested that a project plan for the delivery of the new facilities should be agreed between ESC and SCC/Alde Valley Academy.</p>
AR.1.2	The Applicant	<p>Land East of Eastlands Industrial Estate (Accommodation)</p> <p>The application anticipates accommodation for up to 600 workers being available:</p> <p>(i) Has a plan been provided showing the layout for the site? Please clarify where this can be found and how this would be delivered through the DCO?</p> <p>(ii) How confident can the ExA be that this provision would be forthcoming in a timely manner, and be retained, and optimally occupied throughout the construction period.</p> <p>(iii) Reference is made by ESC [RR-0342] to the possibility the site may be laid out with mobile homes. These require very different space requirements and no doubt would offer very different levels of accommodation. In light of this suggestion what confidence can the ExA have in the mitigation suggested within the ES being delivered?</p> <p>(iv) In light of reference to two alternatives please explain what has been assessed within the ES and what would be delivered through the DCO.</p>
	Response	
AR.1.3	The Applicant	<p>Mitigation</p> <p>In light of the comments from ESC in their [RR-0342] is it agreed a financial contribution to the Suffolk Coast RAMS is an appropriate way of mitigating for the recreational disturbance likely to arise from the accommodation campus as suggested by ESC?</p>
	Response	
AR.1.4	The Applicant	Land East of Eastlands Industrial Estate

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The temporary construction area may be raised by as much as 5.5m above existing ground levels; please explain:</p> <p>(i) What implications this has for the noise assessment and in particular in respect of the properties in close proximity on Valley Road.</p> <p>(ii) Paragraph 3.4.208 of [APP-184] indicates that the topsoil would be set back so as to not harm residents – how has the effect been assessed?</p>
AR.1.5	The Applicant, ESC, SCC	<p>Consultation Group</p> <p>[APP-267] paragraph 15.3.12 appears to indicate that the consultation group included a single commercial fisherman:</p> <p>(i) Is this correct?</p> <p>(ii) Were they representing the wider industry or a representative organisation?</p> <p>(iii) Are the Councils satisfied that the makeup of the group was representative of all interests?</p>
	Response	<p>The meeting in 2019 focused specifically on recreation and was attended by organisations including RYA, residents association, cruising association, EIFCA officer and the RNLI. The attendance from commercial organisations was limited as SZC Co. specifically sought feedback on coastal and offshore recreational receptors, study area and methodology for assessing amenity and recreation impacts. Effects on commercial fishermen are not relevant to the main development site assessment in Volume 2, Chapter 15 (Amenity and Recreation) of the ES (Doc Ref. 6.3) [APP-267]</p>
AR.1.6	The Applicant	<p>Clarification</p> <p>[APP-267] paragraph 15.5.33 final bullet point refers to Appendix 2C should this be 2B?</p>
	Response	
AR.1.7	SCC	Public Rights of Way

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Are the Council satisfied with the Rights of Way and Access Strategy (Appendix 15I) of [APP-270] and the future intention to submit a Footpath Implementation Plan for approval?</p> <p>(ii) Does the Council consider all parties with protective characteristics have been fully considered in this strategy?</p> <p>(iii) And the approach justified?</p>
	Response	<p>(i) SCC are not fully satisfied with the Strategy and are discussing several matters with SZC Co which will be developed through the SoCG. These include:</p> <ol style="list-style-type: none">1. The Strategy is limited to the Main development Site and does not address affected ROW and access on the associated development sites. SCC has asked that the principles outlined in para 1.1.4 in the Rights of Way and Access Strategy (Appendix 15I) of [APP-270] should apply to all aspects of the development and not just the main development site and the Applicant has indicated their willingness to do so in the latest SoCG.2. SCC requires the principles in para 1.1.4 to also include that all new access should be resilient to flooding, protected from unguarded drops, well drained, and with surfaces suitable for, and resilient to the intended users.3. The Strategy needs to be updated to reflect the changes proposed for the management of access on the coast by SCC.4. The mitigation offered in the Strategy is not adequate, namely:<ul style="list-style-type: none">• During construction, the inland route offered as the alternative for walkers unable to use the footpath along the coast due to temporary closures or avoidance of the construction impacts is a poor substitute; it is much longer, indirect, a lower quality of scenery and tranquility, running adjacent to and crossing Lovers Lane, Abbey Road, the site entrance roundabout, Abbey lane and the green rail route level crossing and is not wholly off road. SCC does accept that there are physical constraints to the location of this alternative due to the footprint of the

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ExQ1	Question to:	Question:
		<p>development.</p> <ul style="list-style-type: none">• As part of this alternative route, SCC has consistently asked for an off-road route along the Eastbridge Road as a safe alternative for walkers displaced from the coast, and for bridleway users impacted by the closure of BR19 and the likely increased use of the Eastbridge Road due to campus workers.• There is no direct off-road walking or cycling route into Leiston town centre for workers on the campus site – workers will be expected to follow the inland alternative route alongside Abbey Rd (B1122) before turning east around the perimeter of Aldhurst Farm until reaching Valley Road. The desire line is for a direct route alongside Abbey Road or along the west side of Aldhurst Farm.• During operation, the lack of clarity regarding the proposed permanent alignment of the public footpath on the coast E-363/021/0 which is also the route of the Suffolk Coast Path and the proposed route of the England Coast Path in relation to the position, design and future sustainability of the sea defences. The Applicant has proposed to provide further information through the SoCG discussions.• During operation, the lack of creation of new permanent public access around the MDS. SCC would like the Sandlings walk to be provided as a public right of way and not as a permissive route only. SCC are seeking a better connected bridleway network and although welcome the retention of the inland alternative route and the extension south towards King Georges Avenue, a link wholly to the east of Lovers Lane would be a more direct route avoiding the need to cross back and forth over Lovers Lane. <p>5. SCC currently await an updated version of the Strategy that will reflect the changes submission particularly with respect to the access along the coast and confirm the wider application of the principles.</p> <p>6. Footpath Implementation Plan: The Council are concerned that the Footpath Implementation Plan will be produced post consent and will not be a robust enough document to ensure that the routes being provided as embedded mitigation will be acceptable.</p>

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ExQ1	Question to:	Question:
		<p>SCC is concerned that the mechanism for securing agreement to the FIP is not robust. The FIP is not secured by a requirement and therefore not bound by Schedule 23 leaving any disagreement to be determined by arbitration. SCC would prefer the FIP to be secured by Schedule 23.</p> <p>(ii) SCC considers that the 'principles' described in para 1.1.4 in the Rights of Way and Access Strategy (Appendix 15I) of [APP-270] does cover parties with protected characteristics but these principles should be extended to cover all sites, including the Sizewell Link Road and the 2 village bypass where many PRow are affected. The bullet point referring to the application of the Equality Act during the construction phase should remove the word 'temporary'. This is because there will be new access provided early in the construction phase that will be permanent.</p> <p>(ii) SCC agree that producing a RoW & Access Strategy is a good approach and is continuing to work with the Applicant to improve the content.</p>
AR.1.8	The Applicant, AONB Partnership, ESC, SCC	<p>AONB</p> <p>The AONB Partnership set out detailed concern [RR-1170] with regard to the assessment of and significance of effects on the AONB and its statutory purposes:</p> <p>(i) Can the Applicant please respond in full to these concerns in respect of recreation and amenity?</p> <p>(ii) Can the Applicant also set out the effects on the AONB and its value as a recreational and amenity area through each of the construction, operational and decommissioning phases.</p> <p>(iii) Do the Councils and AONB Partnership consider the ES has fully recognised the benefits of the AONB as a recreational and amenity area and provided for appropriate mitigation?</p>

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ExQ1	Question to:	Question:
	Response	(iii) SCC does not consider that the ES fully recognises the recreational and amenity benefits of the AONB and does not currently provide for appropriate mitigation of the impact of the development on those. SCC notes that amenity and recreational use are intrinsically linked with many of the factors that define the special qualities of the AONB (see [REP1-045] section 7), and that the ES identifies a number of significant adverse residual effects resulting from both the construction and operational phase of the proposed development. SCC has identified these impacts and the mitigation that we would expect to see in our Local Impact Report [REP1-045] at section 17, table 19.
AR.1.9	SCC, ESC	AONB PROW Do the Councils agree with the views as expressed by the AONB Partnership [RR-1170] that the loss of the open access adversely affects the purpose of the AONB and that the limitation of the PROW in the area particularly the coastal path have not been sufficiently mitigated?
	Response	SCC notes that amenity and recreation are intrinsically linked with many of the special qualities (and therefore purposes) of the AONB. It follows that any loss of open access would adversely affect the purposes of the AONB. The impacts on the coastal path are noted in our LIR at [REP1-045] table 19 and in detail at paras. 17.39, 17.41, 17.49-17.52 and 17.69-17.74 of the same document. SCC agree that the mitigation proposals, as submitted, do not sufficiently mitigate these impacts and further work between SCC and in our view the Applicant would be required to agree suitable mitigation. Details of the mitigation which we would require can be found at [REP1-045] table 19 and in detail at paras. 17.120-17.128.
AR.1.10	SCC, ESC	Accommodation Campus Are the Councils concerned in respect of the location of the proposed accommodation campus and the potential effect it could have on the tranquillity of the AONB or residents of Eastbridge?
	Response	Effect on tranquillity: As the proposed accommodation campus would both be adjacent to the AONB and serve as the locus of significant activity by non-home-based workers, SCC is concerned about the potential effect on the tranquillity of the AONB. SCC's concerns focus on non-work related activities by workers staying at the campus within the AONB,

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ExQ1	Question to:	Question:
		<p>such as including activities such as walking, jogging, cycling or birdwatching in the nearby parts of the AONB, or visiting the pub in Eastbridge located at the edge of the AONB in an area often frequented by AONB visitors.</p> <p>SCC is working with the Applicant to maximise the use of home-based workers, which would reduce the effects caused by the use of non-home-based workers in general. SCC also acknowledges that any effects of the accommodation campus on tranquillity must be balanced against any transport benefits from the reduction of commuting distance for non-home-based workers.</p> <p>Effect on residents of Eastbridge: The Accommodation Campus means that a very high number of transient residents in the campus would be located within a mile of the hamlet of Eastbridge, with its popular pub. As noted above, the Council considers it likely that a proportion (albeit potentially relatively small) of Accommodation Campus residents may sometimes spend leisure time in and passing through Eastbridge, which may have an impact on Eastbridge residents in terms of the perception of their quality of life, and may also change the dynamics of the local village pub.</p>
AR.1.11	<p>SCC, ESC</p> <p>Response</p>	<p>Coastal Path</p> <p>Do the Councils consider that the assessment of effect on the National Coastal Path and the mitigation during: Construction; Operation; and Decommissioning are adequate to safeguard the amenity and recreational value they provide? For assistance, paragraph 15.5.11 to 15.5.20 [APP-267] sets out the potential implications for the Suffolk Coast Path, Sandlings Walk and the future route of the England Coast Path. Diversions are explained and shown in The Access and Rights of Way Strategy, Appendix 15I [APP-270].</p> <p>SCC agrees with the assessment that there is a major adverse effect on the England Coast Path (Suffolk Coast Path & Public Footpath E363/021/0) and Sandlings Walk during construction in the receptor zones closest to the main development site (receptor zones 5,8,12,19).</p> <p>The assessment of operational impact is less clear as it is assessed as being minor adverse and not significant for the long distance paths but is described as a moderate adverse impact in receptor zone 12 which contains the coastal access. SCC does not agree with the comment in [APP-270] Vol 2 Appendix G para 1.2.159 that the re-location</p>

ExQ1	Question to:	Question:
		<p>of the England Coast Path (E-363/021/0) offers an improvement to amenity due to the creation of more extensive views out to sea and greater resilience to erosion by the sea.</p> <p>SCC accepts the assessment as provided in [AS -181] which maintains the same conclusions in [APP-267], but as raised in the LIR [REP1-045] (in particular at paras. 17.69-17.74), the assessment requires further information and clarity as to how the proposed sea defence design will impact on the long term sustainability of the England Coast Path and the public highway FP21.</p> <p><u>Adequacy of mitigation</u></p> <p>The mitigation goes part way to safeguarding the physical connectivity of the ECP, SCP AND SW but there are key omissions as detailed below. The mitigation does not adequately safeguard the amenity and recreational value of these routes.</p> <p>Construction Period</p> <p>SCC considers that the Applicant has taken positive steps to commit to the retention of the England Coast Path and public footpath along the coastal frontage during the construction period. The Applicant has indicated in the PRoW SoCG that this temporary path that will be moved according to the construction phase, will not be in a fenced corridor and will have a suitable surface agreed with SCC. SCC require the design for all works on the coastal frontage to accommodate access in accordance with the Rights of Way & Access Strategy ([APP-270] para. 1.1.4).</p> <p>Visitors value the coastal area for the quality and connectivity of the access network, the scenery and the tranquillity, and although physical connectivity will be maintained through the proposed mitigation, the amenity and recreational value will be compromised throughout the construction period. SCC will be seeking compensation through the S106 for this loss of amenity.</p>

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ExQ1	Question to:	Question:
		<p>There will be occasions when the England Coast Path and public footpath will be temporarily closed and the inland alternative route in use. This route also offers a lower level of amenity and recreational value in that it is much longer, a lower quality of scenery, running close to and crossing over roads and adjacent to the main campus site. It also requires diverted walkers to walk within the Eastbridge Road north of BR19 Round House until the junction with the public footpath to Minsmere Sluice. This road is narrow, enclosed and described in the Applicants visitor survey as 'risky for walkers' ([APP-269] appendix C para 5.2.1). The Council concurs with view that this road is unsafe for walkers and thus compromised as a diversion route for the coast path (see [REP1-049] para. 17.49). In this matter, SCC is not satisfied that the mitigation safeguards connectivity and the amenity value of the long distance routes and requires the Applicant to provide a wholly off-road route.</p> <p>Operation</p> <p><u>Sandlings Walk</u></p> <p>The Applicant has not taken the opportunity to enhance or improve access by only offering the restoration of this route as a permissive path which can be removed at any point in time. SCC has asked for this to be dedicated as a public right of way offering permanency.</p> <p><u>England Coast Path (Suffolk Coast Path) /Public footpath E-363/021/0</u></p> <p>SCC remain concerned about the proposed alignment for the re-location of the ECP/FP21 during operation. The information provided by the Applicant leaves unanswered questions as to the safety and sustainability of a public access route in front of the C station. The Applicant states that it is expected that with the adaptive design, the Coast Path may be realigned to the top of the sea defence and that this would be captured as a requirement within the draft DCO but that does not seem to be the case. (APP-181 Vol 1 Chapter 2 para 2.10.84)</p> <p>This is particularly relevant to the public highway (E-363/021/0) for which SCC has statutory duties. SCC requires further details from the Applicant to enable an informed</p>

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ExQ1	Question to:	Question:
		view of the proposals or require the public footpath to be re-located on the top of the main sea defence.
AR.1.12	The Applicant, ESC, SCC, National Trust, RSPB	<p>Displacement of Tourists/Visitors</p> <p>The National Trust [RR-877] and RSPB [RR-1059] indicate that they do not consider the displacement of tourists and visitors from the current pattern of visiting has been undertaken in a way which could be regarded as precautionary, it could therefore underestimate the effects on both the National Trust land at Dunwich, and the RSPB Minsmere site but also elsewhere:</p> <p>(i) Please respond to this concern.</p> <p>(ii) The National Trust and RSPB are seeking a commitment to mitigation, monitoring of activity and potential compensation – please advise on any progress that has been made in this regard.</p>
	Response	<p>SCC has not been directly involved in discussions with RSPB and National Trust and the Applicant regarding mitigation for perceived impacts on RSPB Minsmere and Dunwich Heath National Trust.</p> <p>In para. 17.131 of the LIR [REP1-045] the Councils reference potential displacement impacts and state that we welcome the precautionary approach taken by the Applicant. The LIR states that we welcome proposals for resilience funding for RSPB and NT both of whom may experience an increase in construction tourists throughout the construction phase of the development.</p>
AR.1.13	SCC	<p>PROW</p> <p>Does the Council consider the strategy for the PROW network has sufficient detail and the impacts throughout the construction and subsequent operation of the proposed development are fully understood?</p>
	Response	As described in our response to AR.1.7, the Council is seeking amendments to the Rights of Way & Access Strategy and seeking further information relating to the position of the England Coast Path and the public footpath (E-363/021/0) with respect to the design of the sea defences.

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ExQ1	Question to:	Question:
		Notwithstanding points raised in response AR.1.7, the Council otherwise considers that the Strategy has sufficient detail and understands the impacts.
AR.1.14	The Applicant, SCC	PROW The Ramblers Association [RR-1005] have expressed concern regarding the impacts on the local PROW network. Please respond to the concerns identified.
	Response	The Council shares the concerns expressed by the Ramblers Association particularly as regards walking in roads. The Council continues to raise the question of the adequacy of the proposed inland alternative route that will place diverted and displaced walkers into the Eastbridge Road north of Round House. The Council continues to work with the Applicant to seek to mitigate the impacts.
AR.1.15	The Applicant, SCC	PROW [RR-809] Miss Maria Toone and [RR-765] Martin Freeman have both expressed concern in respect of the potential safety risks for horse riders by diverting Bridleway 19. Please respond to these concerns and explain how the diversion would address the safety concerns for horse riders, cyclists, and other highway users.
	Response	The alternative route provided for the temporary closure of public bridleway 19 is proposed as an off-road route from Sizewell Gap to the north end of the closed bridleway at Round House, Eastbridge Road. SCC continues to discuss these provisions through the SoCG and design workshops but is generally satisfied that the proposed route will not be on the road and it will have a dual surface, one of which will be unsurfaced to enable segregation of horse riders. The designs propose the use of Pegasus crossings for crossings on Lovers Lane near to Valley Road, Abbey Road south and Abbey Road north at the site entrance (2 crossings). An uncontrolled crossing is proposed at the south end of the proposed bridleway at Sizewell Gap road and for Abbey Lane and the access to Leiston Abbey. The DCO includes speed restrictions on Lovers Lane and the B1122 (Abbey Road)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		[RR-809] and [RR-765] are correct in highlighting that the proposed bridleway does not meet either of the two existing bridleways on the south side of the Sizewell Gap road and therefore requires horse-riders to use the road or the existing shared footway/cycleway.
AR.1.16	The Applicant, ESC	<p>Aldhurst Farm</p> <p>(i) Please explain how the Aldhurst Farm compensatory land is intended to be managed going forward so that the ecological benefits it is intended to bring can be safeguarded.</p> <p>(ii) In the event that public access is to be provided to the area beyond just the PROW whether this leads to a conflict with conservation of any species on the site and how this would be monitored and managed.</p>
	Response	
AR.1.17	The Applicant	<p>Aldhurst Farm</p> <p>The proposed parking would appear to be at the behest of a third party – please advise what is in place to secure delivery of the parking indicated.</p>
	Response	
AR.1.18	ESC, SCC, English Heritage	<p>Leiston Abbey</p> <p>The Applicant concludes that the effects of construction and operation on Leiston Abbey in amenity and recreation terms would [APP-267 para 15.6.98] be significant.</p> <p>(i) Is this conclusion agreed?</p> <p>(ii) Is the assessment on potential visitor numbers during construction and subsequent operation conservative and therefore fairly predicts the significance of effect in this respect?</p>
	Response	We defer to ESC, as the lead of our local authorities on the historic environment, to respond to this question.
AR.1.19	ESC, SCC	Community Impact Report (CIR)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The CIR indicates that there would be a significant adverse effect on the amenity of pedestrians and cyclists using the B1122 during the early years of construction (Table 2.2 of [APP-156]).</p> <p>Could this be mitigated to reduce this effect, if so how could this mitigation be secured?</p>
	<p>Response</p>	<p>A more detailed response with regard to early years impact on the B1122 is included under ExQ TT.1.119.</p> <p>A degree of mitigation is possible although there are significant constraints in terms of the highway land available in which such works can be delivered and the proximity of buildings.</p> <p>Referring to the East Anglia One North and East Anglia Two offshore wind farm examination, SPR identified highway works to proportionately mitigate the impact of their scheme. Details can be found in the Outline Construction Management Plan ([APP-586] of the East Anglia TWO examination library)</p> <p>Mitigation can be secured through the s106 agreement as a specific contribution or delivered by the Applicant as a defined project in a management plan and through the Highways Act (1980) s278 agreement with the LHA. The latter approach was favoured by SPR.</p>
AR.1.20	ESC, SCC	<p>Recreational Receptors</p> <p>Do the Councils agree that the only recreational receptors significantly affected by the works on the main development site during construction would be as set out in para 15.3.55 of [APP-267] or are there other areas of concern that should be identified?</p>
	<p>Response</p>	<p>The Council does not agree with para 15.3.55 of [APP-267] as it limits the scope of recreational receptor to pedestrians and should include horse-riders and cyclists.</p> <p><u>Early years</u></p> <ul style="list-style-type: none"> • B1122-adverse effects will be experienced by all recreational receptors on the whole of the B1122 from its junction with the A12 to Abbey Road and not just Theberton village as currently described. • Sizewell Gap - there is a well-connected public bridleway and byway network immediately south of the Sizewell Gap road that links across the road to the Sandy

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Lane public bridleway 19 (E-363/019/0). Adverse effects will not be limited to pedestrians.</p> <p><u>During Peak years</u></p> <ul style="list-style-type: none"> Severance will also affect cyclists and horse riders and not just pedestrians as is currently described in 15.3.55 <p>On the wider transport network recreational receptors will be affected where rights of way cross or connect to the main haul route (i.e. A12 / B1122) and some of the more heavily trafficked routes to the park and ride sites (B1078, A1120). Of particular concern are those sections of highway that users are required to traverse between individual rights of way (see [REP1-049] para 16.40)</p>
AR.1.21	The Applicant, Relevant local authorities (iv only)	<p>Methodology</p> <p>(i) In light of the complexity of the assessment and the time period over which the construction would last would it be reasonable to assume that the significance of effect could be greater than that which has been concluded?</p> <p>(ii) What degree of confidence is there in the assessment?</p> <p>(iii) As there is not an agreed methodology for assessing such affects and it is reliant upon professional judgement – has an independent review been undertaken of the findings?</p> <p>(iv) Do the Councils agree with the methodology and the significance of effect found by the Applicant with regard to impacts upon recreation and amenity?</p>
	Response	<p>SCC accepts the methodology for the Amenity and Recreation Assessment.</p> <p>SCC mostly accepts the significance of effect with some exceptions: -</p> <ul style="list-style-type: none"> Receptor zones 4,6,9 and 20 are described in ES Chapter 15 [APP-267] as suffering minor adverse effects and not significant. However, zones 4 and 9 will be affected by the early years traffic on the B1122 and by the construction of the SLR for which the individually affected PRow are described as being significantly affected; the Council agrees with that assessment. However, the overall amenity of zones 4 and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>9 will be diminished by the levels of traffic resulting in severance.</p> <ul style="list-style-type: none"> • The Council has asked the Applicant to include all those receptor zones (4,6,9, 20) where there is a minor adverse effect to be included in the parameters for the PRow s106 funding to recognize the wider impact and that users of recreational resources are often making circular walks and rides that cross over receptor zone boundaries. • Operational impact on the long distance paths – i.e. the Suffolk Coast Path, proposed England Coast Path and public footpath E363/021/0. SCC remains concerned that the longer term future of this route could be compromised because of its proposed location with respect to the design and future of the sea defences particularly at the north end of the main site. The current assessment of minor adverse and not significant is questionable. The Council awaits further information from the Applicant. • The Council questions the Applicants conclusion that there would no significant adverse effect on amenity and recreation due to increases in traffic on the A12, A145 and B1119. <p>(iv) SCC is unaware of any specific assessments undertaken by the Applicant that consider people with protected characteristics.</p>
AR.1.22	The Applicant, SCC, ESC	<p>Southern Park and Ride</p> <p>As part of the proposal to improve access to the Southern Park and Ride it is suggested [RR-762] that this may require traffic regulation orders to remove on street parking along the B1078.</p> <p>(i) Is this correct?</p> <p>(ii) If so, how many parking spaces would be removed?</p> <p>(iii) Where is it anticipated the residents using these spaces would park in the event that this is undertaken?</p> <p>(iv) What assessment has been undertaken to ensure no one with protected characteristics would be adversely affected by such a proposal?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	<p>(i) As part of the Wickham Market Improvement Scheme some changes to the parking restrictions on the B1078 High Street between Border Cot Lane and the Deben Bridge are proposed. A Traffic Regulation Order would be required.</p> <p>(ii) The design is not developed to a point where the exact number of parking spaces being removed can be given.</p> <p>(iii) While great efforts are being made to maximise the retention of on-street parking there is a delicate balance between this, road safety (in particular for pedestrians) and minimising delays and congestion. There is no legal requirement to provide or protect on-street parking, but a formal legal consultation process would normally be required to introduce any restrictions. SCC would expect that, as part of our consent with regard to Article 22 on this matter, we would expect there to be a consultation with local residents. This process will enable residents to respond to the proposals.</p> <p>However, it is clear that the removal of car park spaces will negatively impact local residents, and the local characteristics mean that provision of alternative car parking in the near vicinity of the lost car parks will be challenging.</p> <p>(iv) The matter of provision of disabled parking has been a matter of discussion with Wickham Market Parish Council, but no final agreement has been reached regarding what, if any, provision will be made. Formal restrictions to provide disabled bays would be included within a traffic regulation order. Alternatively informal (but unenforceable) disabled bays can be provided without legislation. In either case the bays would be available to any road user with the necessary dispensation, not just residents.</p> <p>However, this will not mitigate impacts on other people with protective characteristics, such as elderly people who are not classified as disabled, or children. To SCC's knowledge, no assessment has been undertaken on impacts on people with protected characteristics.</p>
AR.1.23	The Applicant, ESC, SCC	<p>Southern Park and Ride</p> <p>A number of RRs including [RR-521, RR-588, RR-762 and RR-898] indicate that the location of the P&R would adversely affect Wickham Market during construction and subsequent operation as a consequence of the additional traffic.</p> <p>(i) Please advise how the effects on the character and amenity of the town and its residents have been considered in selecting the location for the P&R and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) what mitigation if any would be secured to ensure that the effects are kept below a significant level?
	Response	(i) Selection of the park and ride site was a matter for the Applicant. SCC has no comment to make on this point. (ii)The Wickham Market Improvement Scheme is intended to be the method by which mitigation can be provided to keep the impacts of the SZC construction traffic below a significant level. SCC notes that these improvements are focused on Wickham Market and exclude the B1078 east of the parish boundary (Deben River Bridge) to the Southern Park and Ride access. Discussions with the Applicant are ongoing regarding this matter.
AR.1.24	The Applicant, SCC, ESC	Sizewell Link Road A number of residents including [RR-749] have expressed concern that the closure of Pretty Road would result in significant problems of severance, causing significant difficulties for accessing services in Saxmundham. Please respond to this concern.
	Response	In responding to the Applicant’s proposals SCC has been mindful of the balance between providing vehicular access over the Sizewell Link Road, which could encourage rat running, and having no links that sever the local residents from the highway network. In addition, the bridge forms an important function allowing safe access across the Sizewell Link Road for pedestrians, cyclists and equestrians. The original proposal provided two of these requirements but not the vehicular access between Theberton and Saxmundham. Revised proposals are being considered by the Applicant to provide a vehicular bridge and remove the connection of Pretty Road to the Sizewell Link Road. SCC in principle accepts this proposal providing that good pedestrian, cycle and equestrian access is provided over and either side of the bridge and that consideration is given to how the risk of the route attracting rat running is minimised.
AR.1.25	The Applicant, SCC	Two Village Bypass Residents of Marlesford and Glemham including [RR-1018, RR-758] express concern regarding the adverse effect increased traffic would have from the proposed development, in combination with the positioning of the Southern Park and Ride. This combined with the lack of a bypass to the villages, could result in unacceptable impacts in terms of access to the A12 and severance from the facilities on the southern side of the A12.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Please respond to these concerns setting out how you consider the effects are mitigated.
	Response	SCC does do not consider that the traffic impacts on these communities have been sufficiently mitigated. Review of the Environmental Assessment of traffic forms an ongoing workstream with the Applicant; SCC is currently of the opinion that there is an impact that requires mitigation. However, the Applicant has also shown a commitment towards developing a strategy for mitigating impacts at these locations, and we welcome this dialogue, of which we will provide appropriate updates to the Examining Authority.
AR.1.26	The Applicant	<p>Northern Park and Ride</p> <p>The Equality Statement [APP-158] paragraph 1.6.16 identifies that the Sai Grace Ashram has the high potential to be adversely affected by the Northern P&R.</p> <p>(i) Please explain where in the Noise and Air Quality Chapters this concern has been explained.</p> <p>(ii) What mitigation could be offered and secured to protect the environment of the property and its residents.</p>
	Response	
AR.1.27	ESC, SCC	<p>Public Sector Equality Duty</p> <p>A number of RRs including [RR-681, 0790, 993] have been received identifying people with protected characteristics who indicate they would be disadvantaged by the proposed development.</p> <p>(i) Do the Councils consider adequate regard has been made to people with protected characteristics in identifying impacts and subsequently setting out appropriate mitigation?</p> <p>(ii) If in answering the above in the negative, what additional work should be undertaken to improve the assessment?</p> <p>(iii) What additional mitigation might be available?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>We note that the responsibility to be satisfied that the Public Sector Equality Duty has been met rests with the Secretary of State. However, in this context of these questions, SCC's views are as follows:</p> <p>(i) SCC considers that adequate regard has not been made to people with protected characteristic. While it is considered that overall the Applicant's Equality Statement [APP 158] appears to identify impacts on people with protected characteristics, this is not comprehensive in relation to community safety and community cohesion impacts. The LIR [REP1-045], at para 28.29 onwards, refers to a number of potential impacts in relation to community safety and community cohesion which may have a disproportional impact on people with protected characteristics, such as hate crime, criminal exploitation and violence against people. The Equality Statement also does not include reference to impacts on schools and early year places and safeguarding and additional provisions at school; these impacts are covered in the LIR ([REP1-045] para 27.9-27.22).</p> <p>The mitigation proposals by the Applicant do not in general appear to focus on specific mitigation for people with protected characteristics within the community, although [APP 158] refers to SZC's commitment to recruiting a diverse workforce and to implement initiatives to deliver diversity within the workforce.</p> <p>(ii) Further assessments may be required when details of mitigation measures are being confirmed by the Applicant, including for each measure who is going to be responsible to address the equality related impacts. SCC considers that, where applicable, this should be in the form of specific equality impact assessments, considering the impact on people with protected characteristics, before any final decisions are made about what activities are going to be delivered. In addition, whichever organisation is the lead for an activity should be responsible for undertaking an equality impact assessment for it. The responsibilities should be clearly set out in obligations, and if any of these responsibilities fall to one of the Councils, the costs related to these assessments should be covered by the Applicant.</p> <p>(iii) Consideration should be given how mitigation and compensation measures can and will support and protect people with protected characteristics, e.g. the Community Fund. The Public Services Resilience Fund needs to be set up and scaled so that the project does minimise impacts on public services, many of which provide services particularly to people</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>with protected characteristics in terms of age and disability, which are the characteristics identified by the Applicant as most disproportionately affected (Table 1.1. in [APP 158]).</p> <p>The LIR also identifies mitigation measures/action plans in relation to community safety and community cohesion which could be delivered by the Councils, and should be funded by the Applicant (see LIR para 28.48-28.63 and LIR Annex N).</p> <p>Required mitigation for school and early years settings, in relation to impacts on young people and their education and wellbeing, are covered in the LIR (para 27.51-27.53).</p> <p>The Applicant recognises the disproportionate effect of construction traffic impacts on the elderly and those with mobility issues, in terms of accidents and road safety; access and accessibility; community severance; and pedestrian fear and intimidation. In the LIR, SCC lists a number of locations where highway improvements are, or might be required (tables 14-17). Improvements to pedestrian facilities may particularly reduce the impact of people of these protected characteristic, to reduce severance, improve access and reduce pedestrian fear and intimidation.</p> <p>With regard to support of people with protected characteristics in the Sizewell C workplace, the LIR proposes as an additional measure to give consideration and support regarding the various faith groups likely to be present on site (para 28.61).</p> <p>SCC also notes that the "Study on the impacts of the early-stage construction of the Hinkley Point C (HPC) Nuclear Power Station" (Oxford Brookes University 2019, commissioned by SCC and other local authorities) (LIR APPENDIX 2: 1 [REP1-089], page 34) highlights for HPC that the monitoring system is not delivering enough disaggregated information on characteristics of the workforce, such as family composition, nationality, gender, disability etc that would allow better estimation and management of project impacts on local services, including arrangements for people for protected characteristics.</p> <p>SCC considers that the 'principles' described in the Rights of Way & Access Strategy para 1.1.4 [APP-270] does cover parties with protected characteristics, but these principles should be extended to cover all sites, including the Sizewell Link Road and the 2 village bypass where many PRoW are affected. The Strategy does not address the effects of increased traffic on the wider highway network such as the A12.</p> <p>SCC notes that the Applicant has indicated to the Councils that funds will be available to deal with equality issues as they arise (or based on best practice of the bodies that apply</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>the funds in pre-mitigation circumstances), and that the Councils have input into the monitor/manage stage of implementation for those funds so there is a mechanism in place to deal with equality. SCC will be seeking further detail on this matter.</p> <p>See also answer to ExQ HW1.17, regarding effects on the elderly.</p>
AR.1.28	ESC, SCC	<p>Parking Provision</p> <p>Do the Councils consider that the parking details set out in paras 3.4.143, 155, 178, 204 [APP-184] proposed is sufficiently clear and robust to avoid potential problems of fly parking such that this would avoid the need for additional provision/ mitigation/monitoring of parking and be regarded as appropriate?</p>
	Response	<p>SCC do not believe that the proposed temporary car parking provision is sufficient in isolation and requires appropriate monitoring and controls on staff car sharing, arrival and departure patterns, workforce numbers and fly parking. SCC note that section 13.3.2 of the TA Addendum [AS-266] states that the CWTP is being refined with further details on the management of fly parking.</p> <p>A more comprehensive answer in relation to fly parking is provided under Question TT.1.36.</p>
AR.1.29	The Applicant, ESC, SCC	<p>Leiston</p> <p>Leiston cum Sizewell Town Council [RR-679] express a variety of concerns about the broader impacts upon the town of the proposed development beyond those considered in the ES assessment. Please respond to these concerns and advise what progress has been made in any joint working in particular on the broader cultural issues identified, town centre improvements sought, and enhanced cycle provision.</p>
	Response	<p>The Applicant, Leiston Town Council, ESC and SCC (as the Leiston Working Group) have engaged to develop the Leiston Improvement Scheme. The primary aim of the improvement scheme is to reduce traffic in and through the town centre and to promote walking and cycling reflecting some of the concerns raised in the Town Council's Relevant Representations. This is included as a s106 obligation [AS-040]. The details have been</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		developed to present an `in principle `project but detailed design, costing and the legal processes to implement supporting traffic regulation orders have not been commenced. The Working Group is intended to take these broad principles to delivery. While the Improvement Scheme includes the town centre and cycling routes in the wider area, SCC is concerned that no direct, safe walking or cycling route is being provided between the Accommodation Campus and the centre of the town. The direct route via Abbey Road is via a narrow footway next to a narrow busy road constrained by limited highway boundaries (see LIR [REP1-049] section 15.115).
AR.1.30	The Applicant, ESC, SCC	<p>Leiston</p> <p>The Town Council [RR-679] indicate they intend to stop vehicular traffic along Valley Road. Please respond to this proposal and what implication if any it might have for the development in the area.</p>
	Response	<p>SCC supports the Town Council’s proposal to stop vehicular traffic using Valley Road as this would provide a good non-motorised route between the rights of ways network, Lovers Lane and the LEEIE caravan site into Leiston. It is understood that access to the Sewage Treatment Works is to and from the west, but this would be an issue to be confirmed before closure can be confirmed. The land to the north of Valley Road is the Aldhurst Farm site that has been provided as ecological mitigation for Sizewell C so is unlikely to be developed. To the south is the LEEIE for which access is best taken from Lovers Lane or King George Avenue as shown by the Applicant’s proposals. Valley Road is narrow and constrained by hedges and is not suitable for significant vehicle movements but can provide a good facility for walking and cycling. No planning applications for development other than Aldhurst Farm are recorded on the ESC planning website for land either side of Valley Road outside the built-up area of Leiston (see: https://publicaccess.eastsuffolk.gov.uk/online-applications/spatialDisplay.do?action=display&searchType=Application).</p> <p>In summary SCC does not consider that closure of Valley Road will be detrimental to development and will have a positive benefit in terms of sustainable transport.</p>
AR.1.31	The Applicant, ESC, SCC	<p>Leiston</p> <p>Please respond to the Town Council concerns [RR-679] about improvements required for cyclists safety at the Kenton Hills /Lovers Lane junction, and the need to provide appropriate surfacing for walkers along the beach during construction activities.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The changes to the application [AS-005] include bridleway access to Kenton Hills from the Bridleway 19 diversion in Aldhurst Farm south of Lovers Lane. Schedule 17 of the DCO [APP-059] includes proposals to reduce the speed limit to 40mph on Lovers Lane. While the proposed route is not the most direct, SCC concurs with the Applicant that this is safer than providing a crossing on the bend immediately adjacent to the Kenton Hills Junction.
AR.1.32	The Applicant, SCC	Lorry Park/Freight Management Facility [RR-226] raises concern over the potential adverse effects on the health and wellbeing of cyclists as a result of the proposed lorry park. Please respond to the concerns.
	Response	The access to the Freight Management Facility is off a road that serves as the primary cycle route between Ipswich and Felixstowe. The safety of cyclists will need to be considered in the detailed design of the junction which will be subject to road safety audits.
AR.1.33	The Applicant, ESC, SCC	Leiston The Town Council express concern [RR-679] that the mitigation for impacts from a large influx of predominantly male workers has not been fully addressed, with the only specific mitigation proposed the sports facilities at the Academy. The concerns in respect of the potential community impacts are much broader than just the effects on sports provision. Please respond to these concerns and explain how the ES has considered the broader community effects of a large influx of workers and what mitigation would be secured to address these community effects.
	Response	From a Community Safety perspective, SCC is concerned that there is a risk that a large influx of predominantly male workers could impact a number of crime types, including criminal exploitation, gangs, county lines, domestic abuse, sexual violence, and hate crime. SCC expects to participate in mitigation through use of Public Sector Resilience Fund and/or Community Fund. We would use this to enhance our existing work programmes to ensure that more support services/awareness raising, and training are available from years 1 to 12 of the Sizewell C project.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
AR.1.34	The Applicant	<p>Translation Services</p> <p>It is indicated that Tier 1 Contractors [Table 9.49 APP-195] would be required to have translation services.</p> <p>(i) How is this to be secured?</p> <p>(ii) Please explain the rationale for this service only being provided by Tier 1 contractors.</p> <p>(iii) What proportion of the workforce would be provided by Tier 1 contractors?</p>
	Response	
AR.1.35	English Heritage	<p>Leiston Abbey</p> <p>[APP-577] sets out a summary of project wide effects at the Abbey, do you agree with the overall conclusions?</p> <p>What effect do you consider this would have on visitors to Leiston Abbey and would you regard the effect as significant?</p>
	Response	
AR.1.36	ESC, SCC, The Applicant (part (iii) only)	<p>Beach Landing Facility (BLF) Coastal Path</p> <p>(i) The BLF would affect the use of the coastal path, [APP-267, APP-270, AS-181] do you consider the mitigation proposed adequate during construction and operation of the proposed development?</p> <p>(ii) Would the route under the BLF or which is proposed to cross the BLF access road require to be surfaced in any way to ensure access for all?</p> <p>(iii) What surface would each of the two alternatives along the beach be?</p>
	Response	<p>(i) The mitigation is twofold; measures to ensure that the footpath across the BLF will mostly remain open during the construction and the use of the BLF, and the use of the inland alternative route when this coastal access is not possible. SCC welcomes the commitment to keeping the access available on the coast but will require a risk assessment and appropriate measure to ensure that users are not placed at risk from tides exceeding the highest astronomical levels. SCC will</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>require both temporary routes along the coast to be designed in accordance with the 'principles' set out in the Rights of Way & Access Strategy (APP-270).</p> <p>As set out in AR.1.7 and AR.1.11, SCC is not wholly satisfied with the inland alternative route.</p> <p>(ii) SCC expects both routes to have a suitable surface. The Applicant has indicated in the PRow SoCG that it will have a suitable firm surface to be agreed with the Highway Authority.</p>
AR.1.37	National Trust, The Applicant (part (ii) only)	<p>Displacement of Visitors</p> <p>(i) Please explain where the figure of 88,000 additional visitors as specified by the National Trust [RR- 877] originates</p> <p>(ii) Does the Applicant agree this would represent a reasonable figure for additional visitor numbers?</p>
	Response	
AR.1.38	The Applicant	<p>Parking</p> <p>To assist in understanding the breakdown for a typical day of construction, for each phase please provide a breakdown of the number of workers on each site and where you anticipate they would have parked in advance of arriving at either the main development site or associated sites.</p>
	Response	
AR.1.39	The Applicant	CoCP

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Table 7.1 Code of Construction Practice Part B [APP-615] advises that advance notification would be given of the diversion of PROW in accordance with section 4 of Part A please provide a clear description/explanation of what this refers to.
	Response	

Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 PART 2 OF 6

Bio.1 [Biodiversity and ecology, terrestrial and marine](#)

[Part 1 - Biodiversity and ecology \(terrestrial & marine\) – General](#)

[Part 2 - Biodiversity and ecology \(terrestrial\) - Main Development Site](#)

[Part 3 - Biodiversity and ecology \(terrestrial\) - Northern Park and Ride](#)

[Part 4- Biodiversity and ecology \(terrestrial\) – Southern Park and Ride](#)

[Part 5- Biodiversity and ecology \(terrestrial\) - Two Village Bypass](#)

[Part 6 - Biodiversity and ecology \(terrestrial\) - Sizewell Link Road](#)

[Part 7 - Biodiversity and ecology \(terrestrial\) - Yoxford Roundabout](#)

[Part 8 - Biodiversity and ecology \(terrestrial\) - Freight Management Facility \("FMF"\)](#)

[Part 9 - Biodiversity and ecology \(terrestrial\) - Rail](#)

[Part 10 - Biodiversity and ecology \(marine\) - General](#)

[Part 11 - Biodiversity and ecology \(marine\)-Plankton](#)

[Part 12- Biodiversity and ecology \(marine\) - Benthic Ecology](#)

[Part 13- Biodiversity and ecology \(marine\) - Fish](#)

[Part 14- Biodiversity and ecology \(marine\) - Marine Mammals](#)

[Part 15- Biodiversity and ecology \(marine\) - Indirect Effects and Food Webs](#)

[Part 16- Biodiversity and ecology \(marine\) - Mitigation](#)

[Part 17- Biodiversity Net Gain](#)

HRA.1 [Habitats Regulations Assessment \(HRA\)](#)

ExQ1	Question to:	Question:
Bio.1 Biodiversity and ecology, terrestrial and marine		
Part 1 - Biodiversity and ecology (terrestrial & marine) - General		
Bio.1.0	The Applicant, Natural England, MMO	<p>Please would the Applicant, NE and the MMO agree and provide a short explanatory document, with plans to bring together information on the terrestrial and marine SSSIs, SACs, SPAs, Ramsar site(s), MCZs and other non-statutory designations they consider are of relevance to this application. (If the parties disagree on which are relevant, the sites should still be included but clearly marked to show which party considers site to be relevant.)</p> <p>The information in Figures 8.2.1 – 8.2.3 of the oLEMP [APP-588] is helpful in this regard and could be used as a starting point. It however only covers the surroundings of the Main Development Site and there are some aspects not clearly labelled (see below).</p> <p>The ExA would like to have all in one place: (i) the spatial extent of each designated area, in relation to the others and the Application Site (if this could be done by transparent overlays capable of being read as hard copies and electronically that could be very helpful), (ii) the reasons for the designation of each site, (iii) a brief explanation for the discontinuities within some of the designations (for example why the Minsmere to Walberswick Heaths and Marshes SAC has five separate adjacent but not adjoining areas).</p> <p>Some areas are designated under more than one provision. For example the Minsmere-Walberswick Heath and Marshes SSSI is also covered by a SAC, and SPA and a Ramsar designation. Are the areas co-extensive (so that the same tests apply across the whole area) or are there parts which are, say, a SAC but not a Ramsar site?</p> <p>The labelling questions are as follows: (a) Fig 8.2.2: (i) is the SSSI covering the area north of the Main Development Site boundary going north to a campsite, northwest towards Potton Halls Fields SSSI and then back south near Middleton and Eastbridge part of the Minsmere-Walberswick Heaths and Marshes SSSI?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) where is the northern limit of the Sizewell Marshes SSSI? It appears to touch the area we describe in (i).
	Response	
Bio.1.1	Natural England	At para 1.7 of its relevant representation [RR-0878] NE states that Pt I of the [RR-0878] sets out its view on " <i>the main issues which [NE] advises should be addressed</i> " by EDF Energy (the Applicant presumably) and the ExA. Please will NE clarify is there are any other issues arising from the change request.
	Response	
Bio.1.2	Natural England	Please will NE confirm that all the issues set out in Part II of its [RR-0878] are summarised in Part I. Please identify any which are not.
	Response	
Bio.1.3	EA, The Applicant	At page 4 of its relevant representation [RR-0373] the Environment Agency states that its ability to review (and presumably advise on the new information) " <i>will depend upon the extent to which the applicant can provide information to resolve outstanding issues ahead of the examination period</i> ". Has the Agency now been provided with the necessary information and was it received before the Examination commenced? If this is dealt with in the SoCG please point the ExA to the relevant parts.
	Response	
Bio.1.4	The Applicant, ESC	In its reply to [PD-009] ([AS-053]) Part G, Q3 the Applicant referred the ExA to the "SANDPITS – TARGETED SURVEYS SEPTEMBER 2019 TECHNICAL NOTE", which was included in ES Volume 2, Annex 14A3, which is a standalone confidential ecology survey report for the sandpits. The survey finishes as follows: <i>"The results from these surveys and any required mitigation arising will be delivered via the Construction Code of Practice and any subsequent protected species licensing and</i>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>dedicated methods statements to be delivered along with the Construction Environmental Management Plan."</i></p> <p>Given that the survey is confidential for reasons of nature conservation, what mechanism is to be used to inform the Undertaker (whose identity may change) and those enforcing the DCO and CCoP of the results and methods. The ExA imagines that there are other documents which are justifiably confidential in the NSIP process for which this is also a relevant question. Please will the Applicant answer for all such documents.</p>
Bio.1.5	The Applicant	<p>Please will the Applicant provide a list and concise explanatory note of the reasonable steps it proposes in the application for the SoS to take in relation to this application, consistent with the proper exercise of the SoS's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest (s.28G Wildlife and Countryside Act 1981). The note should specify the relevant flora, fauna or geological or physiographical features, where the steps are described in the application documents, where they are assessed, and how they enable the SofS to meet their duty in s.28G.</p> <p>If the Applicant would prefer to do this in one note covering this and the next two questions that would be acceptable.</p>
Bio.1.6	The Applicant	<p>Please will the Applicant set out in a concise explanatory note the steps which it considers the SoS should take in relation to this application to comply with their duties in s.40 of the Natural Environment and Rural Communities Act 2006 to have regard "<i>so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity</i>". For the avoidance of doubt, this should include the United Nations Environmental Programme Convention on Biological Diversity of 1992.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.7	The Applicant	Please will the Applicant set out in a concise explanatory note the steps which it considers the SoS should take in relation to this application to comply with their duties in s.41 of the Natural Environment and Rural Communities Act 2006 (a) to take such steps as appear to the Secretary of State to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section, or (b) to promote the taking by others of such steps. The application affects a number of such organisms and habitats. The note should deal with each such organism and habitat, explain briefly the steps and conclusion which show that the duties will have been discharged and refer the ExA to the documents and paragraphs in the ES (and other application material) where the supporting evidence and conclusions are to be found.
	Response	
Bio.1.8	The Applicant	<p>The Environmental Statement in relation to terrestrial ecology states on a number of occasions that a Shadow HRA Report assessment has been undertaken and also a Water Framework Directive compliance assessment also (together referred to in the question as "Reports").</p> <p>Please will the Applicant confirm that:</p> <p>(i) the information, whether factual, professional, assessments or otherwise in the Reports has been fully and properly taken into account in the terrestrial ecology chapters of the ES and the biodiversity reports</p> <p>(ii) There are no likely significant environmental effects in the Reports which have not been addressed and described in the ES.</p>
	Response	
Bio.1.9	The Applicant	There are many cases, in every chapter of the ES on terrestrial ecology, where it is stated that primary and tertiary mitigation with the aim of reducing or lowering levels of environmental effects. Inevitably the lists of primary and tertiary mitigation vary from site to site and receptor to receptor.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		How can the ExA be sure that all the primary and tertiary mitigation listed is secured and will be delivered? Please will the Applicant also explain where and how the descriptions of such mitigation in the chapters is reconciled with the mitigation secured in the DCO and the s.106 agreement.
	Response	
Bio.1.10	The Applicant	[APP-224] para 14.4.15 (Terrestrial Ecology and Ornithology). The Ecological Clerk of Works. Please will the Applicant explain what authority the ECoW will have over the construction process and programme, their qualifications and the criteria they will use, and where these and the role of the ECoW are secured in the dDCO. This is a question which is relevant for all works where an ECoW is proposed and the Applicant should address it accordingly.
	Response	
Bio.1.11	The Applicant	In [APP-363] (Northern Park and Ride) – para 7.6.61 asserts that the potential operational inter-relationship effects of noise, lighting, air and water on IEFs are inherently considered. Please will the Applicant explain what they mean by this and how they are inherently considered. This phraseology appears in other terrestrial ecology chapters. Please will the Applicant list each occurrence and answer this question for each of them.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.12	The Applicant	<p>[APP-363] Northern Park and Ride – para 7.6.64. This assesses impacts on the bat assemblage as low magnitude, minor adverse, not significant.</p> <p>In para 7.3.28 we read the following sentence:</p> <p><i>“To allow a consistent approach across all disciplines within this ES, the standard levels of significance defined in the CIEEM guidelines are set out in Table 7.9, alongside the equivalent definitions of effect used elsewhere in this ES. Therefore, as a deviation from the standard EIA methodology, minor effects identified within this chapter have been classified as significant at a local level”.</i></p> <p>To arrive therefore at the assessment in para 7.6.64 that the impact is “minor” the impact must have been “significant at the local level”.</p> <p>The sentence in para 7.3.28 appears across the suite of terrestrial ecological assessments. The following questions are therefore relevant across them all.</p> <p>Applying “minor” to mean “significant at local level”, should not the classification in para 7.6.64, as “minor adverse” therefore be “significant” rather than not significant? Or is the formulation at paragraph 7.3.28, and everywhere else where it appears, the wrong way round? As the ExA understands it, the Applicant has used the CIEEM guidelines.</p> <p>Para 7.3.28 and its reiterations elsewhere state that these classify significance running from significant at international level down to significant at local level, followed by “not significant” at the bottom. So if the impact on the bat assemblage is “minor adverse, not significant”, does that not mean that “significant at the local level has been classified as minor”?</p> <p>This issue occurs across all the chapters of the ES dealing with terrestrial ecology.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.13	The Applicant	<p>[APP-394] (Southern Park and Ride) – para 7.6.46. This asserts that because effects on bats are individually not significant they would not create significant inter-relationship effects. The same conclusion is reached at para 7.6.54 in relation to decommissioning. Are these justifiable conclusions? Cannot plural non-significant effects result in one or more significant inter-relationship (or in combination) effect? If the answer is yes, please will the Applicant explain what the inter-relationship effects would be.</p> <p>This is another question which affects a number of documents in the terrestrial ecology chapters of the ES (e.g. [APP-425] paras 7.6.116 and 7.6.161 – the Two Village Bypass) and it should be addressed for each of the cases where it occurs.</p>
	Response	
Bio.1.14	The Applicant	<p>[APP-425] (Two village bypass) – Table 7.4 - please will the Applicant explain why there is no Survey Area for the statutory and non-statutory designated sites. This question applies to this table wherever it appears in the terrestrial ecology chapters of the ES and should please be answered for each of them.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.15	The Applicant	<p>[APP-425] (Two village bypass) – para 7.6.129 – air quality effects on Foxburrow Wood. The argument seems to be:</p> <p>(a) 95% of all UK woodlands experience nitrogen at above the critical load (para 7.6.127);</p> <p>(b) 50% of the area of 'unmanaged' woodlands and 60% of the area of unmanaged (sic) woodlands exceeds the critical load for acidity (para 7.6.128);</p> <p>(c) Therefore, as the results of air quality receptors near Foxburrow Wood are negligible the air quality impact is negligible and by implication the wood is not in the 95%, 60% or 50% areas.</p> <p>(i) There are two references to unmanaged woodlands in para 7.6.128. Should not one be to managed woodlands? If so, which?</p> <p>(ii) Please will the Applicant summarise the negligible results of air quality receptors and give the cross-references to where that is to be found in the ES, with paragraph numbers.</p> <p>(iii) Has the ExA correctly understood the argument? Should the conclusion at (c) be that a negligible increase when the woodland IS in the 95%/60%/50% categories is unimportant and not significant? If so, is that a valid conclusion or should not further loading be avoided?</p> <p>(iv) The statement at para 7.6.129 is repeated at other terrestrial ecology assessments (e.g. for the SLR, [APP-461] para 7.6.99. Please will the Applicant answer this question in relation to each occasion on which it appears, identifying the relevant paragraph number and the Chapter by subject and using its EL reference.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.16	The Applicant	<p>[APP-425] (Two village bypass) – para 7.7.8 – monitoring and bat boxes. This paragraph, which appears in several chapters, states: <i>"If bat boxes have not been occupied by year 5 following installation, consideration would be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist"</i>. It is one of a number of examples where the following questions arise:</p> <ul style="list-style-type: none">(i) where is this secured?(ii) what are the criteria?(iii) how are disputes settled?(iv) what happens if the boxes are not occupied in their new locations. <p>Please will the Applicant address these questions for each place where these proposals are made in the ES and Application documentation.</p>
	Response	
Bio.1.17	The Applicant	<p>[APP-461] (Sizewell Link Road) Para 7.5.5 – <i>"Tertiary mitigation relevant to terrestrial ecology and ornithology is detailed In the CoCP (Doc Ref. 8.11)"</i>. This statement appears in a number of chapters.</p> <ul style="list-style-type: none">(i) Does the CoCP describe the full extent of all tertiary mitigation relevant to terrestrial ecology and ornithology?(ii) What is the position with tertiary mitigation as a result of legislative requirements?(iii) If not all tertiary mitigation is included in the CoCP, please will the Applicant provide a list and details for each terrestrial ecology and ornithology chapter.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.18	The Applicant	<p>[APP-461] Sizewell Link Road – para 7.6.41 – great crested newt incidental mortality. This states that <i>“It is not possible to accurately quantify the magnitude of this effect from the available literature; however, it is unlikely that a large proportion of individuals within the existing population would be killed or injured” in the context of great crested newts</i>”.</p> <p>The phrase occurs on a number of times in relation to newts throughout the ecological chapters of the ES. Please will the Applicant explain how it can conclude that the effect on a large proportion is "unlikely" if the magnitude is "impossible to accurately quantify".</p>
	Response	
Bio.1.19	The Applicant	<p>[APP-461] – Sizewell Link Road In para 7.6.83 dealing with the effect of light on bats of light, the ExA is told that some bats avoid lit areas; the prey of some bats – eg moths for barbastelle – may be negatively affected; and that artificial light may attract insects, thus depriving other areas. Then the ExA reads (para 7.6.84) <i>“For these reasons the bat assemblage in this location is likely to have a low sensitivity to increases in light levels”</i>. Please will the Applicant unpack this conclusion which does not seem to follow from the preceding material. Is there other material in the ES which the ExA should consider?</p> <p>There is similar but sometimes slightly different reasoning e.g. in the chapter on the freight management facility. Please will the Applicant address this question in relation to those chapters as well, pointing to each of the relevant paragraphs being referred to.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.20	The Applicant, Natural England, SCC, ESC	<p>[APP-523] (Freight Management Facility) – para 7.4.6 – this includes the following statement, common to several chapters: “CWSs support habitat types listed on Section 41 of the NERC Act”. Is this a statement of verified fact for each of the associated sites? Or is it a rule of thumb or practice in choosing sites as CWSs? Given that CWSs are non-statutory it would not appear likely to be a legal rule and therefore may not be true for all CWSs.</p>
	Response	<p>County Wildlife Sites (CWS) are the Suffolk equivalent of locally designated sites as described in paragraph 174 of the NPPF. They are designated by a panel which includes representatives from Suffolk County Council, Suffolk Biodiversity Information Service (SBIS), Suffolk Wildlife Trust and Natural England. Details are collated and held by SBIS and made available to all Suffolk LPAs and as part of data searches to ecological consultants and other third parties.</p> <p>CWSs are designated using a set of criteria that follow Natural England guidelines. The primary selection criteria includes that the site must be of “substantive nature conservation value” and the detailed selection criteria includes the habitats listed under Section 41 of the NERC Act (previously referred to as Biodiversity Action Plan (BAP) habitats). Therefore, whilst the whole extent of a CWS may not be of a Priority habitat type, nevertheless the bulk of the site will be (with the rare exception of sites which are designated specifically for a particular rare species).</p> <p>Further detailed information on the CWS selection criteria is available here: https://www.suffolkbis.org.uk/suffolk-sites/cws</p>
Bio.1.21	The Applicant	<p>[APP-555] Rail, para 7.2.5. National legislation and policies. This is a point of general application across the ecology parts of the ES. The Applicant refers to the “UK Biodiversity Action Plan BAP (Ref 7.13) (now superseded by the ‘UK Post-2010 Biodiversity Framework’ (Ref 7.14))”. Will the Applicant please explain why the former document is referred to if it has been superseded</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.22	MMO	At section 4.2 of its [RR-0744] the MMO comment extensively on BEEMS TR523 – Coastal Processes Monitoring and Mitigation Plan. Please will the MMO give the examination library and full application document citation for this document.
	Response	
Bio.1.23	Mrs Susan Eckholdt [RR-0861], The Applicant	In [RR-0861] Mrs Eckholdt states that the "State of Nature" report "shows, in grim detail, that almost one in five plants are classified as being at risk of extinction, along with 15% of fungi and lichens, 40% of vertebrates and 12% of invertebrates". Are any of the plants, fungi, lichens, vertebrates and invertebrates referred to present in the areas surveyed for the ES? Are they at risk of extinction and is the risk a likely significant effect of the project? If so, to what extent?
	Response	
Bio.1.24	Neil Mahler [RR-0881], The Applicant	<p>In [RR-0881] Mr Mahler states: "As the County Fungus Recorder for Suffolk I am aware of at least 3 rare species found recently in the area around Sizewell A,B & C.</p> <p>There are:</p> <ol style="list-style-type: none"> 1. <i>Mycenastrum corium</i> - Found at Sizewell Belts near Leiston Common - only other UK location for this fungus is a site in Scotland. 2. <i>Dendrothele naviculoefibulata</i> - found at Kenton Hills and the only UK site. This is known from 1 other location, a site in France. It was new to science when discovered in 2005. 3. <i>Geastrum minimum</i> - a rare earthstar fungus found in sand dunes on the beach below Sizewell B. <p>EDF refused me permission to survey for fungi so really, nobody knows what other rare fungi are waiting to be discovered/destroyed in the area due to be affected."</p> <p>Please will the Applicant respond to Mr Mahler's RR and explain whether there will be significant effects on these species and where they are addressed in the ES.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.25	The Readhead Family [RR-1210], The Applicant	<p>The Readhead Family [RR-1210] state "<i>Claims made by EDF that they will be able to pledge net biodiversity gains on the main development site do not provide detail on what losses they anticipate over the whole development area and how and when they expect to offer a net gain.</i>".</p> <p>(i) Please will the Applicant respond.</p> <p>(ii) Please will the Readhead Family indicate where the ExA can find the claims in the Applicant's submission to which they refer.</p>
	Response	
Bio.1.26	Nigel Smith [RR-0904], The Applicant	<p>In [RR-0904] Mr Smith says: "<i>Rejection of marine-led strategy – EDF has not tested any alternatives to the close pile pier it has rejected (described by one engineer as a sixteenth century solution)</i>". Please will Mr Smith expand and clarify this point. Please will the Applicant explain its position.</p>
	Response	
Bio.1.27	Andrew McDonald [RR-0060], The Applicant	<p>Mr McDonald states in [RR-0060] "<i>Friends of the Earth estimate that, in addition to direct mortality, there would be a loss of bird life of up to 30% extending to 1 km either side of each new road</i>". Please will Mr McDonald state where this is to be found and if possible submit a copy of the document. Please will the Applicant comment.</p>
	Response	
Bio.1.28	Michael Taylor [RR-0792], The Applicant	<p>Please could Mr Taylor expand and explain the points made in [RR-0792] on the headings (i) Cooling Water Systems and (ii) Ecology. Please use the document numbers from the Examination Library and give the relevant paragraph numbers.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.29	Stuart Checkley [RR-0997], The Applicant	In [RR-0944] Mr Checkley draws attention to effects of extracting water for concrete; SSSI crossing; dewatering of 30 m deep trench for foundations; cumulative Minsmere/Sizewell Marshes effects; - and questions whether they have been adequately assessed, or at all, especially in regard to water levels; he also says there is a current insufficiency of marsh harrier hunting grounds. Please will the Applicant comment.
	Response	
Bio.1.30	The Applicant	Many IPs have raised concern over the absence of design of the HCDF. Please will the Applicant either; (a) table the design, or (b) explain why it is acceptable to proceed on the basis of the descriptions provided in the Application, pointing exactly to the material on which the Applicant relies. If the Applicant chooses (b), please will it also supply plans, sections and elevations on an OS base of what could be constructed.
	Response	
Bio.1.31	The Applicant	A number of IPs raise issues in relation to the effect if the Two Village Bypass on Foxburrow wood, and emphasise the need to avoid ancient woodland (e.g. [RR-0117] from Mr Brindley). Please will the Applicant comment.
	Response	
Bio.1.32	The Applicant, Natural England, ESC, SCC	Many IPs raise concerns about the shingle beach, including that it is a County Wildlife Site. Please will the Applicant and NE include in their SoCG the following: (a) a summary of the Applicant's view of the effects on the shingle beach; (b) a summary of NE's view of the same; (c) a statement of areas of disagreement; and (d) a statement of what measures should in the view of (a) the Applicant and (b) NE be taken to overcome any disagreement. It also supports dune and shingle habitats and an invertebrate assemblage of national importance, impacted by direct habitat loss as a result of land take for the main platform and new coastal defences.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Can the Applicant point to evidence regarding the successful recreation of vegetated shingle and stabilised sand dunes across a heavily modified foreshore at Sizewell B, as described in ES paragraph 14.7.188? With 38.83ha of habitat loss from the CWS predicted, what is the total area (in ha) of replacement habitat to be provided?</p> <p>Can NE comment on the sufficiency of the Applicant’s proposals to mitigate the impacts of habitat loss/change, as described in ES paragraphs 4.7.185 – 4.7.191?</p> <p>[APP-224] – Suffolk Shingle Beaches CWS. At para 14.7.190 it is said that there would be a permanent irreversible loss of an area of vegetated shingle and sand dune, assessed at para 14.7.191 as a moderate adverse significant effect. Earlier at para 14.7.188 it is explained that the surface will be safeguarded, stored and replaced. How is there a permanent non-reversible loss given that the habitat is to be reinstated – see e.g. the statement at para 14.7.193?</p> <p>If these matters are already addressed in the SoCG between the Applicant and Natural England which was required by the Procedural Directions in the Rule 6 letter, please say so and direct the ExA to the relevant section of that SoCG.</p> <p>Unless these matters are addressed in the SoCG with ESC and SCC (in which case please respond directing the ExA to the relevant parts) please will the Applicant, ESC and SCC each please respond to this question.</p> <p>The ExA imagines that the Applicant’s response may well be to refer the ExA to parts of the SoCG with Natural England, but that is not to limit how the Applicant may wish to respond.</p>
	Response	Part of the Suffolk Shingle Beaches CWS lies on the eastern side of the proposed Sizewell C platform, with the CWS extending south in front of the Sizewell A and Sizewell B stations. SCC’s understanding is that in the proposed plans part of the CWS would be permanently lost due to the construction of the Sizewell C hard coastal defence feature

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(HCDF) – the loss referred to as permanent irreversible in APP-224 para. 14.7.190, and part would be temporarily lost during construction and then reinstated with stored material over part of the HCDF post construction (referenced in APP-224 para. 14.7.188). The intention being that this reinstatement would then allow shingle flora to re-establish.</p> <p>Whilst this mitigation may in theory be possible initially, sea level rise and coastal change is predicted to result in exposure of the hard defence in the operational lifetime of the power station, with its presence meaning that there is no opportunity for any natural rollback of the CWS habitats. Despite this no additional measures are proposed to address this impact. Survey work has indicated that the vegetated shingle habitat is of national importance and SCC therefore considers that appropriate long-term mitigation/compensation measures must be secured.</p> <p>We also note that the change to the original submission in relation to coastal defences moves the hard coastal defence feature closer to the sea, with the requirement for recharge of the soft coastal defence then likely to be required earlier in the operational phase. Dependent on the frequency of such recharge activity it is possible that vegetated shingle flora will never adequately re-establish on the reconstructed CWS area and therefore permanent loss of this part of the CWS will occur even earlier in the operational life of the power station. We consider that this will result in a permanent impact of at least Moderate Adverse, Significant level which is not mitigated or compensated for as part of the development proposals, we do not consider that this is acceptable.</p>
Bio.1.33	Dominic Woodfield [RR-0314]	In his [RR-0314] Mr Woodfield raises concerns on ecological issues and biodiversity net gain alongside Friends of the Earth (Suffolk Coastal). Please will Mr Woodfield submit a written representation setting out his objections as fully as possible. If Mr Woodfield would prefer to rely on the submissions by Friends of the Earth (Suffolk Coastal) please say so in reply to this ExQ.
	Response	
Bio.1.34	Caroline Price [RR-0178], Natural England, The Applicant	In her [RR-0178] Ms Price draws attention to the Grayling butterfly which she says will be adversely affected by the changes to its habitat, the Sizewell Belts. Please will the Applicant and NE comment.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.35	David P N Grant [RR-0287], The Applicant	In his [RR-0287] Mr Grant states: <i>"EDF has conducted 'surveys' (using ARCADIS) - these are of lamentable depth or quality. I have commissioned my own independent surveys of the same issues to demonstrate that EDF's are 'box ticking' at best. Substantial damage to wildlife habitats is inevitable if SLR proceeds on the current basis"</i> . To enable the ExA to consider these points, please can Mr Grant submit his own surveys with a written representation. Please will the Applicant consider and respond either now or after written representations.
	Response	
Bio.1.36	Dr Annette Abbott [RR-0320], The Applicant	Will the Applicant comment on the relevant representation from Dr Abbott, [RR-0320] particularly what she writes in relation to the loss of 10ha of SSSI, M22 Fenland habitat, rare freshwater plants and insects sensitive to pH changes, detriment to <i>"rare Red listed birds, barbastelle and other bats, rare endangered insects such as white admiral butterfly and Norfolk hawkers and incredibly rare plants"</i>
	Response	Response
Bio.1.37	Alde and Ore Association [RR-1206], The Applicant	Please will the Applicant comment on [RR-1206] in particular its concerns in relation to the Orfordness Spit and contention that Great Sizewell Bay is not self-contained.
	Response	
Bio.1.38	MMO, Natural England, The Applicant	(i) Please state the applicability of ss.125 and 126 of the Marine and Coastal Access Act 2009 and set out any marine conservation zones which are relevant to the Application. (The ExA note that Table 22.1 of APP-317 highlights Orford Inshore MCZ.) (ii) If there are any Marine Conservation Zones or ss.125 or 126 of the Marine and Coastal Access Act 2009 are otherwise engaged by the Application please set out (a) how, (b) the steps taken in relation to them and (c) the steps which the SofS should take. Please will the Applicant in answering draw attention to any provisions of the application documentation which address the question

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(iii) Please state whether or not any other provisions of the MCA 2009 are relevant and if so, how. (iv) Is the MMO content that there is no separate assessment for the Orford Inshore MCZ?
	Response	
Bio.1.39	MMO, EA, The Applicant	Please will the MMO and Environment Agency explain what is the split and overlap of their functions in the sea. If the ExA has understood the landward limit of MMO responsibility correctly, this question is directed to the area seaward of Mean High Water Springs.
	Response	
Bio.1.40	Suffolk Coastal Acting for Resilience [RR-1172], The Applicant	[RR-1172] Please will Suffolk Coastal Acting for Resilience confirm that the examination library reference is [APP-312] for the documents referred to at para 5 of their relevant representation? Please will Suffolk Coastal Acting for Resilience explain why they consider that the seven experts have not signed off the report of their views? Please will the Applicant comment on Suffolk Coastal Acting for Resilience’s comment referred to above.
	Response	

Part 2 - Biodiversity and ecology (terrestrial) - Main Development Site

Please note. Owing to the length of [APP-171] and the multiple topics and effects it assessed, the ExA asked the Applicant in [PD-005] to identify each of the headings in a way which clarifies both the subject matter and how each section, sub-section, sub-sub-section and so on sits in relation to preceding sections. As the paragraphs already had a number system separate from the headings the ExA suggested a lettering system. The lettered headings version

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
<p>submitted by the Applicant is at [AS-033]. The full list of headings is at electronic pages 372-381 of [AS-033] (hard copy pages 366-375). References to lettered sections in the questions below on [APP-171] are to those sections.</p>		
<p>Bio.1.41</p>	<p>The Applicant</p>	<p>[APP-171] (Vol 1 App 6J) is a helpful document assisting the ExA to check what law and policy has been addressed.</p> <p>(a) [APP-224] Vol 2 Ch 14. Please will the Applicant explain why Table 14.1, which lists the requirements of NPS EN-1 specific to the Main Site omits policies 4.2.1; 4.3; 4.10.2; 5.3.3; 5.3.4 despite their being listed in Table 1.1 of [APP-171] as having been addressed in Ch 14. The ExA wishes to understand the Applicant's approach.</p> <p>(b) [APP-224] Please will the Applicant explain why Table 14.2, which lists the requirements of NPS EN-6 specific to the Main Site, includes policy 3.9.3 but that was omitted from Table 1.2 of [APP-171]; omits 3.9.4 and 3.9.6 which were listed in Table 1.2 of [APP-171] as having been addressed in Ch 14; includes C.8.52 which was not in [APP-171], omits C.8.53 which was in [APP-171] and includes C.8.63 which was not in [APP-171].</p> <p>(c) Please, for the policies which are not in Tables 14.1 and 14.2, will the Applicant submit equivalent statements to those which are addressed in those tables. Replacement tables may be a convenient way to do this. The Applicant will appreciate that differences between [APP-171] and the actual assessment chapters such as [APP-224] Vol 2 Ch 14 make the consideration of what law and policy has actually been addressed difficult.</p> <p>(d) Please will the Applicant check whether there are differences between Tables 1.1 and 1.2 of [APP-171] and the relevant tables in the chapters for terrestrial ecology on the Associated Sites and submit equivalent statements for any missing policies, as in (c) above.</p>
	<p>Response</p>	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.42	The Applicant	[APP-224], para 14.3.8. The Study area. The project will result in some development outside the order (or “redline”) boundary, for example the highway improvements at the A140 / B1078 junction. Please will the Applicant indicate where their effects, ecological and otherwise, have been assessed.
	Response	
Bio.1.43	The Applicant	[APP-224] para 14.4.5 – tertiary mitigation within the EDF Energy estate. Please will the Applicant provide a plan showing the extent of this estate and confirm that it is all controlled by the Applicant. (The ExA notes that the Applicant is not EDF.) The ExA also notes that in their change consultation response [AS-307] - Section 1, paragraph 1.1.6 Natural England welcome ambition to manage the land within the Sizewell estate for re-wilding and environmental gain post-construction and wider ambition to expand and connect parcels of land beyond the estate. However, the EDF Energy estate appears to extend beyond the Order limits. Please will the Applicant: (a) specify which land they consider is covered by the “ambition” statement, and (b) how they propose this ambition should be secured in the DCO. Please will Natural England do the same.
	Response	
Bio.1.44	The Applicant	[APP-224] para 14.4.7 – mitigation for the Sizewell B relocation works. Please will the Applicant specify where these are secured in the dDCO.
	Response	
Bio.1.45	The Applicant	[APP-224] para 14.4.10 bullet 4 – primary mitigation.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Where does the ExA find the criteria and methods, programmes and the like for the long term manipulation of the water levels? How are they secured, regulated and (if necessary) adjusted over time? Whose approval is necessary?
	Response	
Bio.1.46	The Applicant	[APP-224] para 14.4.10 bullet 4 – primary mitigation. Please will the Applicant state where the Eels Regulations Compliance Assessment 2019 referred to is to be found, and if not in the Application documentation, submit a copy.
	Response	
Bio.1.47	The Applicant	[APP-224] – para 14.4.10 bullet 5 – primary mitigation, the SSSI crossing. Please will the Applicant submit a set of drawings showing the location, plan, elevations, sections and design of the SSSI crossing, together with the context, ecological and landscape. It is appreciated that the design is a work in progress, but the location, plan, elevations and sections of what is proposed should be capable of being fixed now. If this has been done further to the Rule 17 letter of 25 February 2021 [PD-012] there is no need to duplicate the material. Please however submit any material not sent in response to [PD-012] and also state the Examination Library reference(s) for the material which was submitted.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.48	The Applicant	<p>[APP-224], para 14.4.11, bullet 1. Marsh harrier foraging habitat.</p> <p>Please will the Applicant set out the following in one document:</p> <p>(a) The significance of the marsh harrier – this should cover policy, legal, ecological and any other relevant aspects</p> <p>(b) How it is affected by the Proposed Development?</p> <p>(c) the areas over which it forages over the Minsmere South Levels and Sizewell Marshes SSSI and any other areas where its foraging, breeding or other activities are likely to be affected by the proposed development</p> <p>(d) where the permanent foraging habitat referred to in this bullet “is being established and enhanced within the northern part of the EDF Energy estate”</p> <p>(e) the need for and role of any other areas for marsh harriers which are proposed (including Westleton)</p> <p>(f) state clearly whether the fen meadow compensation areas at Halesworth and Benhall (and if the change request is accepted also at Pakenham) play any role in relation to the marsh harrier.</p> <p>(g) How the SofS should decide whether the area at Westleton is required and whether its compulsory acquisition is justified. (In this regard the Applicant is also referred to the Secretary of State’s decision letter on Hornsea Three, Section 6.)</p> <p>(g) Any uncertainties over the success of replacement foraging (or other) areas for the marsh harrier and the probabilities of success</p> <p>(h) conclusions in relation to the marsh harrier and the relevant policy, legal and ecological aspects.</p> <p>(i) For the avoidance of doubt, this document should cover but not be limited to s.40 of the Natural Environment and Rural Communities Act 2008, s.28G of the Wildlife and Countryside Act 1981, environmental assessment and the Habitats Regulations, EN-1 and EN-6.</p>
	Response	
Bio.1.49	Natural England	<p>[APP-224], para 14.4.11, bullet 1.</p> <p>Please will Natural England also set out its understanding of the position on points (a), (b) and (c) of the previous ExQ. The ExA would suggest that NE’s position on the other points</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		is set out in its comments on the Applicant's responses and dealt with in the SoCG which has been requested between the Applicant and NE on ecological matters.
	Response	
Bio.1.50	The Applicant	[APP-224], para 14.4.11. Please will the Applicant supply a plan showing the location of the habitats to be created.
	Response	
Bio.1.51	The Applicant	[APP-224] para 14.4.11. Please will the Applicant summarise the roles played by Aldhurst Farm in mitigation, whether primary, secondary or tertiary.
	Response	
Bio.1.52	The Applicant	[APP-224] para 14.4.12. Please will the Applicant state where the monitoring and mitigation plan referred to is secured in the dDCO.
	Response	
The next set of questions address construction effects on plants and habitats, paragraphs 14.7.22 – 14.7.223		
Bio.1.53	The Applicant	[APP-224] para 14.7.24. The ExA notes that changing water quality is scoped out of assessment on plants and habitats in view of the Outline Drainage Strategy. Please will the Applicant indicate where the DCO ensures that the strategy is delivered.
	Response	
Bio.1.54	The Applicant	[APP-224] para 14.7.31 says marine piling for the BLF "is likely to be using a cantilever method from the HCDF (no effects on coastal geomorphology) or ...". Please will the Applicant explain how the piling could be done from the HCDF. The ExA's understanding is that the HCDF is some way up the beach (see para 14.7.32).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.55	The Applicant	[APP-224] para 14.47. Please indicate how the recreation and amenity strategy is secured.
	Response	
Bio.1.56	The Applicant	[APP-224] para 14.7.53, dealing with hydrological effects of construction on Minsmere. This refers to Figure 14B1-1 in Appendix 14B1 [APP-250] to show the areas that drain into the Minsmere New Cut. The ExA cannot see that Figure; indeed, Appendix 14B1 states that no figures are provided. Please will the Applicant supply the figure in its response as well as indicating where it is to be found in the suite of application documents, using the EL references.
	Response	
Bio.1.57	The Applicant, Natural England	[APP-224], section C.a.a.c, especially paras 14.7.62; 65 and 67. (a) It appears that avoiding hydrological effects on Minsmere European Site (sic) is dependent on careful monitoring and control measures. Please explain where these are described and how they are secured in the DCO and / or the s.106 agreement. This should include how they are to be funded. Cross-referencing to the Mitigation route map would also be helpful. Is "Minsmere European Site" (e.g in para 14.7.67) intended to refer to all the European designations – SAC, SPA and Ramsar? There are several uses of the phrase in the singular in the Chapter and in questions below. (b) Is NE content with these measures? (c) To what extent is the continued operation of the Minsmere Sluice needed? (d) The ExA notes that some IPs have suggested the lifetime of the sluice is shorter than the lifetime of the Proposed Development. Please will the Applicant and NE comment on that, indicating whether they agree and what action is needed in relation to that, if any, is needed to ensure the Proposed Development does not have any likely significant effect.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.58	The Applicant, Natural England	[APP-224], para 14.7.79 – dust deposition and Minsmere European Site. This states that there will be a dust management plan but that “If monitoring indicates exceedance of this threshold, then additional mitigation measures would be adopted”. Should not the measures be specified, or criteria and a dispute resolution mechanism described? Where and how is this addressed in the DCO?
	Response	
Bio.1.59	The Applicant	[APP-224], para 14.7.83. Emissions from diesel generators. The acronym PEC does not appear in the Glossary [APP-005]. Is it intended to be Predicted Environmental Concentration?
	Response	
Bio.1.60	The Applicant	[APP-224], para 14.7.89. “However, given that Critical Levels are defined as “concentrations of pollutants in the atmosphere above which <i>direct</i> adverse effects on receptors, such as plants, ecosystems or materials, may occur according to present knowledge ...” (emphasis added). What consideration has been given to indirect effects? If none, please will the Applicant explain.
	Response	
Bio.1.61	The Applicant	[APP-224] para 14.7.103, acid deposition at Minsmere European Site. The ExA can see that 21% increase for a short time when background deposition already exceeds the Critical Load may not be significant. However, over a longer period at a lesser deposition that 21% may there not be effects. Please will the Applicant clarify where in the ES the evidence is set out on why there will be no LSE during other times – for example during operation.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.62	The Applicant	<p>Sizewell Marshes SSSI - [APP-224] para 14.7.126 and [AS-006] para 5.4 – replacement table 14.10.</p> <p>Para 5.4 of [AS-005] (response to [PD-005]) states that temporary land take was underestimated by 0.4ha. However, replacement Table 14.10 indicates a total underestimate of 0.04ha. Will the Applicant please say which is correct and comment on the conclusion in the light of which is the correct figure.</p>
	Response	
Bio.1.63	The Applicant	<p>[APP-224] para 14.7 131.</p> <p>This states that 0.43ha of wet woodland beneath the pylons will be temporarily lost by coppicing. Where is the 0.43ha in Table 14.10, original and replacement?</p>
	Response	
Bio.1.64	The Applicant	<p>Please will the Applicant say whether any other parts of Chapter 14 [APP-224] are affected by these changes, for example para 14.8.17. If they are, please will the Applicant supply a comprehensive list of the paragraphs and an explanation of the effect. Are any other application documents or additional submissions affected?</p>
	Response	
Bio.1.65	The Applicant	<p>[APP-224] para 14.7.134. Recreation of fen meadow habitat.</p> <p>Please will the Applicant explain the results of the further work to maximise the likelihood of successful fen meadow habitat. If successful establishment cannot be guaranteed, what does the Applicant propose? The ExA recognise that habitat proposed in the change request at Pakenham is what appears to be a fallback. If the change request in relation to Pakenham is accepted, what is the likelihood of success there and what is to happen if that also is unsuccessful?</p> <p>How should the SofS decide whether the area at Pakenham is required and whether their compulsory acquisition is justified. (In this regard the Applicant is also referred to the Secretary of State’s decision letter on Hornsea Three, Section 6.)</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>The Applicant and NE will be aware that this is fen meadow issue on which NE have stated in their relevant representation [RR-0878] that they have fundamental concerns which it may not be possible to overcome in the form of the proposals at 30 September 2020. The ExA has asked for an SoCG with NE to cover all matters raised by NE. There is clearly a significant difference between NE and the Applicant. The ExA hopes that NE and the Applicant can come to an agreed position. If the position leaves NE's concern in place the ExA expects the different positions to be fully explained and argued in the SoCG. To the extent that they are not, the response to these questions should set them out, but the ExA prefers to see the arguments in one place, rather than in several documents. The setting out of positions and arguments in an SoCG should not stop the parties from continuing to resolve issues and find common ground.</p>
	Response	
Bio.1.66	The Applicant	<p>[APP-224], para 14.7.138. Trampling effects on Sizewell Marshes SSSI. This states that at least 30% of recreational users would be displaced during construction to alternative sites away from the Sizewell area and refers to ExA to Book 5 Report 5.10 Shadow HRA Report. Please will the Applicant summarise the relevant information to which the ExA is being referred? In addition, please will the Applicant include in that summary the EL numbers and cross-references to paragraph numbers for easy navigation?</p>
	Response	
Bio.1.67	Natural England	<p>Please will Natural England set out their view on paragraph 14.7.146 of [APP-224] (effect of construction of the SSSI Crossing) and its significance and the replacement approach in the application as changed.</p>
	Response	
Bio.1.68	The Applicant, Natural England, SCC	<p>[APP-224] – Broadleaved and mixed woodland. Coronation Wood. Para 4.7.194 addresses effects arising from the felling of 7.3 ha of broadleaved woodland including Coronation Wood. Recent reports say that the Coronation</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Wood has now been felled. Is this the case? How does this affect the assessment of effects?
	Response	Coronation Wood was felled in late 2020/early 2021 as part of works for the Sizewell B relocated facilities development approved under planning permission reference DC/19/1637/FUL. A subsequent planning consent for a slightly revised Sizewell B relocated facilities scheme was approved under reference DC/20/4646/FUL, although this did not change the assessment of impact or secured mitigation measures in relation to Coronation Wood. These measures included replacement planting which has been undertaken on Pill Box Field (to the south of the Sizewell complex). The assessment of effects resulting from the loss of Coronation Wood included within the DCO application relates to that provided as part of the planning applications. As the DCO uses the Rochdale Envelope approach and considers the worst case impacts, SCC does not consider the fact that the felling has already been undertaken (as part of the implementation of a lawful planning consent) materially changes the outcome of the assessment presented within the DCO application.
Bio.1.69	The Applicant	[APP-224] - Broadleaved and mixed woodland – air quality changes – para 14.7.199 – 202. Why has the Applicant focussed on Reckam Pits Wood? Para 14 .7.202 refers to “similar areas of broadleaved and mixed woodland”. Does that cover the whole of the broadleaved and mixed woodland which is assessed?
	Response	
Bio.1.70	The Applicant	[APP-224] – para 14.7.213 – daily critical levels. This appears to be the first mention of Daily Critical Levels. Please will the Applicant clarify the relationship between Daily and Annual and why Daily appears not to have not been relevant in earlier assessments in this chapter.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.71	The Applicant, Natural England, SWT	[APP-224] – Deptford Pink. At para 14.7.220 it is concluded: “As the translocation is not guaranteed to be successful the impact of the population loss of Deptford Pink would constitute a moderate adverse effect, which is considered to be significant”. What steps can be taken to improve the success of the translocation process? What is the success rate likely to be? Does NE agree with the assessment of the significance in this paragraph?
	Response	
Bio.1.72	The Applicant	[APP-224] – Construction, Inter-relationship effects, paras 14.7.222 – 223. Please explain the level of significance of inter-relationship effects and how the manipulation of water levels referred to in para 14.7.223 is secured in the DCO / s.106 and the tests and criteria for intervention.
	Response	
Bio.1.73	Natural England, ESC, SCC, SWT	[APP-224] paras 14.7.222 – 223. Do you agree with the list of inter-relationship effects, mitigation and proposals in these paragraphs? Will there be significant effects arising from inter-relationships if the mitigation and proposals are implemented? What is ESC’s view as the authority which will be enforcing the mitigation proposals?
	Response	SCC agrees that there is the potential for the inter-relationship effects identified in [APP-224] paragraph 14.7.222 to occur. We also consider that there may be the potential for inter-relationship effects to occur for particular Important Ecological Features (IEFs) (for example for bats, effects arising from roost habitat loss and connectivity fragmentation from habitat loss and noise/light disturbance), however these may be better considered as part of the overall assessment on each individual IEF rather than in these paragraphs. As the potential inter-relationship impact identified in the Environmental Statement relates to Sizewell Marshes SSSI we primarily defer comment on this matter to Natural England. However, it is our understanding that if the mitigation measures proposed for both individual identified impacts (hydrological change and air quality change) are successful then a significant inter-relationship impact is unlikely to occur. Measures are proposed to monitor this and if necessary additional mitigation measures, along the lines of those

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>described in APP-224 paragraph 14.7.223, could be implemented. Any additional mitigation measures related to the SSSI must be agreed with Natural England (and any other relevant stakeholders) prior to implementation.</p> <p>Also, whilst ESC will be the authority responsible for enforcing implementation of the mitigation proposals, as these measures relate to mitigating impact on a SSSI we consider that Natural England, as the statutory nature conservation organisation, will also have a key role to play in this process.</p>
The next set of questions addresses operational effects on plants and habitats, paragraphs 14.7.224 – 14.7.269		
Bio.1.74	Natural England, ESC, SWT, RSPB	<p>[APP-224] – para 14.7.227, hydrology and the effect of the SSSI Crossing. (a) Please will NE set out their view on what is said in this paragraph. Cross-referencing to NE’s [RR-0878] and WR would be helpful, and to the SoCG. (b) Please will ESC SWT and the RSPB also comment.</p>
	Response	
Bio.1.75	The Applicant	<p>[APP-224] para 14.7.233 – effects of coastal processes on Minsmere European Site. Please will the Applicant unpack and explain this paragraph in a short note. How does the exposure of the HCDF disrupt longshore sediment transport so as to affect Minsmere? How does natural shoreline regression erode Minsmere? If the exposure of the HCDF affects the shoreline regression at Minsmere (which appears to be the case from the statement that “<i>shoreline regression would eventually expose the HCDF and that during the later stages of station operation this may disrupt longshore sediment transport. Additional mitigation measures (beach management practices) are likely to be required</i>”, why should there not be continued mitigation of the Minsmere shoreline? What are the beach management practices referred to as mitigation? How does natural regression and the effects of exposing the HCDF interact? Please explain what are the proposed mitigation measures referred to and how there will be no significant adverse effects.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
Bio.1.76	The Applicant	<p>[APP-224] – para 14.7.236. The Applicant refers the annual mean and daily mean. Is this intended to be the same measure as the annual Critical Level and daily Critical level referred to in the preceding paragraphs? If not, please will the Applicant explain further and deal with the annual and daily Critical Levels. This is also relevant where this approach is taken elsewhere in [APP-224] such as at para 14.7.245, 253, 259. Please will the Applicant address this issue for those paragraphs and generally in [APP-224].</p>
	Response	
Bio.1.77	The Applicant	<p>[APP-224] – para 14.7.272. Please will the Applicant explain how it will choose between the three opportunities at para 14.7.271 and explain where the detail of those proposals is set out. In relation to the wet woodland strategy proposed in para 14.7.272, it seems to the ExA at this stage that this is likely to need to be secured by a requirement, which is likely to have to incorporate goals, criteria and tests (and is likely to be complex). Please will the Applicant and Natural England, address this in the SoCG for Deadline 2.</p> <p>The ExA notes that the Mitigation Route Map [APP-616] MDS TE42 states that the Applicant “will develop further its wet woodland strategy in discussion with Natural England and other ecological stakeholders”. Please will the Applicant and Natural England indicate progress on that, here or in the SoCG?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
The next set of questions address mitigation and monitoring for plants and habitats, paragraphs 14.7.270 - 280		
Bio.1.78	The Applicant, ESC, SCC, Natural England	<p>[APP-224] para 14.7.274, para 14.7.280. Is there a threshold for requiring local mitigation measures?</p> <p>Who are the "local land managers"? What happens if they do not agree to the measures? Where is this secured? The ExA would like to understand the way in which the monitoring and any measures needed, depending on the results of the monitoring, are to be secured in the DCO / s.106, how the work is to be regulated, what are the current criteria and how they are kept under review if appropriate.</p> <p>The ExA would be grateful if ESC and SCC in particular would explain how they see enforcement working. NE should also give their view.</p>
	Response	<p>SCC considers it unlikely that there is a single threshold for requiring the implementation of further local mitigation measures as it will be dependent on exactly what impact is occurring and which habitat or species is being affected.</p> <p>We understand that local land managers include the RSPB and the National Trust who own and/or manage a large part of the relevant designated sites. We also understand that both of these organisations are engaged in the examination in relation to this matter.</p> <p>In relation to securing the required monitoring and mitigation measures, it is our understanding that the S106 will secure the necessary measures and their funding (as part of the Minsmere and Sandlings (north) Mitigation Measures; the Minsmere and Sandlings (north) Contingency Fund; the Minsmere and Sandlings (north) Recreational Monitoring Plan; the European Sites Mitigation Measures; the European Sites Access Contingency Fund and the European Sites Recreational Monitoring Plan). The implementation of these mitigation and monitoring measures will be overseen by the Ecology Working Group and the Environmental Review Group, both of these groups include representatives from ESC, SCC and NE. Whilst we are content with the principle of the mechanisms described for delivering this particular mitigation and monitoring, we have not yet seen the details for the mitigation and monitoring plans or the contingency</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		funds. We therefore reserve the right to make further comments on this topic once this information is available.
The next set of questions address Tables 14.12 and 14.13 – summary of effects, construction and operation respectively		
Bio.1.79	Natural England, SCC, ESC	<p>Receptor – Sizewell Marshes SSSI – effect assessed as moderate adverse, significant (see also para 14.7.169), but with mitigation listed in table 14.12, stated to be minor adverse, not significant. Do NE, SCC and ESC agree?</p>
	Response	<p>SCC has significant concerns about the conclusions presented in the application in relation to impacts on Sizewell Marshes SSSI, particularly with regard to the proposed habitat creation compensation measures. Details of these concerns are set out in paragraphs 8.31 to 8.38 of the Local Impact Report (LIR) [REP1-049].</p>
Bio.1.80	Natural England, SCC, ESC	<p>Receptor - Sizewell levels and Associated Areas CWS and Southern Minsmere Levels CWS-direct land take habitat loss; moderate adverse, significant. No further mitigation is proposed. What is the view of NE, SCC and ESC?</p>
	Response	<p>SCC anticipate that a key objective of the Ecology Working Group and the Environmental Review Group will be measures to secure habitat creation, monitoring and management. We also anticipate that the loss to biodiversity and significant impacts will arise if mitigation work does not start until after the construction period and would prefer to see contemporaneous activity</p> <p>We are disappointed that no further mitigation or compensation measures are proposed to address the significant impact identified on the Sizewell Levels and Associated Areas CWS and Southern Minsmere Levels CWS. Whilst it is acknowledged that habitat creation across the wider Sizewell Estate post-construction is proposed which will result in an overall increase in the amount of semi-natural habitats available on the estate, this is not currently secured through requirements or obligations across the whole estate (only within</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the application red line boundary). Therefore, there appears to be a lack of certainty that this wider habitat creation can be adequately secured.</p> <p>In addition to this, these new habitats will not be available until later into the operational phase of the power station and therefore there will be a net loss of CWS habitats in the construction and early operation phases (while newly created habitats establish). Additional offsite measures (potentially through the Natural Environment Fund identified in the draft S106) are required to address this impact.</p>
Bio.1.81	Natural England, SCC, ESC	<p>Receptor – Suffolk Shingle, see also para 14.7.191, stockpiling and replacement of sand and shingle substrates. Moderate adverse effect, no further mitigation proposed.</p> <p>What is the view of NE, SCC and ESC?</p>
	Response	<p>The ES identifies that the long-term presence of the power station sea defences will result in a Moderate Adverse, Significant impact on the Suffolk Shingle Beaches CWS, part of which is immediately in front of the development site. Sea level rise and coastal change is predicted to result in exposure of the hard defence in the operational lifetime of the power station with its presence meaning that there is no opportunity for any natural rollback of the CWS habitats. Despite this no additional compensation or offsetting measures are proposed to address this impact. Survey work has indicated that the vegetated shingle habitat is of national importance and therefore SCC considers that appropriate long-term mitigation/compensation measures must be provided.</p> <p>SCC also notes that the change to the submission in relation to coastal defences moves the hard coastal defence feature closer to the sea, with the requirement for earlier recharge of the soft coastal defence then likely to be required. Dependent on the frequency of such recharge activity it is possible that vegetated shingle flora will never adequately re-establish on the reconstructed CWS area and therefore permanent loss of this part of the CWS will occur even earlier in the operational life of the power station. This will result in a permanent impact of at least Moderate Adverse, Significant level which is not mitigated or compensated for as part of the development proposals, we do not consider that this is acceptable.</p>
<p>The next set of questions addresses invertebrates, section 14.8.</p>		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.82	The Applicant, Natural England	[APP-224] para 14.8.4. The invertebrate assemblages referred to in this para are described as “similar” to those of national importance described in the previous para. Is the ExA correct to deduce the para 14.8.4 assemblages are NOT of national importance. In view of para 14.8.5 which draws attention to assemblages of county importance, is the ExA right to assume the 14.8.4 assemblages are also not of County importance?
	Response	
Bio.1.83	The Applicant	[APP-224]- para 14.8.25. Please will the Applicant clarify what it is proposing? Is there to be more wet woodland habitat at Aldhurst Farm or is an area of wet woodland to be created at Benhall?
	Response	
Bio.1.84	The Applicant, Natural England	[APP-224]-para 14.8.39. This states there is only a minor not significant effect but then that the effects of clearance and nocturnal lighting cannot be eliminated. Please will the Applicant explain the significance of the effect with the clearance and lighting. It is currently not clear. Can NE shed any light on this? Please will the Applicant also state which row(s) of Table 14.16 address this and what mitigation is put in place, if any.
	Response	
Bio.1.85	The Applicant	[APP-224] – para 14.8.44. Please will the Applicant state where the recreated fen meadow referred to in this para is to be located. In relation to para 14.8.46, please state which rows of Table 14.16 deal with the residual effects
	Response	
Bio.1.86	The Applicant, Natural England	[APP-224] – para 14.8.44 and elsewhere (e.g. para 14.8.50) which address some of the effects on invertebrate assemblies in Compartment 3 and the fen meadow strategy. This is Appendix 14C4, [APP-258]. Fen meadow recreation and a fen meadow strategy are important components of the Sizewell C project.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Whilst [APP-258] examines potential sites and makes recommendations, the ExA notes that for one of the selected sites included in the Application, it says there would be water management difficulties and that the site is "less preferable" (Site 11, part of the Benhall proposal) and that in all cases the site recommendations are "subject to the results of further studies and detailed conceptualisation". In the case of Pakenham (Site 54 and part of the change request) "there are significant issues relating to groundwater supply and to the poor condition of surface peats".</p> <p>The ExA is also having difficulty seeing where in the document [APP-258] a strategy is set out. It appears rather to be a site selection report.</p> <p>Please will the Applicant say what further studies and conceptualisations have been carried out, where they may be found if they have been carried out, and what is the strategy. Please will the Applicant also submit a summary which should include , with hyperlinks to relevant documents in the Examination Library. If the summary could be limited to 2,000 words that would be helpful.</p> <p>Please will Natural England give their view on the fen meadow strategy, its role within the Application both for invertebrates and as a whole, and on document [APP-238]. At for example paras 14.8.44 and 45 of [APP-224] the Applicant concludes that for Compartment 3 the loss of habitat including fen meadow is minor adverse and not significant as a result of the inclusion of a fen meadow strategy said to be set out at [APP-238]. There is a similar conclusion for Compartment 12 (where the land take is much less).</p> <p>Please will both the Applicant and Natural England give relevant examples of successful recreation of fen meadow habitats, comment on them explaining how they are relevant any difficulties found in the process, and how they were overcome (or not).</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.87	The Applicant, Natural England	<p>[APP-224] – para 14.8.58.</p> <p>This is one of a number of paragraphs which, after acknowledging a “a time-lag between the loss of existing high-quality habitat from this compartment and newly created acid grassland habitats reaching optimum condition” to perform their function states that “this residual impact is discussed further in Table 14.16”. However turning to Table 14.16, it reiterates the words above in inverted commas and then proposes a mitigation plan for larvae of Norfolk Hawker and other macro-invertebrates which “will be developed”.</p> <p>Please will the Applicant and Natural England both explain and comment on the discussion, the likelihood of developing a plan which is appropriate and successful, the deadline for its development and how it is to be secured in the DCO. How should the SofS take the proposal into account in arriving at their decision? Please deal with all applications of the discussion and occurrences of the time lag.</p>
	Response	
Bio.1.88	Natural England, The Applicant	<p>[APP-224]-paras 14.8.54 and 55, Compartments 4 and 4a.</p> <p>The footprint of power station would more or less cover Compartment 4, possibly 4a as well (the compartment plans at [APP-231] do not show the footprint). Please will NE give their view on how the SofS should take into account the loss of assemblages of high conservation value and other assemblages of national importance referred to. The Applicant may also wish to comment.</p>
	Response	
Bio.1.89	Natural England, SCC	<p>[APP-224] para 14.8.67.</p> <p>Please would NE and SCC give their view on the effect on invertebrate assemblages in Compartment 5.</p>
	Response	<p>SCC defers to Natural England’s expertise in relation to the assessment of impacts on invertebrates, but we would like to note our concern that the impacts arising from the direct loss of habitats in Compartment 5 have not been fully mitigated. [APP-224] para. 14.8.66 and Table 14.16 refer to reinstatement of coastal habitats following the construction of the HCDF, however as set out in our answers to questions BIO.1.32 and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>BIO.1.81 we have significant concerns about the likely success and longevity of these habitats and therefore their ability to support the invertebrate assemblage currently present in Compartment</p> <p>It is SCC's understanding that NE are currently consulting with invertebrate specialists and we are, of course, interested in their findings.</p>
Bio.1.90	The Applicant, Natural England, SCC	<p>[APP-224]- paras 14.8.70 – discussion in Table 14.16. The residual effects of lighting on Compartment 5 – the shingle beach - are said to be discussed in Table 14.16. However the ExA reads only six words stating that no additional mitigation is required and that the effect remains minor adverse not significant. This is similar at para 14.8.31 in relation to Compartment 1, 14.8.39 re Compartment 2, 14.8.90 re Compartment 13 and elsewhere. Please will the Applicant explain why the ExA is referred to this? Nothing additional is proposed. It appears that there is nothing to be done, which does not necessarily rule out the grant of a DCO. Please will NE and SCC state what they consider is required, if anything and whether that is a pre-condition for a DCO.</p>
	Response	<p>SCC's understanding is that the Applicant's assessment has concluded that the even with the implementation of all reasonable, available mitigation measures, incidental mortality of species through nocturnal lighting cannot be reduced to negligible but that the residual effect is considered to be Minor Adverse, Not Significant. Other than controls over the type, location and timing of use of lighting (all of which can be implemented through the relevant Lighting Management Plan), we are not aware of any other direct mitigation measures which could be implemented to reduce the residual impact further.</p> <p>SCC would defer to Natural England's expertise in relation to the assessment of impacts on invertebrates, but we would stress the importance of commencing any additional necessary mitigation works as soon as possible in order to reduce negative impacts and not to wait until the post construction phase.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.91	The Applicant	[APP-224] para 14.8.73. This refers to Table 0.16. Presumably that is a misprint for Table 14.16 but please confirm or give the Examination Library reference to the correct document.
	Response	
Bio.1.92	The Applicant	[APP-224] para 14.8.98 – Mitigation during construction (section D.a.a). This states that there will be significant moderate adverse effects on not only Compartment 1 but also 2 and 4a through loss of habitat. However section C.a.b dealing with Compt 2 states the effect is minor adverse, not significant. And section C.a.d dealing with Compt 4a also concludes minor adverse, not significant. Which is it to be? See also Tables 14.16 and 14.17. Please will the Applicant state what adjustments need to be made to sections C.a.b; C.a.d; D.a.a and to Tables 14.16 and 14.17. Please will the Applicant also review the whole of [APP-224] for other inconsistencies in assessment conclusions and either confirm there are none, or list and correct them. Matters such as these go to reliability.
	Response	
Bio.1.93	The Applicant, Natural England	[APP-224] paras 14.8.102 and 103, monitoring during operation. What is to happen if the assemblages do not become established to the appropriate extent? Where is that secured? Please will NE state whether they are content with the proposals.
	Response	
The next set of questions addresses fish, section 14.9.		
Bio.1.94	The Applicant	[APP-224] para 14.9.8 is part of the explanation for scoping out impacts on fish. It states that fish passes will be in line with the Eels Regulations “as demonstrated in the Eels Regulations Screening Report. There is no document number for that report and the only eels specific document in the examination library is Appx 220 – Eels Regulations Compliance Assessment [APP-332]. Are they one and the same document? If so please

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		will the Applicant point the ExA to the relevant parts and paragraphs. If not, please clarify.
	Response	
The next set of questions addresses amphibians, section 14.10.		
Bio.1.95	The Applicant	<p>[APP-224] – para 14.10.32, re natterjack toads. This refers the reader to a “natterjack toad mitigation strategy (Appendix 14C7A of this volume) as well as a draft Natural England European Protected Species licence (Appendix 14C7B of this volume)”. These are listed in the Examination Library as [APP-262] and [APP-263] respectively.</p> <p>Those however appear to be two identical set of Figures relating to natterjack toads but which are not a strategy nor a draft licence. Please will the Applicant clarify and point the ExA to where the documents referred to in para 14.1.32 may be found in the Application documents. Para 14.10.42 also refers to the strategy and licence. The Applicant will appreciate that the SofS requires the ExA to report on whether there is an impediment to such licenses being granted subsequently by Natural England.</p>
	Response	
Bio.1.96	The Applicant, Natural England	<p>[APP-224] – para 14.10.37. Botanical modelling. Is NE satisfied with the modelling proposed, for both flood risk and vegetation changes? Please will the Applicant indicate where this is secured.</p>
	Response	
Bio.1.97	The Applicant, Natural England	<p>[APP-224] – para 14.10.44 – natterjack toad monitoring programme. Where is this secured? For how long will monitoring continue? Is NE content the period is appropriate?</p>
	Response	
The next set of questions addresses reptiles, section 14.11.		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.98	The Applicant, Natural England	<p>[APP-224] – para 14.11.23. This paragraph and e.g. 14.11.34 refer to a Reptile Mitigation Strategy at Appendix 14C2, which is [APP-255], a set of figures.</p> <p>Please will the Applicant explain the strategy and how it is secured. Please will NE comment whether they are satisfied with [APP-255] as a suitable strategy.</p>
Bio.1.99	The Applicant, Natural England	<p>[APP-224] – para 14.11.30. Given that in the baseline the adder is described as “most under threat in the UK particularly from habitat loss and isolation of populations” (para 14.11.8) and that all four species (adder, grass snake, lizard and slow worm) are protected under Sch 5 WCA 1981 and s.41 NERC Act 2008 (para 14.11.9), and that the site and its Zoi constitutes a “Key Reptile Site” (para 14.11.10), and also the statement at para 14.11.28 that for adders “Inbreeding can make them genetically vulnerable to environmental change and disease so linking habitats is crucial to their conservation” the ExA notes the conclusion at para 14.11.30 that “Overall, it is difficult to accurately quantify the magnitude of this impact given the temporary impact on dispersal to the north from the construction site is off-set by increased connectivity to the south and south-west from the habitat creation. <i>Habitat fragmentation is considered to have a low impact on the reptile assemblage, resulting in a minor adverse effect, which is considered to be not significant</i>” (emphasis added).</p> <p>Please can the Applicant explain. Please will Natural England also comment and state their view of the significance and importance of any issues, such as Sch 5 WCA and s.41 NERC Act 2006. Will the gene pool in the to be created reptile habitat to the south of the site (para 14.11.29, summary of primary mitigation) be different?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.100	The Applicant, Natural England	[APP-224] para 14.11.47. This refers to enhancement and states that due to the primary mitigation in general, no additional enhancement is proposed. Bearing in mind ss.40 and 41(3) of NERC Act 2006 and s.28G W&C Act 1981 please will the Applicant and NE both comment on the appropriateness of no additional enhancement.
	Response	
Bio.1.101	The Applicant	[APP-224] – para 14.11.49. Please explain where the monitoring is secured, actions to be taken, triggers and criteria for action.
	Response	
The next set of questions addresses ornithology, section 14.12.		
Bio.1.102	The Applicant	[APP-224] – para 14.12.3 refers to Annex A14A2.1. The ExA cannot find such an annex. Is this a misprint for Annex 14A2.1 [APP-228]? The ExA is proceeding on the assumption that it is.
	Response	
Bio.1.103	The Applicant, Natural England	[APP-224] – Table 14.24. The penultimate row refers to: Zone of Physical Change – a 2 km area around site. Displacement Zone – an 8 km area around site. Buffer Zone – an 8 km area around settlements within the Displacement Zone. Please will the Applicant confirm that the Zones have <i>radii</i> of 2, 8 and 8 kms. Or are they zones of 2, 8 and 8 square kms? In either case, where are they shown? Please will NE comment on which is appropriate in their view.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.104	The Applicant	<p>(a) [APP-224] para 14.12 .17 clarifying inter-relationship with the HRA assessment refers to asterisks in table 14.24 against species. Species and asterisks are shown not in table 14.24 but in 14.25. Please confirm that the reference should be to 14.25, or if not please explain where. This is also relevant to para 14.12.169 where there are similar references to asterisks, this time in 14.25 so presumably correctly.</p> <p>(b) Please also clarify the references to Tables 23 and 25 in the paragraph. Which should they be?</p> <p>(c) What is the purpose of identifying the species which have also been assessed through HRA?</p>
	Response	
Bio.1.105	The Applicant	<p>Table 14.26, Marsh harrier.</p> <p>The summaries of both the HRA and the EIA conclusions say the compensatory habitats <i>have</i> (past tense) been established. The ExA's understanding is that there is one habitat established – Aldhurst Farm – and that compensatory habitats are <i>proposed</i>. Please will the Applicant clarify.</p>
	Response	
Bio.1.106	The Applicant	<p>[APP-224] para 14.12.23 – last sentence. Should “e.g.” be “i.e.” or is this drawing attention to the existence of marsh harrier foraging areas outside the Minsmere South Levels and Sizewell Marshes? The same point arises in para 14.12.24.</p>
	Response	
Bio.1.107	The Applicant	<p>[APP-224] para 14.12.24.</p> <p>Is the 1.2ha of wet reedbed habitat creation planned within the north of “the site” the additional marsh harrier foraging proposed within Aldhurst Farm? This point occurs elsewhere, for example at para 14.12.33.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.108	The Applicant, Natural England	<p>[APP-224] paras 14.12.25 and 14.12.39; also paragraph 14.12.166. Marsh harrier.</p> <p>(a) Notwithstanding the provision of habitat referred to in para 14.12.24, and the conclusion of no significant effect in para 14.12.25 the Applicant proposes further marsh harrier foraging habitat at Westleton. What is the effect on the assessment of effect at para 14.12.25 and why has it been omitted? Please will NE also comment.</p> <p>(b) When we get to para 14.12.39 and the discussion of wintering marsh harrier, additional marsh harrier habitat is described, but evidently not the habitat at Westleton. Please will the Applicant clarify what is being referred to and why it is not referred to at para 14.12.25.</p> <p>(c) Please will the Applicant set out a short statement of the totality of new marsh harrier habitats already created, or to be created with cross-references to the paragraphs of Chapter 14 [APP-224] where they are referred to and a conclusion as to their function and result in mitigating effects. This should deal with conclusions not only under EIA but also under HRA.</p> <p>(d) When we get to inter-relationship effects from construction at paragraph 14.12.166 the report states: <i>"The main interrelationship effect identified is that some of the habitat creation that has already been undertaken or is in the process of being undertaken may be compromised initially by noise disturbance during the first two phases of the construction programme. This may prevent usage by breeding and foraging bird species temporarily for the first two to three years of construction"</i>. Whilst this is concluded to be a minor adverse not significant effect, please will the Applicant spell out the reasoning in relation to the marsh harrier.</p>
	Response	
Bio.1.109	The Applicant	<p>[APP-224] para 14.12.79 – noise etc effects on the bittern.</p> <p>This paragraph, unlike others on different birds, does not conclude in the effect of noise and visual disturbance. Please will the Applicant explain and state the conclusion.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.110	The Applicant, Natural England	<p>[APP-224] para 14.12.91.</p> <p>(a) marsh harrier - effects of noise and visual disturbance are stated to “conceivably affect the overall breeding productivity”. Please will the Applicant explain whether this is a significant effect; if so, how significant; and any mitigation (primary, secondary or tertiary) which is proposed.</p> <p>(b) The ExA notes para 14.12.100 where measures to alleviate a significant moderate adverse effect on breeding marsh harrier are described, leading to the conclusion that there is a minor adverse non-significant effect. Is the ExA correct to conclude this is the statement and mitigation in question?</p> <p>(c) In that paragraph it is noted that NE confirmed in August 2015 that the mitigation was “likely to be acceptable “in principle”” subject to it providing appropriate prey abundance. Is Natural England now able to remove the caveat of “in principle” and is it satisfied the prey will be adequately abundant?</p> <p>(d) The paragraph refers the reader to “e.g. see Figure 14B2.1 and Ornithology Synthesis Report Appendix B2” which is [APP-251]. The ExA cannot find any document with “Figures 14B” in its title (unlike [APP-249] which includes “Figures 14A”).</p> <p>However, the Ornithology Synthesis Report Appendix B2 has an integral set of appendices which include Appendix 14B2.1 in which (notwithstanding that the contents section of Appendix 14B2 states that there are no Figures provided) Figures - including a Figure 14B2.1 – can be found. It shows a “harrier habitat improvement area”. Please can the Applicant confirm that (a) that is the Figure 14B2.1 being referred to at para 14.12.100 and (b) that it is an area for the marsh harrier (as opposed to the hen harrier).</p>
	Response	
Bio.1.111	The Applicant	[APP-224] para 14.12.111 – effects on the red-throated diver in the Outer Thames Estuary SPA.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		This records that "underwater noise disturbance during construction (and as assumed for decommissioning) and the extent of their effects on the fish prey of red-throated divers are detailed as for the Minsmere-Walberswick SPA above". However, no effects for red-throated diver are recorded in the section on the Minsmere-Walberswick SPA. Please will the Applicant clarify the effects.
	Response	
Bio.1.112	The Applicant	[APP-224] para 14.12.169 concludes " <i>Table 14.26 then provides a summary of the HRA conclusions for all IEFs identified in Table 14.30, potential disturbance/ displacement impacts during operation are considered to be of low magnitude which would result in a minor positive effect, which is considered to be not significant</i> ". Please will the Applicant concisely explain how it reaches this conclusion. The effects at Table 14.26 are all negative.
	Response	
Bio.1.113	The Applicant	[APP-224] – para 14.12.177 – operational effects of disturbance /displacement on "other IEFs". Whilst the previous para gives a conclusion for these effects on European sites, the ExA cannot see a conclusion in relation to these "other IEFs". Please could the Applicant state what it is.
	Response	
The next set of questions address bats on the Main Site, section 14.13 of [APP-224]		
Bio.1.114	The Applicant	Bat habitat creation – para 14.13.41. This refers the reader to Appendix 14C1A for the location of the mitigation for the barbastelle. For clarity, is this to be found on Figure 14C1A.12 (of the 14 drawings at [APP-253])?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.115	The Applicant	Noise levels, Barbastelle – para 14.13.88 – adopting 65dB as the level for foraging impacts. Is this at 8 kHz? If not, please will the Applicant explain.
	Response	
Bio.1.116	The Applicant	Noise levels and roosts, barbastelle – Table 14.40 and para 14.13.95. The table uses 60dB as the threshold, but para 14.13.95 uses 65dB. Which is correct please and will the Applicant explain why.
	Response	
Bio.1.117	The Applicant	Table 13.33, para 14.12.104. Please confirm that GRR is Green Rail Route – or otherwise.
	Response	
Bio.1.118	The Applicant	Para 14.13.117 – “barbastelle is more commonly considered to be a light-adverse species” – “light-averse” presumably?
	Response	
Bio.1.119	The Applicant	Para 14.13.121. (a) predicting the impacts from lighting with proposed mitigation. It is stated that this cannot be done accurately and that monitoring is proposed. Will the Applicant please comment on the appropriateness of this in the light of the case law in <i>R v Cornwall County Council ex parte Hardy</i> (2001) Env LR 473 and subsequent cases including <i>R (on the application of PPG11 Ltd) v Dorset County Council</i> [2003] EWHC 1311, <i>R v Rochdale Metropolitan Council (ex parte Milne)</i> [2001] Env LR 22. The ExA would find it helpful if the Applicant would also comment on the remarks of the Examining Authority on this subject in the recommendation report on the Northampton Gateway NSIP - TR050006 - (largely at paras 11.4.20 and following). (b) Para 14.13.140 concludes, despite this uncertainty, that “Overall, once mitigation is applied, the impact of lighting on the barbastelle population would have a minor adverse
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>effect which is considered to be not significant". How is this conclusion justified in the light of para 14.12.121?</p> <p>(c) There is a similar point at paras 14.13.223 – 225</p> <p>(d) The point occurs again at para 14.14.69 in relation to water voles, which states that a monitoring programme "would be required for water vole to determine any long-term impact on the water vole populations, to assess the effectiveness of the mitigation and to inform any changes that may be required to the management of habitats".</p> <p>(e) When dealing with (c) and (d) the Applicant should please address the questions asked at (a) and (b) to the specific factual circumstances and differences in (c) and (d).</p>
	Response	
Bio.1.120	The Applicant	<p>Natterer's bat, disturbance from noise – para 14.13.172.</p> <p>The Applicant states that "<i>Impacts from these works are discussed in the ES chapter relating to this component of the works (ES (Doc Ref. Book 6) Volume 9 Chapter 6.10: Noise and Vibration)</i>". Please will the Applicant submit a concise note summarising the case made there, with cross-references to the appropriate paragraphs. The ExA draws to the Applicant's attention that Vol 9 relates to Rail and that Chapter 6 [APP-551] is entitled Landscape and Visual.</p>
	Response	
Bio.1.121	The Applicant	<p>Leisler's bat and Nathusius' pipistrelle.</p> <p>Para 14.13.248, mitigation at Aldhurst Fm and Sizewell Gap. Should the references to Natterer's Bat be to Leisler's bat and Nathusius' pipistrelle?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Para 14.13.440 has a similar issue – Natterer should read Daubenton the ExA presume, but please confirm.
	Response	
Bio.1.122	The Applicant	Para 14.13.287 refers to roosts already created and to be created. Please explain how and where the provision and maintenance is secured.
	Response	
Bio.1.123	The Applicant	Para 14.13.467. In [[APP-224] this para is headed “Inter-relationship effects”. However, in [AS-033] which is revision 2, the version with lettered headings, the equivalent paragraph is 14.13.472. Five additional paragraphs appear to have been inserted or there is a numbering jump. Please will the Applicant explain what has happened and identify the additional paragraphs or where the jump occurs as the case may be.
	Response	
Bio.1.124	The Applicant	Para 14.13.470 on inter-relationship effects contains the following somewhat Delphic assessment: <i>“However, it is possible to state that when increased levels of task-specific lighting do correlate with higher noise levels, these events are likely to be of short duration relative to the construction period and are unlikely to be more significant than either impact pathway in isolation”</i> . Please will the Applicant state unequivocally its view on the likelihood and significance of the impact.
	Response	
Bio.1.125	The Applicant	Bats, operation, monitoring. Para 14.13.515 explains that <i>“If bat boxes have not been occupied within three years of installation, consideration would be given to moving them to alternative sites nearby, to be determined by a</i>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<i>licensed bat ecologist</i> . Please explain where this is secured, the objectivity of the assessment and the enforcement of the result of the "consideration".
	Response	
Part 3 -Biodiversity and ecology (terrestrial) - Northern Park and Ride		
Bio.1.126	The Applicant	[APP-363] – para 7.4.20 states that the four common species of reptile recorded as potentially within the site are on the list referred to in s.41 of the NERC Act. What steps should the SofS take to further their conservation under s.41(3)(a)? This question applies to all other living organisms and habitat types to which the s.41(3) duty applies and which are identified as such by this chapter of the ES (such a number of species of bat in para 7.4.29).
	Response	
Bio.1.127	The Applicant	[APP-363] paras 7.6.70 and 7.6.77. These assert that the reinstatement of the land to agricultural use will restore connectivity of newt habitats. However, the construction period is about 9-12 years – see para 7.6.13. Will be any newts present after such a long construction period, or if so, in what state? Please will the Applicant summarise the position and point the ExA to the relevant parts of the ES which address it.
	Response	
Part 4- Biodiversity and ecology (terrestrial) – Southern Park and Ride		
Bio.1.128	The Applicant	[APP-394] (the ES Chapter for the Southern Park and Ride) Table 7.1. This refers to the Northern Park and Ride at Darsham. It seems obvious that the reference should be to the Southern Park and Ride at Wickham Market. Please will the Applicant check and confirm whether wherever Northern Park and Ride appears in this document it

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		should read Southern Park and Ride, and Darsham should read Wickham Market. Please specifically list any exceptions.
	Response	
Bio.1.129	The Applicant	[APP-394] – Table 7.3, second row, what is the missing word in the second line which currently reads “proposed sites appear to be -based. Local wildlife”?
	Response	
Bio.1.130	The Applicant	[APP-394] – Table 7.4. Please confirm that the only reason for no Survey Area in relation to statutory and non-statutory designated sites within 5 / 2 kms is that there are none (or otherwise if that is not the case). At least one non-statutorily designated site however is within 430 metres (see Table 7.10 first row).
	Response	
Bio.1.131	The Applicant	[APP-394] – para 7.4.23 states that a number of bat species recorded as potentially within the site are on the list referred to in s.41 of the NERC Act. What steps should the SofS take to further their conservation under s.41(3)(a)? This question applies to all other living organisms and habitat types to which the s.41(3) duty applies and which are identified as such by this chapter of the ES.
	Response	
Bio.1.132	The Applicant	In the changed scheme, the updated ES [AS-183] at para 4.2.7 says the bund will be doubled in length. At para 4.6.2 the assessment states that the assessment of effects does not change. Please will the Applicant explain and justify this. Will not a doubling of the length of a three metre high bund affect habitats?
	Response	

Part 5- Biodiversity and ecology (terrestrial) - Two Village Bypass

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.133	The Applicant	[APP-425] – Table 7.3 – consultation responses, RSPB, 23 Sept 2019. Please will the Applicant set out a specific response to each of the points raised by the RSPB.
	Response	
Bio.1.134	The Applicant, Natural England	[APP-425] – para 7.4.7 – baseline description. Is it correct to say that Foxburrow Wood CWS is a site of international importance under CIEEM / high importance under EIA-specific methodology? Please explain why, if it is.
	Response	
Bio.1.135	The Applicant, Natural England	[APP-425] – para 7.4.45 – this states: “... numerous recent water vole field signs, including burrows, droppings, latrines and feeding signs were found along the River Alde and a connected ditch to the north of the River Alde within the site, indicative of a low population within this length of the River Alde ...”. Please will the Applicant explain how this is indicative of “low population”. NE may also wish to comment or help.
	Response	
Bio.1.136	The Applicant	[APP-425] – paras 7.6.8 and 7.6.24. (a) Please will the Applicant list the paragraphs of the CoCP which provide protection against changes in water quality to the River Alde and the Alde-Orr Estuary SPA, SAC, Ramsar and SSSI. (b) Where are the additional measures such as equipment and materials storage restrictions found and secured?
	Response	
Bio.1.137	The Applicant	[APP-425] – para 7.6.10. Foxburrow Wood. This paragraph states that the wood has been scoped out. At Table 7.10 it was scoped in. Please would the Applicant explain.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.138	The Applicant	[APP-425] – para 7.6.18 – hedgerows, habitat loss and fragmentation. A number of RRs have made the point that the replacements for hedgerows to be lost are along the roadside, and thus of a different type. Please will the Applicant comment on this and whether it affects the assessment as not significant.
	Response	
Bio.1.139	The Applicant	[APP-425] – para 7.6.30. Please will the Applicant clarify; is the embankment referred to here the structure supporting the road? In other words, is the road a causeway at this point?
	Response	
Bio.1.140	The Applicant	[APP-425] – para 7.6.33 – floodplain grassland, habitat loss and fragmentation. Whilst this para addresses habitat loss it does not appear to address fragmentation. Please will the Applicant explain where that assessment is to be found (and briefly summarise it)?
	Response	
Bio.1.141	The Applicant	[APP-425] – para 7.6.43. Please will the Applicant explain how construction impacts on the River Alde invertebrates habitat will be avoided due to the construction of the bridge.
	Response	
Bio.1.142	The Applicant, SCC, Natural England	[APP-425] – paras 7.6.131 & 132 – lowland mixed deciduous woodland fragmentation. These paragraphs suggest fragmentation is offset by more planting. Does not the location of the planting play an equal or greater role? Please comment and state where the new planting is located and any change in the assessment of effects, referring to Figures in the ES (and of course their EL numbers).
	Response	The ExA are correct in identifying that new planting will only address fragmentation impacts if it is located in the correct location(s). Whilst to a degree the new planting proposed (as shown in Figures 2.1 to 2.4 in Volume 5 Two Village Bypass Chapter 2 Description of Two Village Bypass Figures 2.1 - 2.6 [APP-413]) will help reduce

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>fragmentation related impacts, we do not consider that it will directly replace the connectivity which will be lost. As shown on the drawings, the planting will largely follow the new road corridor and will therefore mostly be perpendicular to the existing woodland and hedgerow that will be lost. Therefore, whilst the total amount of planting is greater than that proposed to be lost, it will not necessarily provide the same connectivity as is currently present in the landscape (e.g., between Foxburrow Wood CWS and Pond Wood CWS and at Whin Covert). Such loss of connectivity would be potentially particularly significant for bats (see also SCC's answer to BIO.1.144) and other non-flying terrestrial protected and/or UK Priority mammal species such as badger and hedgehog.</p> <p>The loss of and fragmentation of ecological connectivity constitutes one of the important negative impacts upon biodiversity. This also emphasises the importance of on-going monitoring and robust management decision-making abilities of any future Ecology Working Group and Environmental Review Group.</p>
Bio.1.143	The Applicant	<p>[APP-425] – para 7.6.141.</p> <p>Please will the Applicant spell out what is being said here and give the paragraph references to where the information may be found.</p>
	Response	
Bio.1.144	The Applicant, Natural England, SCC	<p>[APP-425] – para 7.6.154 – habitat loss and fragmentation, bats.</p> <p>Road crossing points for bats are mentioned. It has been widely reported that the bat hop-overs (which are often said to resemble 11kv transmission lines) on the A11 near Thetford are ineffective. Please will the Applicant point the ExA to where in the ES the measures are described and any evidence in the ES of their demonstrable success elsewhere. Is the “not significant” assessment justified?</p>
	Response	<p>SCC's understanding is that the proposed 'bat hop overs' would take the form of allowing canopy vegetation to close over the road rather than being physical structures. This is described in paragraph 7.6.154 of [APP-425]. We do not consider that relying on vegetation growth in this way as mitigation for the loss of connectivity for bats is acceptable (particularly given the time it would take for trees to grow to such a size) and it does not seem practical (or safe) from a highway perspective either. It therefore seems</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>unlikely to be sufficient to maintain the required landscape connectivity and justify the "Not Significant" ES conclusion.</p> <p>As recognised by the ExA the available evidence on the use of bat gantries (which are often structures with strung wires across the carriageway) suggests that they are unlikely to be a successful mitigation measure (details on studies supporting this conclusion are available here: https://www.conservationevidence.com/actions/978 (accessed 07/05/2021)). SCC considers that better connectivity for bats across the carriageway would be achieved by construction of the proposed footbridge as a 'green bridge' which would include vegetation planting both on the bridge itself and connected to existing vegetation corridors at each end (including linking to Foxburrow Wood CWS). Whilst we acknowledge that the published evidence of the use of green bridges by bats is limited (details available here: https://www.conservationevidence.com/actions/979 (accessed 07/05/2021)), nevertheless we consider it to be much more likely to be successful mitigation than bat gantry type structures.</p>
Bio.1.145	The Applicant	<p>[APP-425] – para 7.7.8 – monitoring and bat boxes.</p> <p>This paragraph states: "<i>If bat boxes have not been occupied by year 5 following installation, consideration would be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist</i>". It is one of a number of examples where the following questions arise:</p> <ul style="list-style-type: none"> (i) where is this secured? (ii) what are the criteria? (iii) how are disputes settled? (iv) what happens if the boxes are not occupied in their new locations. <p>Please will the Applicant address these questions for each place where these proposals are made in the ES and Application documentation.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.146	The Applicant	<p>[AS-184] section 5.2 describes the need for a new temporary contractor compound and its indicative location. A constraint on its location is the worst-case flood scenario (para 5.2.9).</p> <p>Please will the Applicant:</p> <p>(a) Explain the mechanism in the DCO for determining the location of the compound and the haul route (which is to avoid existing trees on the eastern margin of the field to house the compound - para 5.2.10), and</p> <p>(b) identify which are the relevant provisions of the DCO for this determination.</p> <p>This change is apparently not assessed in the terrestrial ecology section (5.6) of [AS-184] – see para 5.6.5, nor in the cumulative assessment [AS-189]. Please will the Applicant clarify why this is the case.</p>
	Response	
Bio.1.147	The Applicant	<p>[AS-184] Similarly, at section 5.2 b)i)c), paras 5.2.27 and following, additional floodplain mitigation is described.</p> <p>Bearing in mind the statement at para 5.2.29 that the original ES stated that there was no significant effect on floodplain grasslands, and the tests for requirements in a DCO please will the Applicant indicate how the changes are incorporated and secured in the DCO.</p> <p>Please will Natural England, ESC and SCC explain the justification for their incorporation bearing in mind the same matters.</p>
	Response	<p>As set out in paragraph 8.119 of the Local Impact Report [REP1-049], SCC welcomes that the impact of the loss of this habitat is now fully acknowledged in the Environmental Statement. Flood plain grazing marsh is a UK Priority habitat under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) and therefore impacts on it must be appropriately addressed following the mitigation hierarchy. However, we remain concerned that whilst the mitigation proposed could result in a qualitative improvement in the remaining flood plain grazing marsh habitat, there will still be a net loss of area of this habitat type. As set out in LIR paragraph 8.111, we are also concerned that whilst it is proposed to secure this qualitative improvement through a Landscape and</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Ecology Management Plan (LEMP), no such document has yet been submitted into the examination and therefore interested parties are not able to comment on it in more detail.
Bio.1.148	The Applicant	At [AS-184] section d)i), para 5.6.8 it is said that various protective measures for retained trees "would be" taken. Please will the Applicant (a) clarify where these are secured (b) indicate what the powers of the supervising trained arboriculturalist for example in the cases of clashes with the contractual timetable in construction contracts. Which will prevail?
	Response	
Bio.1.149	The Applicant, Natural England, SCC and ESC and Highways England	[AS-263] (Two village by-pass oLEMP "TVB oLEMP") para 1.1.6 – this says the oLEMP and LEMP will be "managed by SZC Co for a total of five years or until adoption by the Highways Authority". Presumably the ExA should read Undertaker for SZC Co but please will the Applicant confirm. Please specify from when the five years commences. Is the proposed period the longer of five years or date of adoption? If not, please will the Applicant explain why it is acceptable to cease management prior to adoption. Is the reference to adoption to be construed as adoption of the bypass? What is to occur in the (presumably highly unlikely but, under a normal s.38 agreement, possible) refusal to adopt. Please will Natural England, SCC, Highways England and ESC also comment.
	Response	SCC as Local Highway Authority has on occasion reached an agreement with applicants that a management/maintenance period for landscaping commences on completion and lasts for five years irrespective of the date of adoption as part of the highway maintainable at public expense. This can either be through the Highways Act (1980) s278 / s38 agreement or a licence through Section 142 of the same act. See https://www.legislation.gov.uk/ukpga/1980/66/contents
Bio.1.150	The Applicant	[AS-263] – TVB OLEMP – para 4 .1.2 states that where possible Foxburrow Wood, Pond Wood and Nuttery Belt would be retained.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please will the Applicant clarify whether the Application and DCO (a) propose or (b) permit the removal of those features.
Bio.1.151	The Applicant	[AS-263] – TVB OLEMP -Table 6.1. This identifies various actions which include “thresholds identified for section 41 of the NERC Act / Suffolk Biodiversity Action Plan”. The ExA cannot see any reference to threshold setting in s.41 of the NERC Act. Please can the Applicant clarify what is being proposed.
Bio.1.152	The Applicant	<p>[AS-263] – TVB OLEMP.</p> <p>Tables 5.1 and 5.2 set out outline management proposals, listing various operations and actions. Various words and phrases of intent are used to specify what is to be done. For example they include: “shall monitor” (Line W1); “would use (line WC1); “should develop” (line WC2); “should not be used” (Line BW3); “tree guards will be used” (Line ST1); “are to be monitored” (line H1).</p> <p>“Would”, “should” and “will” are expressions of hope rather than imperatives which must be followed. They are words which convey a sense of uncertainty. “Are to be” may only be an expression of current intent. “Shall” has been regarded as an imperative but current Parliamentary (and statutory instrument) drafting favours “must”.</p> <p>The ExA appreciates that the oLEMP is not a statutory document (though they also observe that it is incorporated by reference into the DCO) and that the standards of Parliamentary drafting may not normally be imported, in much the same way as the approach to committee reports and Inspectors’ reports.</p> <p>However, please will the Applicant confirm that these words are intended to be interpreted as imperatives to be met and observed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Part 6 - Biodiversity and ecology (terrestrial) - Sizewell Link Road		
Bio.1.153	The Applicant	<p>[APP-445] (Volume 6 Sizewell Link Road Chapter 1 Introduction Figures 1.1 - 1.4) – Figure 1.4.</p> <p>Where, in this figure, is the SPA?</p> <p>The key has a marking, namely diagonal downward L>R ochre hatching but there is no such hatching on the figure. No other figures in this document have this in the key.</p>
	Response	
Bio.1.154	The Applicant	<p>[APP-461] – para 7.5.4 third bullet, fourth tirt.</p> <p>Should the reference be to the East Suffolk Line?</p> <p>Ninth bullet – reads: "<i>Crossing points (bat hop-overs) to facilitate the passage of bats across the road alignment have been incorporated in the design where foraging or commuting routes have been identified</i>".</p> <p>What is the evidence for the success of these facilities? It has been widely reported that the bat hop-overs (which resemble 11kv transmission lines) on the A11 near Thetford are ineffective. See e.g. https://www.bbc.com/news/uk-england-34605886</p> <p>What measures are to be used on the SLR and what evidence is there of success elsewhere?</p> <p>Please will the Applicant comment and explain why the measures proposed are likely to be successful. Is a "not significant" effect assessment justified?</p>
	Response	
Bio.1.155	The Applicant	<p>[APP-461] Para 7.5.10 – this, in relation to tertiary mitigation, states: "<i>Where feasible, works would be undertaken outside of all tree and hedgerow root protection zones</i>". How</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		is this a legal requirement? It is evidently not in the CoCP. In these circumstances, how is it (a) tertiary mitigation and (b) secured?
	Response	
Bio.1.156	The Applicant	[APP-461] – para 7.6.11 says that " <i>Overall, given the primary mitigation measures, habitat loss would result in a temporary, reversible, minor adverse effect, which is considered to be not significant</i> ". However it is said earlier (para 7.6.8) that 67% of the woodland within the site will be lost permanently. (a) Please will the Applicant state where the new tree planting of 13 ha of woodland is secured and whether the 13 ha is entirely to offset the loss of 0.41ha and 0.17 ha (b) Notwithstanding that 67% is only 0.41 ha, is the conclusion at para 7.6.11 tenable? Please will the Applicant explain how it reaches the conclusion that the loss of 67% of the lowland mixed deciduous woodland is not significant and specifically consider and state whether this affects the conclusion at para 7.6.11, and in what way.
	Response	
Bio.1.157	The Applicant	[APP-461] – paras 7.6.12 – 16. Hedgerows, habitat loss and fragmentation. A number of RRs have made the point that the replacements for hedgerows to be lost are along the roadside, and thus of a different type. Please will the Applicant comment on this and whether it affects the assessment as not significant.
	Response	
Bio.1.158	The Applicant	[APP-461] – para 7.6.56. This states: " <i>Primary mitigation measures such as close-boarded fencing adjacent to woodlands during construction would help mitigate the noise impact to habitats which could be used by breeding birds</i> ". Please will the Applicant explain where this is to be found and secured as Primary mitigation.
	Response	
Bio.1.159	The Applicant	[APP-461] – para 7.6.100.

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		Please see the question on the Two village bypass [APP-425] – para 7.6.129.
	Response	
Bio.1.160	The Applicant	<p>[APP-461] In para 7.6.101 it is said that <i>"Given the primary mitigation detailed within section 5.5 of Chapter 5 of this volume, the overall impact of air quality on lowland mixed deciduous woodland would be a minor adverse effect, which is considered to be not significant."</i></p> <p>Section 5.5 of Ch 5 (Air Quality reads as follows: <i>"Primary mitigation for the proposed development includes:</i></p> <ul style="list-style-type: none"> • <i>The proposed alignment of the Sizewell link road would offer road users an alternative route for the B1122, reducing traffic flows within Middleton Moor, Middleton and Theberton during both the peak construction of the Sizewell C Project and upon completion of the power station.</i> • <i>The site boundary has been designed to avoid sensitive receptors and increase distance of construction works and the proposed development where reasonably practicable."</i> <p>Please will the Applicant explain which of these two elements of primary mitigation it is referring to and how that leads to the conclusion that the impact on lowland mixed deciduous is minor adverse? Given that 95% of the area of woodlands in the UK is already above the nitrogen critical load and 50% of unmanaged woodlands are above the critical load for acidity (see paras 7.6.99 and 100), is it really insignificant to inflict further load, or to inflict that load on woodland not currently affected?</p>
	Response	
Bio.1.161	The Applicant	<p>[APP-461] Para 7.6.104.</p> <p>It is said that there will be 17,619m of hedgerow planting. Please confirm this is not all new and includes the 3,730 of unaffected hedgerow referred to at para 7.6.111.</p>
	Response	
Bio.1.162	The Applicant	[APP-461] – para 7.6.128.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The sentence containing the conclusion on inter-relationship effects is incomplete. Please could the Applicant supply the missing words.
Bio.1.163	The Applicant	<p>[AS-185] section 6.2 describes the need for new temporary contractor compounds and their "likely" location (see paras 6.2.4; 6.2.5 and 6.2.6).</p> <p>(i) Please will the Applicant (a) explain the mechanism in the DCO for determining the location of the compounds (b) identify which are the relevant provisions of the DCO for this determination.</p> <p>(ii) This change is apparently not assessed in the terrestrial ecology section of [AS-185] – see para 6.2.11 and following, nor in the cumulative assessment [AS-189]. Please will the Applicant clarify why this is the case.</p>
Bio.1.164	The Applicant, Natural England, SCC and ESC	<p>[AS-264] (Sizewell Link Road oLEMP "SLR oLEMP") para 1.1.6 – this says the oLEMP and LEMP will be "managed by SZC Co for a total of five years or until adoption by the Highways Authority". Presumably the ExA should read Undertaker for SZC Co but please will the Applicant confirm. Please specify from when the five years commences. Is the proposed period the longer of five years or date of adoption? If not, please will the Applicant explain why it is acceptable to cease management prior to adoption. Is the reference to adoption to be construed as adoption of the bypass? What is to occur in the (presumably highly unlikely but, under a normal s.38 agreement, possible) refusal to adopt.</p> <p>Please will Natural England, SCC and ESC also comment.</p>
		<p>If the SLR is not adopted as highway maintainable at public expense the LHA would not adopt any landscaped areas. For response on maintenance see our response to BIO.1.149 above. Refer to the LIR [REF1-049] paras 16.70 on SCC's stance on the SLR.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.165	The Applicant	[AS-264] SLR oLEMP. Tables 5.1, 5.2 and in this case also 5.3. Please see the comment and question on the corresponding tables in the Two-village bypass oLEMP, [AS-263].
	Response	
Part 7 -Biodiversity and ecology (terrestrial) - Yoxford Roundabout		
Bio.1.166	The Applicant	[APP-494] para 7.4.65 – air quality and dust deposition. Please will the Applicant explain this paragraph. It appears to compare deposition of nitrogen with concentrations in the air. How does that give a conclusion on both deposition and concentration? The same point arises at para 7.4.89.
	Response	
Bio.1.167	The Applicant	[APP-494] para 7.4.80 – effects of water quality changes. This paragraph promises that drainage “would minimise” surface water run-off petrol / oil interceptors “where considered necessary”, “limit[ed] diffuse pollution” and therefore “very low risk of water quality impacts”. Minimise" however is not the same as prevent. How is it decided "Where [it is] considered necessary? "Limit[ed] diffuse pollution" -- what would the limit be and how would it be enforced? And without knowing the limit how can it be concluded "therefore there would be very low risk of water quality impacts to" the Minsmere to Walberswick Heaths and Marshes SPA, SAC, Ramsar Site, and SSSI? Please will the Applicant address these questions. Similar points arise in relation to paragraphs 7.4.84 and 95 (water quality changes local hydrology and hydrogeology). Please will the Applicant address those as well – mutatis mutandis.
	Response	
Part 8 - Biodiversity and ecology (terrestrial) - Freight Management Facility (“FMF”)		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.168	The Applicant	[APP-511] Description – para 2.4.11 states “ <i>It is anticipated that a temporary construction access point would be provided to the site off the A12 until construction of the site access road is completed. All vehicles accessing the construction site would be required to park within the site boundary to avoid congestion in the surrounding areas</i> ”. The site does not adjoin the A12 at any point. Please will the Applicant explain this statement.
	Response	
Bio.1.169	The Applicant	[APP-523] – Table 7.3. Commenting on Natural England’s reference to s.41 NERC Act the Applicant says “ <i>the site does not support deciduous woodland</i> ”. However, will the Applicant please say whether it supports any other s.41 habitats or organisms.
	Response	
Bio.1.170	The Applicant	[APP-523] – Table 7.4. Please will the Applicant explain why there is no Survey Area for the statutory and non-statutory designated sites.
	Response	
Bio.1.171	The Applicant	[APP-523] – para 7.5.6. This appears to state that all tertiary mitigation for the FMF is contained in the CoCP. Is that in fact the case?
	Response	
Bio.1.172	The Applicant, SCC, ESC	[APP-523] – para 7.5.7. Are the geo-cellular water storage structures properly described as Tertiary Mitigation? The ExA would like to receive submissions from the Applicant and the two host authorities on this and whether it matters. The Applicant sets considerable store on good design and providing Primary and Tertiary mitigation, and thus not needing to provide (and draw attention to) Secondary Mitigation. Tertiary Mitigation is the steps which are required regardless of EIA, due to legal requirements or standard sectoral best practices.
	Response	As the Lead Local Flood Authority, SCC would not consider these drainage features to be Tertiary mitigation as they would not be required due to other legislative requirements (at least in the context of flood and drainage matters within our remit). As far as we are

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>aware, the objectives towards which they contribute, namely the prevention of increased flood risk and the provision of pollution control, are matters of planning policy and not legislation external to the planning system.</p> <p>SCC would consider these measures to be Primary Mitigation measures, and we note that similar measures are listed under Primary Mitigation (paragraph 7.5.4) in the same chapter.</p>
Bio.1.173	The Applicant	<p>[APP-523] – para 7.5.10.</p> <p>This describes tree protection but in terms of hope (“should”) rather than requirement (“will”). In context however the ExA reads the paragraph as containing binding promises which the Applicant intends will be secured in the DCO or s.106 agreement. Please will the Applicant state where in those documents the promises are made good.</p>
	Response	
Bio.1.174	The Applicant	<p>[APP-523] – para 7.6.3 – operational effects, lighting.</p> <p>This states that “A Central Management System has been proposed for the lighting which would be capable of dimming of parts of the site independently ...”.</p> <p>Where is this secured?</p>
	Response	
Bio.1.175	The Applicant	<p>[APP-523] – para 7.6.4 – this states: <i>“Primary embedded mitigation (for example, use of light fittings chosen to limit stray light, and landscape bunds, see section 7.5 of this Chapter) would reduce the spillage of light ...”</i></p> <p>(i) Where is this secured?</p> <p>(ii) This might be thought to be a level of considerable detail for embedded mitigation. Please will the Applicant explain the scheme for securing embedded mitigation as a whole and how it reaches as far as this and similar details.</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
	Response	
Bio.1.176	The Applicant	[APP-461] – para 7.4.14. Please will the Applicant clarify what is meant in this paragraph. It may just be a question of typographical issues, but it does not currently appear to make sense. (Part of the paragraph reads as follows “ <i>There are also a number of seven ditches within the site. Ten of these...</i> ”)
	Response	
Part 9 - Biodiversity and ecology (terrestrial) - Rail		
Bio.1.177	The Applicant	[APP-555] Table 7.5, ZOI study area and survey areas. Footnote 2 reads “ <i>The survey area was where access was granted. Please note that access was granted for the rail extension route but not for the branch line upgrades.</i> ” Please explain how this has affected the ES of rail in relation to terrestrial ecology and ornithology. Similarly at para 7.3.39 no access was granted to Bratts Black House level crossing site, leaving only desk-study information.
	Response	
Bio.1.178	The Applicant	[APP-555] Para 7.4.17. The reader is referred to Figure 7.3 on Appx 7A of Vol 7 [APP-557] for the location of ponds. There are no ponds on Fig 7.3. Should the reference be to Fig 7.4?
	Response	
Bio.1.179	The Applicant	[APP-555] para 7.4.20 – Amphibians. Whilst a conclusion on the importance of toads is reached there is no statement in relation to the great crested newts. Where does the ExA find this and what is the conclusion on them?
	Response	

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.180	The Applicant	[APP-555] para 7.4.47. What conclusion was reached regarding the importance of chicory and Gold of pleasure? Where is this stated?
	Response	
Bio.1.181	The Applicant	[APP-555] para 7.6.14. Effects on great crested newts - severance, distance and connectivity leading to a conclusion that GCN are "unlikely to be greatly impacted by this severance". (i) Please will the Applicant unpack this paragraph. The reasoning is not clear to the ExA. (ii) Surely the test is "likely significant impact / effect" rather than likelihood of "great impact". Please will the Applicant comment and explain. This question (ii) applies to other paragraphs as well such as 7.6.15. Please respond so as to cover all the cases.
	Response	
Bio.1.182	The Applicant	[APP-555] para 7.6.19. This, dealing with habitat loss and GCN concludes that effects on GCN of the rail extension route would be temporary and reversible, minor adverse not significant. Notwithstanding that this is in the construction section, is this a valid conclusion in relation to the newts where the project and habitat loss lasts for 10-12 years?
	Response	
Bio.1.183	The Applicant	[APP-555] para 7.6.85. This, dealing with removal and reinstatement, incidental mortality – opens by saying that "not possible to accurately quantify the magnitude of this impact". It ends stating "removal of hibernacula could lead to the loss of a number of individuals from a number of breeding ponds, thereby <i>having a potential low magnitude</i> of effect on this meta-population". The following paragraph concludes that the low magnitude impact is a minor adverse non-significant effect.

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		How does the Applicant conclude that the impact is low magnitude when it is “not possible to accurately quantify the magnitude”? Please will the Applicant comment and respond, and explain whether the conclusion of non-significant minor effect is valid, and if so, how.
	Response	
Bio.1.184	The Applicant	The terrestrial ecology section of [APP-188] – Rail - (section 9.5) appears to address only additional information. Presumably this is because the change to rail movements does not lead to any different effects on terrestrial ecology and ornithology. Please can the Applicant confirm this (or otherwise).
	Response	
Bio.1.185	The Applicant	[APP-555] – para 7.7.7 – monitoring during operation. How is this monitoring secured?
	Response	
The following questions are all addressed to Natural England, and in some cases to other parties. They address all or more than one of the Main Site and Associated Sites		
Bio.1.186	Natural England, The Applicant	[RR-0878] para 2.3 and Advice Note 11, Annex C, Wildlife Licensing. Please will Natural England clarify whether it has issued any Letters of No Impediment (LONI). If it has, which letters are yet to be issued? Which applications has the Applicant made? The Applicant has referred to protected species licensing in [APP-153]. It would be helpful if it would add to that document (in all of tables 1.1-1.8) so as to summarise which Relevant Protected Species Licences will need to be sought for each site. If possible, please can this be addressed as a discrete item in the SoCG between Natural England and the Applicant.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.187	Natural England, The Applicant, ESC, SCC	Advice Note 11, Annex C, Wildlife Licensing – do any strategic approaches such as district licensing apply in this case? If so, what are they and what steps have been taken? If so, please will Natural England outline the process, legal basis and how it differs from the normal process.
	Response	Whilst SCC defers matters on wildlife licensing to Natural England as the statutory nature conservation organisation and licensing authority, our understanding is that strategic approaches such as District Level Licensing for great crested newts cannot be used for NSIPs and therefore bespoke licences will be required for this project.
Bio.1.188	Natural England	<p>[RR-0878] Part I, section 2.5.</p> <p>(i) In relation to the matters Natural England has listed in the table in this section, do they all require a separate consent from Natural England under the SSSI legislation if the DCO is granted?</p> <p>(ii) For example, water abstraction by the owner of an SSSI would if it were an operation listed in the notification of the SSSI, require a licence under 2.28E Wildlife and Countryside Act 1981. Can the same be said for increases in oxides of nitrogen or “impacts on prey species” or impacts from recreational pressure?</p> <p>(iii) If only some of the matters require a separate consent, please say which.</p> <p>(iv) Please state which matters requiring a consent, if any, are the subject of an issued LONI.</p> <p>(v) Is the purpose of section 2.5 to list the matters which Natural England considers are relevant to the SofS’s duty under s.28G of the Wildlife and Countryside Act 1981.</p>
	Response	
Bio.1.189	Natural England, The Applicant	<p>[RR-0878] Part II, item 27, Marsh Harrier compensation site.</p> <p>Please will Natural England clarify (a) where the compensation site they describe as being part of the Application is located and (b) whether it is wetland or dry. This section does</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		not make it clear. From the ExA's unaccompanied site inspection to the Westleton site it appeared to be dry.
	Response	
Bio.1.190	Natural England, The Applicant	<p>Brexit.</p> <p>Please will Natural England and the Applicant jointly set out what they consider to be the legal effect of the UK's withdrawal from the EU (including the end of the transition period) on the Conservation of Habitats and Species Regulations 2017, the Conservation of Offshore Marine Habitats and Species Regulations 2017 and all other international obligations and policies referred to in the ES, so far as relevant to the Application, so that the ExA is adequately briefed on the position after 31 December 2020.</p> <p>(At the time of writing this question, the versions of the Habitats Regs and the Marine Habitats Regs on the legislation.gov.uk website carry the note "There may be changes and effects to this Legislation not yet recorded or applied to the text".)</p> <p>The UK government has published the following updated guidance on Habitats Regulations Assessment.</p> <p>https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site</p> <p>https://www.gov.uk/guidance/duty-to-protect-conserve-and-restore-european-sites</p> <p>https://www.gov.uk/government/publications/habitats-regulations-assessment-derogationnotice</p> <p>Could the applicant explain via legal submission or other supplementary material to their HRA Reports, any implications of this guidance to the case for the development consent order and duties of the SofS</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		If there are differences of opinion between Natural England and the Applicant, please flag and explain them. This document should be kept up to date and a final version submitted at the final deadline.
	Response	
Part 10 - Biodiversity and ecology (marine) - General		
<p>Please note. Owing to the length of [APP-317] and the multiple topics and effects it assessed, the ExA asked the Applicant in [PD-005] to identify each of the headings in a way which clarifies both the subject matter and how each section, sub-section, sub-sub-section and so on sits in relation to preceding sections. As the paragraphs already had a number system separate from the headings the ExA suggested a lettering system. The lettered headings version submitted by the Applicant is at [AS-035]. The full list of headings is at electronic pages 694-724 of [AS-035] (hard copy pages 679-709). References to lettered sections in the questions below on [APP-317] are to those sections.</p>		
Bio.1.191	EA, The Applicant	<p>At para 7.0 of [RR-0373] the Agency ask for various reports and papers and that they should be submitted to the examination. Has the Agency now received them and have they been submitted to the examination? If submitted, please will the Applicant list the titles, and EL references. If they have not been submitted or if the Applicant does not propose to do so, please will the Applicant explain the reason?</p> <p>See also para 9.3 of [RR-0373] in relation to a report on the twaite shad and cucumber smelt; this question applies also to that issue.</p>
	Response	
Bio.1.192	MMO, Natural England, The Applicant	The ExA draws attention to the Inspectorate's Advice Note 11, Annex B, page 6.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(a) Is s.150 PA2008 engaged for matters in the jurisdiction of the MMO? Presumably it is at least in relation to the deemed marine licence? In relation to what others is it engaged?</p> <p>(b) Has the Applicant sought and obtained a waiver under s.150 of the PA2008 and the Infrastructure Planning (Interested Parties and Prescribed Provisions) Regulations 2015?</p> <p>(c) Does the Conservation of Seals Act 1970 apply and if so how?</p>
Bio.1.193	The Applicant, MMO, Natural England	<p>[APP-317]] Table 22.1 In relation to the Minsmere – Walberswick SPA and Ramsar Site the Applicant writes “Likely significant effects on designated bird species are assessed as part of the Shadow HRA (Doc Ref. 5.10)” and the reader is referred there for assessment.</p> <p>This approach is taken for the assessment of effects under the EIA Regs in relation to other sites, for example the Alde-Ore Estuary SPA and Ramsar Site, the Outer Thames Estuary SPA.</p> <p>Doc Ref 5.10 is a very large report made up of multiple documents and citations are not to specific paragraphs / sections which would aid the reader.</p> <p>Is the MMO satisfied with this approach? As the approach also affects terrestrial European sites, the ExA directs this question to Natural England as well.</p> <p>Please will the Applicant explain how it considers the findings of a habitats regulations assessment should be used in the ES? For example, is it the Applicant’s view that if there is no likely significant effect (LSE) found in the Shadow HRA, then there is no LSE in terms of the ES? The tests are different as the Applicant will be aware. If there is an LSE under the HRA but there is no adverse effect on integrity of the European site where does that sit in terms of the ES?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please will the Applicant succinctly summarise the findings of the assessment in terms applicable to the ES, giving cross-references to the HRA and Examination Library references.
	Response	
Bio.1.194	The Applicant	Plate 22.1. There is an entry for CDO – presumably the combined drainage outfall – but it is made up of tunnels which do not include the CDO itself. Presumably the DCO timeframe is one of the lines. Please confirm (or otherwise) and specify which.
	Response	
Bio.1.195	The Applicant	Para 22.3.75, Assumptions of the assessments. Please will the Applicant explain how these assumptions are reflected by limits in the DCO. For some it is straightforward, such as the depth of tunnels. How is the assistance of tugs assured?
	Response	
Bio.1.196	The Applicant	[APP-317] – para 22.4.51, baseline subtidal communities and habitats. This paragraph says two habitats have been identified. Coralline Crag is one. What is the other?
	Response	
Bio.1.197	The Applicant	[APP-317] - para 22.5.19. Please explain what is meant by “seismic qualification”, its purpose and necessity and how it is secured through the DCO.
	Response	
Bio.1.198	MMO, The Applicant	A number of points in the MMO’s [RR-0743] are comments rather than clearly stated disagreements. Please will the SoCG between the Applicant and MMO address each of these, whether or not the comment is accepted, and state what action is taken as a result, and any implications for the ES or other application documentation.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.199	MMO	Para 5.4.1.2. Please set out drafting the MMO seeks for a requirement on LVSE and FRR design, monitoring and operation, with an explanation and reasoning.
	Response	
Bio.1.200	MMO	[RR-0743] Paras 5.4.1.6 – 5.4.1.17. (a) The ExA concludes from these paragraphs that the MMO is content with the method used by the Applicant and is not requiring the Applicant, ExA or SofS to use the extended method. Please confirm (or otherwise) that the ExA has correctly understood. (b) However, para 5.4.1.6 says: “ <i>although once these analyses are completed, decision-making will still require a judgement to be made taking account of the model outputs, analogue evidence from Sizewell B monitoring, proportionality and an appropriate level of precaution</i> ”. Please will the MMO set out the decision process, with steps, documents and other factors to be taken into account, which it is here recommending to the SofS. (c) Does this issue arise elsewhere in [RR-0743]? For example at para 5.8.8? If so please answer (a) and (b) for those instances also.
	Response	
Bio.1.201	MMO	[RR-0743] Para 5.5.1. This alerts the ExA to an additional source of baseline information on harbour and grey seal distributions” and gives a website. Please will the MMO explain what information in that document it wishes the ExA to take into account and explain why and with what conclusion.
	Response	
Bio.1.202	MMO	[RR-0743] Para 5.6.2. The MMO draws attention to Council Regulation (EU) 2019/124 which it says has been superseded. Please say what is the new regulation and explain how it makes a difference to Appendix 22f and the ES conclusions on fisheries and marine ecology.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.203	MMO	[RR-0743] Para 5.8.4. Please will the MMO spell out the significance of the point it is making at this paragraph. Is there an underestimate? To what extent? With what consequence? This issue could usefully be addressed in the SoCG. Please cross-refer to the consideration given in the SoCG.
	Response	
Bio.1.204	MMO	[RR-0743] Para 5.13.1. Does the MMO consider that this information on commercial fishing vessels changes the conclusions of the either in this point or generally? Does it dispute those conclusions? If so how and with what result?
	Response	
Bio.1.205	Applicant	[AS-281] – Proposed changes. At para 2.2.62 the need for the new BLF to be anchored to the sea bed with piles is highlighted. Please will the Applicant say what are the maintenance implications in relation to ecology and point the ExA to where those are assessed.
	Response	
Part 11 - Biodiversity and ecology (marine) - Plankton		
Bio.1.206	The Applicant	[APP-317], paras 22.6.6 – 22.6.10. This is one of a number of references in the Marine Ecology and Fisheries chapter [APP-317] to tides. Please can the Applicant submit a short explanation about tides so far as relevant to this chapter and the tidal effects which are being referred to. For example: excursion; trajectory of the tide; tidal volume; rectilinear; north – south orientation; tide velocities; offshore wave climate; fetch; water exchange, exchange rates. If this information is already in the application documentation, please indicate where.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.207	The Applicant, EA, MMO	[APP-317] para 22.2.21. This references the WFD Compliance Assessment (Doc Ref 814). Please will the Environment Agency state whether it has any relevant concerns about water quality (not only under WFD) for plankton.
	Response	
Bio.1.208	The Applicant, EA, MMO	[APP-317] para 22.6.31 – “This chapter considers only the holoplankton component of the zooplankton community”. Please will the Applicant explain why it takes this approach and why it is valid and proper. Please will the EA and MMO state if they accept this approach and if they have any relevant concerns.
	Response	
Bio.1.209	The Applicant, EA, MMO	[APP-317] paras 22.6.262 – 273, Table 22.32 and Plate 22.4 (Section D.d.f). The temperature plume. The ExA is asking this question not only for its relevance to plankton but also to the rest of this chapter of the ES. (i) It would be helpful is the Applicant could please list the other occasions in this chapter on which this data is used. (ii) the absolute water temperature exceeds 28° over an area of 0.11 ha at the surface (98 th percentile), with Sizewell B & C operating – Table 22.32. Please will the MMO and Environment Agency comment in the significance of this. (iii) Please will the MMO and Environment Agency also comment and explain the relevance of the 23°-28° range

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>(iv) Plate 22.4. The title refers to plume temperature above 2° and to Julian Days. Please will the Applicant say if the title should be to thermal uplift – derived presumably from Table 22.32. Please also say why Julian Days are used. Are not Julian days the continuous count of days since the beginning of the Julian Period? Please explain what is intended.</p>
	Response	
Bio.1.210	The Applicant, EA, MMO	<p>[APP-317] Table 22.32. Please will the Applicant explain what is meant by this table.</p> <p>All the figures are for the 98th percentile. A percentile is a score below which a given percentage of scores in its frequency distribution fall. What then is meant by a score which is below a range (such as between 23° and equal to or less than 28°C)? And what is meant by the areas in that context? What is meant by a percentile which is that 98% of the scores are below over 28°C?</p> <p>Is the table meant to show that for example 89.6 ha of the surface of the sea will be between 23° and 28° C when Sizewell B & C are both operating.</p> <p>In relation to thermal uplift, are there any uplifts in the Poor category (which is presumably exceeding 4°).</p> <p>There are other tables where this approach is used, for example Table 22.52 in section D.d.d – Operational; Temperature changes; cooling water discharges. Please will the Applicant cover them as well in its explanation.</p> <p>Please will the Environment Agency and MMO also comment and assist the ExA.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.211	The Applicant	[APP-317] para 22.6.304. Please explain what is meant by HABs. The ExA cannot find it in the glossary or defined in this chapter.
	Response	
Bio.1.212	The Applicant	[APP-317] section D.d.i, Cooling water discharges: Nutrients, para 22.6.359. The effects on phytoplankton are described. Where does the ExA find the effects on zooplankton?
	Response	
Bio.1.213	The Applicant	[APP-317] Section D.e.c.a – Fish recovery and return, plankton and un-ionised ammonia, para 22.6.378. This concludes that “Un-ionised ammonia discharges from the CDO are predicted to have minor adverse effects on plankton communities. Effects are insignificant.” Why is the CDO mentioned? Presumably the reference should be to the FRR, but please confirm.
	Response	
Bio.1.214	The Applicant	[APP-317] Section D.f.b – entrainment and thermal and operational nutrient discharges in combination, para 22.6.384. This refers only to effects on phytoplankton. Where does the ExA find effects on zooplankton?
	Response	
Part 12- Biodiversity and ecology (marine) - Benthic Ecology		
Bio.1.215	The Applicant, MMO	[APP-317] baseline, benthic invertebrate taxa, section B.a.a, para 2.7.16. This notes that the lagoon sand shrimp is protected under Sch 5 of the Wildlife and Countryside Act 1981. Is there any relevant defence to damaging or killing it?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.216	The Applicant, MMO	<p>[APP-317] baseline, benthic invertebrate taxa, section B.a.a, para 2.7.16.</p> <p>This notes that Sabellaria spinulosa is listed under s.41 NERC Act 2006. What steps is the SofS required to take in relation to it to fulfil the obligations in s.41?</p> <p>Please answer this question also in relation to benthic habitats Section B.a.b para 22.7.22, the construction of the cooling water intakes (section C.d) and Sabellaria spinulosa in general.</p>
	Response	
Bio.1.217	The Applicant, MMO	<p>[APP-317] baseline, offshore sabellaria spinosa reefs, section B.a.c, Table 22.37, radionuclides.</p> <p>The reader is referred to Chapter 25 of the ES. Please will the Applicant summarise the relevant parts and give the paragraph numbers for cross references?</p>
	Response	
Bio.1.218	The Applicant, MMO	<p>[APP-317] Construction discharges of un-ionised ammonia, section C.c.f, para 22.7.151. Please will the Applicant explain why the magnitude of the impact is assessed as low "as discharges could occur throughout the construction phase". That duration suggests the opposite. The ExA also notes the criteria in table 1.3 of appendix 6R [APP-170] where the Applicant says:</p> <p>"Medium - Medium-term temporary impacts, one to 12 years".</p> <p>"Low - Short-term temporary, less than a year".</p> <p>Please will MMO also comment.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.219	The Applicant	[APP-317], section C.d.b - para 22.7.200 – precautionary assessment of 6m depth of sediment. Is the Applicant assuming 6m of soft sediment at the Coralline Crag, which given the statement that they have no or minimal surficial soft sediment would seem counter-intuitive and very precautionary? Does the surface area of soft sediment impacted change with the answer to this question?
	Response	
Bio.1.220	The Applicant MMO	[APP-317] section C.d, paras 22.7.204 and 22.7.211. At para 22.7.204 the ES states that less than 5% of the Coralline Crag would be impacted. At para 22.7.211 the figure of 6% “of the reef area” is given. Is this because the reef in para 22.7.211 is the Sabellaria spinulosa, which is only part of the Coralline Crag? If not, please explain further.
	Response	
Bio.1.221	The Applicant	[APP-317] section C.d, para 22.7.205 – medium duration pressures from intake installation. Presumably this is also the case for the outfalls, but please confirm this is the case and that its omission is simply from the text and not from the assessment thus far.
	Response	
Bio.1.222	The Applicant	[APP-317]], section C.d para 22.7.212 “Sabellaria spinulosa larvae are reported ... at abundances of approximately 2,500 ind.m ³ in July”. Please explain ind.m ³ .
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.223	The Applicant, MMO	<p>[APP-317], section C.d.b.b, para 22.7.214 reads "Monitoring of the <i>S. spinulosa</i> reef extent on the offshore Coralline Crag is recommended during both pre- and post-construction of cooling water infrastructure (22.12c)."</p> <p>This monitoring is again referenced at the consideration of inter-relationship effects, para 22.7.310 and in the operational phase (e.g. para 22.7.380).</p> <p>Please will the Applicant explain how this will be secured and what action will be taken, depending on the results of the monitoring. What will be the thresholds and tests for action?</p> <p>Please will the MMO give its view on this proposal.</p>
	Response	
Bio.1.224	The Applicant	<p>[APP-317] section C.d.d.b – <i>Sabellaria spinulosa</i> reef sensitivity to changes in suspended sediments, paras 22.7.224 and 225.</p> <p>In para [APP-224] we read "... the sensitivity of <i>S. spinulosa</i> reef to changes in SSC associated with dredging and dredge disposal for CWS installation <i>is precautionarily considered the same as the sensitivity of this receptor to changes in SSC due to navigational dredging</i> for access to the BLF" (emphasis added). However the conclusion in 225 reads "As impact magnitude is medium and <i>S. spinulosa</i> reef <i>is not sensitive</i> to this ... changes in suspended sediments are predicted to have a minor beneficial effect. ..." (emphasis added).</p> <p>Where is the assessment of effect on the basis of the precautionary level of sensitivity in para 22.7.224? The same point arises in relation to paras 22.7.233 and 234 on <i>Sabellaria spinulosa</i> sensitivity to sedimentation rate changes, section C.d.e.b and elsewhere (e.g. 22.7.242 and 243).</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.225	The Applicant	<p>[APP-317] section C.d.f.b – para 22.7.241 – “reefs within the 50m buffer could recover within years of the impact”.</p> <p>Please say how many years; 2, 10 ...? Please also indicate a likelihood (would) rather than a possibility (could). The same point on the number of years arises at para 22.7.308, inter-relationship effects.</p>
	Response	
Bio.1.226	The Applicant	<p>[APP-317] section C.d.h.b Sabellaria spinulosa reef sensitivity to physical loss of habitat, para 22.7.265. The pressure is the installation of the headworks plus scour protection.</p> <p>Please will the Applicant clarify the statement that approx. 0.1ha of suitable Sabellaria spinulosa habitat is lost in the light of the statement at para 22.7.254 that the two outfalls (N&S presumably) have a combined footprint of 2,420m² (0.242ha) and a total scour area including the headwork of 4,078m² (0.408ha). Is it not 0.204ha of habitat which is lost?</p> <p>If an adjustment is needed, please explain any change to para 22.7.265 and adjust the assessment conclusion at para 22.7.268.</p> <p>Is any adjustment needed to the conclusions on inter-relationship effects at para 22.7.306 and following, section C.f.a?</p>
	Response	
Bio.1.227	The Applicant	<p>[APP-317] Section C.d.i Spread of non-indigenous species: presence of structure.</p> <p>Please will the Applicant explain why Sabellaria spinulosa is not referred to and assessed.</p>
	Response	
Bio.1.228	The Applicant	<p>[APP-317] Section C.e.d – FRR, Physical loss / change to another seabed type: presence of structure, and Section C.e.e Spread of non-indigenous species: presence of structure</p> <p>Why is there no reference to Sabellaria spinulosa?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The ExA notes that there are a number of sections in the Ch 22 dealing with effects on benthic ecology where effect on benthic invertebrates is assessed but there is no mention of Sabellaria spinulosa. Rather than list them all, the ExA would be grateful if the Applicant could explain the reason.
	Response	
Bio.1.229	The Applicant	[APP-317] section D.d, Cooling water system, Table 2.50, entrainment: "The effects of entrainment on larvae recruitment (parimarily [sic] for S. pinulosa [sic]) is assessed". Presumably to S. spinulosa?
	Response	
Bio.1.230	The Applicant	[APP-317] section D.d.a.a. Benthic invertebrate sensitivity to entrainment, para 22.7.368. dealing with natural mortality. What is meant by 0.06/d and of what is 37.2% average annual mortality?
	Response	
Bio.1.231	The Applicant	[APP-317] section D.d.d, Table 22.52. "Water Framework Directive thermal standards and areas of exceedance ...". Why does this table not cover the combined operation Sizewell B and C as Table 22.32? Please will the Applicant also address the same questions the ExA raised in relation to Table 22.32.
	Response	
Bio.1.232	The Applicant	[APP-317] Section D.d.d, para 22.7.394 and 397: these refer to Table 22.32. Should the reference be Table 22.52?
	Response	
Part 13- Biodiversity and ecology (marine) - Fish		
Bio.1.233	The Applicant	[APP-317] section B.a.f.c – Spawning and nursery grounds, Table 22.61.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please explain the significance of the colours in this table. For example, Dover Sole and Dab have the same socio-economic description, but sole are highlit whereas Dab are not.
	Response	
Bio.1.234	The Applicant, MMO	<p>[APP-317] Section C.b.f.e – Eggs and larvae sensitivity to underwater noise from navigational dredging, para 22.8.169.</p> <p>Please will the Applicant clarify whether this para is summarising Popper or is some other conclusion.</p> <p>Is the MMO satisfied with this approach?</p>
	Response	
Bio.1.235	The Applicant	<p>[APP-317] Section C.b.f.f, Assessments of effects of localised displacement: underwater noise from navigational dredging, para 22.8.179.</p> <p>The reader is referred to the shadow HRA for assessment of implications for bird and cetacean feeding.</p> <p>This is one of a number of places where the Applicant cross refers to the shadow HRA. Other examples include para 22.8.485, implications for bird and cetacean foraging, Section C.f.g.c and para 22.8.710 on indirect effects of localised displacement of prey species on designated birds and marine mammals.</p> <p>The tests in the Conservation and Habitats Regulations are different from the EIA regulations. Please will the Applicant summarise the relevant parts of the shadow HRA and make the necessary adaptations to make them applicable to the ES. This should please be done for each occasion on which the ES refers to the HRA for assessment. The Applicant is referred to the earlier question in the Biodiversity and ecology (marine) general section about the use the shadow HRA for environmental assessment.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Bio.1.236	The Applicant	[APP-317] Section C.b.f.f, Assessments of effects of localised displacement: underwater noise from navigational dredging, para 22.8.179. Displacement is largely, it appears, across the ecology chapters of the ES, relevant to feed for prey species. Please confirm that the ExA has correctly understood this, or clarify as necessary.
	Response	
Bio.1.237	The Applicant, MMO	[APP-317], Section C.b.g Underwater noise: impact piling, para 22.8.187. <i>This states: "With the uncertainty and limited scientific evidence currently available, it is not considered appropriate to quantitatively assess the effects of vibration to fish receptors; therefore, the pressure has been scoped out."</i> This is then compared with offshore wind farms which it is said have much larger scale hammer piling. Will the Applicant please say if this scoping out was agreed with the MMO. Please will the MMO say if it is content with this approach.
	Response	
Bio.1.238	The Applicant	[APP-317] Section C.c.i.h, para 22.8.375. Please will the Applicant state where to find Section 22.8.c)v. It is not in the index to [APP-317] which does not go to that level and a word search is impractical.
	Response	
Bio.1.239	The Applicant, MMO	[APP-317] Section C.e, Cooling water infrastructure, para 22.8.408 and following. Please will the Applicant explain why the effects of flushing during commissioning are not considered in this section. MMO may wish to comment.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Bio.1.240	The Applicant	<p>[APP-317] Section D.c.b, para 22.8.525.</p> <p>At para 22.8.520 the assessment states "<i>Therefore, only Dover sole and seabass egg entrainment mortality prediction are subject to change</i>".</p> <p>(i) Please will the Applicant state plaice and herring are under consideration here.</p> <p>(ii) Where are the effects on dover sole and seabass eggs set out?</p>
	Response	
Bio.1.241	The Applicant	<p>[APP-317] Section D.c.c Cooling Water Abstraction: Impingement (para 22.8.528).</p> <p>Please will the Applicant clarify what is meant by "impingement". Is it fish which are trapped on the screens and die, or those and other fish which hit the screens and survive, perhaps injured. The ExA notes the definition of impingement in the glossary: "Term used to refer to the fish and other marine species becoming trapped on cooling water filtrations screens".</p> <p>The ExA notes that at para 22.8.531 attention is drawn to the fact that chlorination is applied after the screens so that "impinged fish would not be exposed to chlorine". Chlorination (and hydrazine) cannot be of relevance to dead fish so the inclusive approach (i.e. fish which hit the screens and are returned, whether living or dead) seems to be what is intended.</p> <p>To what extent is the distinction relevant to the assessment?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.242	The Applicant, MMO	<p>[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.111 – pre-mitigation table.</p> <p>(i) Please will the Applicant explain why eels are not in red, given that they are 1.89%SSB? Why is Twaite shad 84.6% of landings shaded red when it is only 0.05% of SSB? Why are horse mackerel and mackerel in red. They are 0.00%.</p> <p>(ii) In relation to Twaite shad, why is % of landings used when SSB is available?</p> <p>(iii) Why is the percentage of mean landings used for Allis shad when there is no figure for mean landings? In addition for this species, Allis Shad, the figure for %age of SSB is 0.018%.</p> <p>(iv) Please will the Applicant explain, and confirm the other figures in this table are correct, or amend if necessary. If amendments are made, please re-issue the table with changes clearly shown and consequential changes elsewhere in the ES set out.</p> <p>(v)Please will the MMO also comment on all of the above.</p>
	Response	
Bio.1.243	The Applicant, MMO	<p>[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.112 – full mitigation table</p> <p>The ExA notes that this table does not include "Species where the impingement weight exceed 1% of the relevant stock comparator are shaded in red", as for Table 22.111.</p> <p>(i) Should that approach be adopted for Table 22.112. If so, please re-issue the table with changes clearly shown and consequential changes elsewhere in the ES set out. Please will the Applicant clarify.</p> <p>(ii) Why does this table show landings when SSB are available?</p> <p>(iii) Twaite shad – 32.4% of landings are impinged. That appears to be a very large percentage. Please will the applicant explain why it is so much higher than the other species. Also how is it calculated? Mean landings are 1 tonne. EAV weight of impinged fish is 0.43 tonnes. So should the figure be 43%? Either way, please will the Applicant</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		comment on its significance. But is the relevant figure the percentage of SSB, namely 0.02%. (v) Please will the MMO also comment on all of the above.
	Response	
Bio.1.244	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.113. Please will the Applicant explain why it has drawn seabass and thin-lipped grey mullet into this table. The figures for seabass seem simply to be 10% of those in Table 22.112. The figures for grey mullet are the same as in the table. The ExA notes the reference to Appendix 22I. Please will the Applicant summarise the point being made on this by that Appendix and give the paragraph and page numbers which are relevant. Please will the MMO also comment.
	Response	
Bio.1.245	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.114. Comparison of the effectiveness of different embedded mitigation measures. In the column LVSE mitigation, % effectiveness, the figure is always 61.7%. Why is this?
	Response	
Bio.1.246	The Applicant	[APP-317] section D.c.d, Cooling water abstraction: Entrapment, para 22.8.648. [APP-005] defines Entrapment as "The inadvertent entry into the cooling water system of marine organisms caused by the ingress of water". Please will the Applicant explain what phenomenon is being contemplated here. It appears to be a combination of impingement and entrainment. But see the glossary definitions of

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>these. Impingement is becoming trapped on the screen. Entrainment is going through the whole cooling water system.</p>
	Response	
Bio.1.247	The Applicant, MMO	<p>[APP-317] section D.c.i.a, Demersal fish and elasmobranch eggs /cases and larvae: sensitivity to bromoform chlorination by-product. Par 22.8.765 <i>"This median lethal concentration is substantially (10,000-fold) greater than the target 5µg/l EQS for the Proposed development, which is exceeded over a very limited area (52ha at the surface and 0.67ha at the seabed)."</i></p> <p>Is the Applicant saying that the target EQS is too low? Is that a proper conclusion? By how much is the excess over the 52 ha area?</p>
	Response	
Bio.1.248	The Applicant, MMO	<p>[APP-317] Section D.e.a Commissioning discharges of hydrazine on fish discharged from the FRR, para 22.8.842.</p> <p><i>"The duration of the exceedance is short, with concentrations exceeding the acute PNEC for no longer than 3.25 hours at a time."</i></p> <p>What is the time gap between such concentrations? What would be the minimum acceptable gap?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.249	The Applicant, MMO	<p>[APP-317] Section D.e.b Interaction between thermal discharges and chlorine toxicity, para 22.8.845.</p> <p>This para closes with the following: <i>"Therefore, no further consideration is made of the possible synergistic effects for seabed plumes"</i>. Why is this? Please will the Applicant unpack this. 25.8 ha at the seabed will be >23°C (though below 28°) with both stations operating, which is said to be a "limited" area. With respect all areas are limited. And EQS for the TRO plume will be exceeded.</p>
	Response	
Bio.1.250	The Applicant, MMO	<p>[APP-317] Section D.e.c, Assessments of effects on fish receptors: thermal discharges and chlorine toxicity, para 22.8.849 concludes that <i>"The inter-relationship of the TRO and thermal plumes is not predicted to increase the significance of effects concluded for the pressures alone"</i>.</p> <p>How does the evidence point to this?</p>
	Response	
Bio.1.251	The Applicant, MMO	<p>[APP-317] Section D.e.f Assessments of effects at the sea-area or regional stock/population level: hydrazine and temperature changes, para 22.8.852. This states: <i>"The inter-relationship of the hydrazine and thermal plumes is not predicted to increase the significance of effects concluded for the pressures alone. This conclusion applies to all fish receptors assessed"</i>.</p> <p>Please will the Applicant explain how it reaches this conclusion. The ExA notes that in the previous paragraph it is recorded that "Considering the decay of hydrazine, increases in water temperature were found to enhance the toxicity of the compound for fish taxa".</p> <p>Does the assessment of no significant effect in the last sentence of para 22.8.853 to change as a result and if not please explain why.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Can the MMO throw any light on this?
	Response	
Bio.1.252	The Applicant, MMO	[APP-317] Section D.e.g, Assessments of effects of localised displacement: hydrazine and temperature changes, para 22.8.853. This simply states that <i>"It is unlikely that this inter-relationship would increase the significance of the effects of localised displacement"</i> . Please will the Applicant explain why. Can the MMO throw any light on this?
	Response	
Bio.1.253	The Applicant, MMO	[APP-317] section D.e.k, Assessments of effects at the sea-area or regional stock/population level: primary and secondary entrainment. Para 22.8.860 Please will the Applicant explain its conclusion that secondary entrainment does not increase significance "due to the fact that even if 100% mortality of entrained ichthyoplankton was assumed, the volume of cooling water is sufficiently low compared to tidal exchange to dampen any effects". Can the MMO assist?
	Response	
Part 14- Biodiversity and ecology (marine) - Marine Mammals		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.254	The Applicant, MMO	<p>[APP-317] section C.f – UXO detonations, paras 22.9.197-22.9.202.</p> <p>(i) The MMO has expressed considerable concern about this aspect – see [RR-0743] paras 3.1.1 – 3.1.4. Please will the Applicant set out its response and will the MMO state their current understanding of the position. If this is already set out in their SoCG, and nothing has changed since then it will be adequate to state a short conclusion and to refer the ExA to the relevant paragraphs of the SoCG.</p> <p>(ii) How is the dedicated marine mammal mitigation protocol to be prepared in consultation with statutory stakeholders secured (para 22.9.201)?</p> <p>(iii) What are the mitigation measures for seals referred to at para 22.9.202 and how are they secured?</p>
	Response	
Bio.1.255	The Applicant	<p>[APP-317] section D.b.b – Cooling water infrastructure, para 22.9.248 and following.</p> <p>At para 22.9.251 we read: <i>"During Winter when harbour porpoises are more numerous, the average plume area exceeding 2°C at the surface is between 745ha and 2,605ha while 3°C exceedance is between 429ha and 834ha"</i>. The ExA does not see these figures in the preceding Table 22.142. Please will the Applicant explain their derivation. If changes need to be made, please explain any consequential amendments.</p>
	Response	
Bio.1.256	The Applicant, MMO	<p>[APP-317] section D.b.b.a – Sensitivity to temperature changes, para 22.9.257.</p> <p>This comments on potential habitat loss in the Southern North Sea SAC. There are other instances e.g. relating to chlorinated discharges (section D.b.c.c, para 22.9.272)</p> <p>Please will the Applicant indicate where this is assessed in the shadow HRA and with what conclusion?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please cover all the instances of habitat loss for marine mammals, not just those mentioned specifically in this question.
	Response	
Part 15- Biodiversity and ecology (marine) - Indirect Effects and Food Webs		
Bio.1.257	The Applicant	<p>[APP-317] section A, para 22.10.1. This cross-refers to the Shadow HRA.</p> <p>(i) Is the Applicant using the shadow HRA material to inform the EIA?</p> <p>(ii) Please will the Applicant explain if or how the information in the HRA is used in the ES in relation to indirect effects and food webs</p> <p>(iii) If the HRA material is being imported by reference, please summarise the relevant parts of the Shadow HRA and apply them in EIA terms to the indirect effects and food webs subject.</p> <p>(iv) Do the conclusions affect the conclusion on Indirect effects and food webs of minor beneficial not significant effects?</p>
	Response	
Part 16- Biodiversity and ecology (marine) - Mitigation		
Bio.1.258	The Applicant	<p>[APP-317] Mitigation and monitoring, Section B.d.a, para 22.12.14 – “A marine licence condition is proposed within the Draft Development Consent Order (Doc Ref. 3.1) to secure this” being a marine mammal mitigation plan.</p> <p>Please indicate which condition is referred to. Similarly with the mitigation referred to at paras 22.12.15 and 22.12.16; 22.12.22;</p>
	Response	
Bio.1.259	The Applicant	<p>[APP-317] Although the Fisheries section of [APP-317] concludes that there are no significant effects, Section B.e para 22.12 20 says that where construction activities and operational maintenance may restrict activities of local fishers (both commercial and recreational it would appear) additional mitigation may be arranged, secured by a marine licence condition. Please will the Applicant explain how this will work legally and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		practically. For example, how are cases identified, likewise appropriate mitigation and dispute resolution.
	Response	
Part 17- Biodiversity Net Gain – unless stated otherwise, references are to the Applicant’s Biodiversity Metric Calculations document [APP-266]		
Bio.1.260	The Applicant, Natural England, ESC	Please will the Applicant set out its understanding of the Government’s current policy on biodiversity net gain. Please will Natural England and ESC do the same. In ESC’s case, please will it include its own policy as well.
	Response	In all cases, please provide the necessary references and internet addresses.
Bio.1.261	The Applicant	Executive summary – Use of Defra / Natural England Biodiversity Metric 2.0. Please will the Applicant confirm this is the current metric
	Response	
Bio.1.262	The Applicant	Executive summary. Off-site associated developments assessed in separate reports. Please give the Examination Library references for these. Where are the reports and their conclusions integrated?
	Response	
Bio.1.263	The Applicant	Executive summary. Please provide a plan showing Studio Fields Complex, St James Covert, Great mount walk or point the ExA to a plan in the Application documents where they are shown
	Response	
Bio.1.264	The Applicant	Executive summary. The achievement of the scores is reliant on creation and management plans.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please specify where these are secured in the DCO and which they are of the plans submitted.
	Response	
Bio.1.265	The Applicant	Executive summary – “It is recommended that post planning, additional surveys are undertaken”. Where is this secured in the DCO?
	Response	
Bio.1.266	The Applicant	Executive summary. Please explain why the metric cannot assess loss of part of the Sizewell Marshes SSSI.
	Response	
Bio.1.267	The Applicant, Natural England	Para 2.9 – Areas within the sea are excluded. Please explain why. Is that a valid approach?
	Response	
Bio.1.268	The Applicant	Para 2.10 – recommendation to conduct “ground-truthing surveys”. (i) Where is that secured; (ii) what happens if they show the net biodiversity calculation is wrong?
	Response	
Bio.1.269	The Applicant	Para 2.10 “ <i>Should a target be set for percentage net gain of biodiversity units, it is recommended that ...</i> ”. Has such a target been set, is it in the DCO and if so, where? Is the remainder of this assumption met?
	Response	
Bio.1.270	The Applicant	Para 5.1 and Table 13. (i) Please clarify which are the “interventions” referred to a being changed.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Have not some of the changes already been made, for example the Aldhurst Farm areas? (iii) If so, is it valid to take them into account?
	Response	
Bio.1.271	The Applicant, Natural England	Para 7 – areas excluded. It is stated that the SSSI habitat is not addressed by the metric as it is of greater value than non-designated areas. It is also stated that 1.6 ha of fen meadow will be lost and 1.7 ha created. Is not Natural England’s requirement for a far greater area, presumably because of difficulties in creating fen wetland and to guard against potential failures? Should the extra be taken into account in the net biodiversity calculation?
	Response	
Bio.1.272	The Applicant	Conclusion – para 10. Post-planning additional surveys are recommended to inform detailed design, habitat creation and management plans. Where is this secured in the DCO?
	Response	
HRA.1 Habitats Regulations Assessment		
HRA.1.0	Natural England	DEFRA/Natural England guidance entitled ‘HRAs: protecting a European site’ was published on 24 Feb 2021. Does Natural England consider that there is anything in this new guidance that would alter the approach that the Applicant has taken to their Shadow HRA Report [APP-145] (including addendum [AS-178]) and specifically in their derogations case or compensation measures plans? If so, please provide reference to specific parts of the guidance that require further attention.
	Response	
HRA.1.1	The Applicant	Since the submission of the Shadow HRA Report [APP-145] the Habitats Regulations 2017 have been amended by The Conservation of Habitats and Species (Amendment) (EU Exit)

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Regulations 2019 (“the 2019 Regulations”). These Regulations came into force on Implementation Period Completion Day, 31 December 2020. Notwithstanding footnote 5 of [APP-145], could the Applicant identify any changes that may be necessary to their HRA assessment in light of the 2019 Regulations.
	Response	
HRA.1.2	Environment Agency	The ExA notes the comments of the Environment Agency in their Relevant Representation [RR-0373] regarding further European sites designated for their allis shad, twaite shad and river lamprey qualifying features, which were absent from the Applicant’s Shadow HRA Report [APP-145]. The Applicant in its Shadow HRA Addendum Report [AS-173] has provided additional information on these three species, including screening for additional European sites. Could the Environment Agency comment on whether this information addresses the points raised in the RR with regards to these qualifying features and European sites. If the Environment Agency has outstanding concerns on these matters, please could they expand.
	Response	
HRA.1.3	Natural England	Could Natural England confirm whether it is content that the Applicant has identified all relevant European sites and qualifying features in their Shadow HRA Report [APP-145] and Shadow HRA Addendum Report [AS-178].
	Response	
HRA.1.4	The Applicant	The ExA notes the submission of document 8.4 Planning Statement Appendix 8.4K Site Water Supply Strategy [APP-601]. Could the Applicant identify where water abstraction and demand has been considered in the Shadow HRA Report (and Shadow HRA Addendum Report, as appropriate) and confirm whether there would be a likely significant effect on any European sites as a result of the proposed water demand/abstraction for the Proposed Development.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
HRA.1.5	The Applicant	Please will the Applicant confirm whether any aspects of the Proposed Development are likely to impede the existing management practices on European sites, such that this would lead to a likely significant effect on any European sites.
	Response	
HRA.1.6	The Applicant	Noting the recent publication of DEFRA/NE guidance on HRA: Protecting a European site in February 2021 and that the Shadow HRA Report: Compensatory Measures [APP-152] has been produced only with reference to the site requirements specified in paragraph A.7.5 of EN-6. In light of the above and notwithstanding the Applicant's position as to the 'effect' of NPS EN-6 as set out in section 3 of the Planning Statement [APP-590], could the Applicant provide comment on any implications of this new guidance with regard to the proposed compensatory measures set out in [APP-152]?
	Response	
HRA.1.7	The Applicant	The ExA notes the Shadow HRA Report: Compensatory Measures [APP-152] contains limited information on the existing agricultural/arable land that has been taken out of production, where management measures are stated to have already commenced. With reference to paragraph 2.4.1 of [APP-152], could the Applicant describe the management measures that have been undertaken to date, their current status and identify these areas on an amended version of the figure in Appendix A to APP-152, which the ExA understands is to present the proposed compensatory measures in a visual form.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
HRA.1.8	The Applicant	<p>The Shadow HRA Report: Compensatory Measures [APP-152] contains limited information on the specifics of the proposed habitat management measures at Section 3.4 (c). There are also limited cross-references to other submission documents that may be being relied upon for the HRA compensatory measure package. Could the Applicant confirm where any further detailed information on the proposed management measures for the delivery of HRA compensatory measures are to be found in the application documents and/or additional submissions.</p> <p>The ExA notes ES Chapter 14 Terrestrial Ecology and Ornithology Appendix 14C5 Marsh Harrier Mitigation Area Feasibility Report [APP-259]; however, this report dates from April 2019 and does not include information relating to the change to the water resource storage area and the subsequent inclusion of wetland habitats as part of the HRA compensation proposals for marsh harrier. Could the Applicant confirm where information on the proposed management measures, including the proposed wetland habitats, is to be found or provide this information.</p> <p>Furthermore, Appendix A (figure) to [APP-152] has a note that states it is to be revised in final design to include the enhanced compensatory habitat comprising wet woodland area and temporary water storage area. Could the Applicant provide an updated figure to show the proposed compensatory measures area, including the proposed wetland habitats, and the relationship of the area to the Order Limits. It would appear to the ExA that part of the land shown on the figure in Appendix A of [APP-152] lies outside of the order limits as shown on Sheet 1 of the Works Plans [AS-285].</p> <p>The broad category of 'marsh harrier habitat' in the mitigation route map addendum [AS-276] refers to securing mechanisms of the Section 106 (Implementation Plan), Requirement 14 (MDS: Landscape works), and DCO Article 3 (Scheme design). Could the Applicant confirm which of these mechanisms (if any) relate to the HRA compensatory measures proposals.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
HRA.1.9	Natural England	Particularly in light of 'Change 5' as summarised in Table 2.1 of the Shadow HRA Addendum Report [AS-178], could Natural England comment on the Applicant's proposed compensatory measures package as originally set out in Shadow HRA Report: Compensatory Measures [APP-152], with reference to the legislative tests and relevant guidance. Should Natural England have any outstanding concerns with regards to the proposed compensatory measures please could these be stated.
	Response	



Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 PART 3 OF 6

- CC.1 [Climate change and resilience](#)
- CG.1 [Coastal Geomorphology](#)
- CA.1 [Compulsory Acquisition](#)
- CI.1 [Community Issues](#)
- Cu.1 [Cumulative impact and transboundary effects](#)

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CC.1	Climate change and resilience	
CC.1.0	The Applicant	<p>General climate change and policy issues</p> <p>NPS EN-1, section 4.8, states that the ES should take into account how the proposal will take account of the projected impacts of climate change. This should include climate change adaptation. The Planning Statement [APP-590], Section 7.3, g), paragraph 7.3.63, indicates that SZC Co. has complied with those requirements and ES Vol II Chapter 26 [APP-342] sets out the Climate Change Resilience (CCR) assessment:</p> <p>(i) Please specify in summary all appropriate mitigation or adaptation measures that have been identified for the scheme highlighting any relevant changes to the embedded mitigation since the preparation of the ES;</p> <p>(ii) Please clarify the period that they are intended to cover?</p> <p>(iii) Please summarise how the Applicant seeks to demonstrate that EN-1 paragraphs 4.8.6 - 4.8.7 would be satisfied.</p>
	Response	
CC.1.1	The Applicant	<p>General climate change and policy issues</p> <p>In relation to EN-1, paragraph 4.8.8: Please explain how the ES demonstrates that there would be no critical features of the scheme which might be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections?</p>
	Response	
CC.1.2	The Applicant	<p>Green House Gas emissions</p> <p>The ES VII Chapter 26 [APP-342] indicates that decommissioning cc 3029f the Sizewell C power station has been scoped out of the detailed Green House Gas (GHG) assessment and a high level summary of the impacts of decommissioning has been provided in Chapter 5. The matter was scoped out of the ES on the basis that an ES for decommissioning of the main site would be secured through the DCO or other suitable mechanism. Please explain how that would be achieved?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CC.1.3	The Applicant	<p>Green House Gas emissions</p> <p>The ES VII Chapter 26 26.4.15 [APP-342] acknowledges that as a result of the amended 2050 carbon reduction target to net zero carbon, the Committee on Climate Change (CCC) would be reviewing the current carbon budgets and to achieve the revised 2050 target, the emissions reduction trajectory set out in the budgets through to 2050 will need to steepen. What are the implications of the CCC's 6th carbon budget for the assessment presented?</p>
	Response	
CC.1.4	The Applicant	<p>Green House Gas emissions</p> <p>The ES VII Chapter 26 [APP-342] explains that IEMA guidance recommends comparing a project's carbon footprint against available carbon budgets. In the absence of any defined industry guidance for assessing the magnitude of GHG impacts for EIA, IEMA recommend the use of professional judgement. Please explain further and specifically identify:</p> <ul style="list-style-type: none"> (i) those aspects of the GHG assessment for which professional judgment has been used; (ii) the outcome of those judgements; and (iii) the justification for the assumptions made in the exercise of that professional judgement.
	Response	
CC.1.5	The Applicant	<p>Green House Gas emissions</p> <p>Together Against Sizewell C (TASC) [RR-1231] complain that there is a lack of information for independent verification of EDF's carbon emission claims. Please explain further how the calculation has been made setting out the assumptions which underline the carbon calculations and support the conclusion reached.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CC.1.6	The Applicant	Green House Gas emissions The ES Vol II Chapter 26 [APP-342] sets out key measures embedded within the design principles of the Sizewell C Project for the reduction of GHG emissions within Table 26.7: GHG emissions: Primary (embedded) mitigation measures. Please explain how those measures including the Design Principles Document and those intended to achieve design Principles 1, 2, and 3 would be adequately secured by the draft DCO?
	Response	
CC.1.7	The Applicant	Green House Gas emissions The ES Vol II Chapter 26 [APP-342], paragraph 26.4.69, indicates that in accordance with the Code of Construction Practice (CoCP) appointed contractor(s) will develop and implement a Construction Environmental Management Plan (CEMP) to measure, monitor and report energy and water consumption and GHG emissions during construction. Please explain how this aspect of the CEMP would operate in practice including how the reports would be utilised and actions instigated where necessary?
	Response	
CC.1.8	The Applicant	Green House Gas emissions The ES Vol II Chapter 26 [APP-342], paragraph 26.4.49, in relation to the assessment of GHG emissions during operation explains that by 2034 it is anticipated that Defra and other industry published GHG emissions factors will have considerably declined as the UK transitions towards meeting a net zero carbon emissions target by 2050. To account for the influence of decarbonisation activities across multiple sectors as the UK moves towards the 2050 target, a second step to apply a conservative reduction factor has been undertaken. Please explain and justify the application of a 15% reduction to the calculation compared to 2019 emission factors and why this is likely to represent the highest operational emissions which will be experienced in 2034?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CC.1.9	The Applicant	<p>Green House Gas emissions</p> <p>The ES concludes that the construction emissions for Sizewell C will not exceed 1% of the total five year UK carbon budget period in which they arise, and the construction of Sizewell C will not have a significant impact on the UK meeting its five carbon budgets through to 2032. Chapter 26 [APP-342], paragraph 26.4.61, states that as carbon budgets had only been set by Government through to 2032, it was not possible to assess the operational impact of the Sizewell C Project in the context of the UK meeting its carbon budget targets. However, it is estimated that GHG emissions from the construction would be offset within the first 6 years of operation by GHG emissions displaced. (i) What are the implications of the CCC 6th Carbon budget December 2020 for that assessment? (ii) Does that assessment and the overall conclusion that Sizewell C provides a significantly beneficial impact, when the GHG impact of electricity generated at Sizewell C is compared against the impact of generating the equivalent energy from the anticipated future mix of alternative generation, need to be revised in the light of more recent reports and information on climate change?</p>
	Response	
CC.1.10	The Applicant	<p>Green House Gas emissions</p> <p>Theberton and Eastbridge Parish Council [RR-1214] submits that the operational waste heat vented to the environment has not been assessed against Paris Agreement, 2050 net zero commitments or UK Committee for Climate Change reports. Please comment specifically on the points raised by the Parish Council and explain the position in relation to the climate change impact of the operational waste heat that would be generated.</p>
	Response	
CC.1.11	The Applicant	<p>Green House Gas emissions</p> <p>The Environmental Statement Addendum – Non-Technical Summary [AS-179], Section 2.3 n) indicates that the proposed changes and Additional Information on materials management have been used to re-calculate the construction emissions and lifetime emissions from the Sizewell C Project. Please confirm that these are the only factors relevant to the calculations that would be different as a result of the change.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CC.1.12	The Applicant	<p>The role of the Nuclear Regulators</p> <p>The Planning Statement, [APP-590] Section 7.3, g), paragraph 7.3.59, refers to NPS EN-6 Vol I, section 2.7, which states that the decision maker should not duplicate matters that are within the remit of the Nuclear Regulator. Further details of the potential impacts of climate change that fall within the scope of the Nuclear Site License (NSL) are set out in ES Volume 2, Chapter 26, paragraphs 26.5.34 to 26.5.38. Nevertheless, to provide clarity please identify with reasoned justification all those aspects of climate change adaption which the Applicant considers fall within the role of the Nuclear Regulators (whether as part of GDA, site licensing or environmental permitting) and those issues which remain within the remit of the decision-maker for the DCO application.</p>
	Response	
CC.1.13	ONR	<p>The role of the Nuclear Regulators</p> <p>The ONR [RR-0992] explains that in June 2020, NNB Generation Company (SZC) Ltd applied for a nuclear site licence to allow it to install and operate two EPR™ reactors at the Sizewell C site. The ONR is currently assessing this application:</p> <p>(i) Does the ONR have any concerns at this stage associated with the proposed development in relation to climate change impacts and the adaptation measures proposed in the light of experience gained since its assessment of the generic EPR design in 2012?</p> <p>(ii) In the light of EN-6, paragraph 2.7.5, are there any reasons at this stage for the ExA to be concerned that any necessary licence, permit or authorisation will not subsequently be granted?</p> <p>(iii) In the light of EN-6, paragraph 2.7.6, is the ONR aware of any regulatory requirements that are likely to be attached to the grant of a licence and the anticipated timing of the process?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CC.1.14	EA	<p>The role of the Nuclear Regulators</p> <p>The EA [RR-0373] highlights that it is currently unable to advise the ExA of its position on the environmental permits required for operation, or provide representations on any matters covered by those permits. Whilst the ExA appreciates that the EA may not be able to publish the draft decisions on the environmental permits before the Sizewell C DCO Examination closes, does the EA have any specific concerns at this stage associated with the proposed development in relation to climate change impacts and the adaptation measures proposed?</p>
	Response	
CC.1.15	The Applicant	<p>Climate change adaptation</p> <p>In relation to NPS EN-1, paragraph 4.8.10: Please identify all the proposed adaptation measures that could themselves have the potential to give rise to consequential impacts.</p>
	Response	
CC.1.16	The Applicant, EA	<p>Climate change adaptation</p> <p>The Planning Statement, Section 7.3, g), paragraph 7.3.61 [APP-590] refers to the mitigation measures embedded in the design including the elevation of the main platform to take it out of the area of flood risk. The EA [RR-0373] expresses concern that the current Flood Risk Assessment (FRA) identifies increased flooding to properties without identifying appropriate mitigation and compensation measures:</p> <p>(i) Is it agreed that the embedded mitigation proposed including the design changes would overcome the flood risk for the main platform itself for the relevant period under consideration?</p> <p>(ii) In the light of EN-1, paragraph 5.7.16, please demonstrate that the project would be safe without increasing the risk of flooding elsewhere. If that remains a point of disagreement, please identify the area of dispute and any further steps proposed to resolve the matter?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CC.1.17	The Applicant	<p>Climate change adaptation</p> <p>The Planning Statement, Section 7.3, g), paragraph 7.3.61 [APP-590], refers to the mitigation measures embedded in the design including the elevation of the main platform to take it out of the area of flood risk up to a level of 7.3m AOD and the creation of new coastal flood defences at the heights proposed by the changes up to 10.2m AOD with adaptive design to potentially raise the defence up to 14.2m AOD. These heights have now changed as part of the revised application. Please clarify that the proposed elevation of the main platform and sea defence design now reflect and provide a safe margin in the light of both UKCP18 and later reports and advice on the topic.</p>
	Response	
CC.1.18	The Applicant	<p>Climate change adaptation</p> <p>Change 9 proposes a change to the sea defence to make the scheme more efficient and resilient to climate change. Notwithstanding the details provided in the FRA Addendum [AS-157]:</p> <p>(i) Please explain in further detail how the proposed height of the permanent sea defence would extend the period when future raising may be needed to beyond the operational lifetime of the power station?</p> <p>(ii) Please explain further how the proposed changes to the sea defence would increase resilience to climate change.</p>
	Response	
CC.1.19	The Applicant	<p>In-combination climate change impact (ICCI) assessment</p> <p>The ES Chapter 26, paragraphs 26.6.7 to 26.6.9 [APP-342] explain that limitations associated with the approach taken for the ICCI assessment relate to uncertainties inherent within UKCP18 Projections. To overcome uncertainty issues, forecast climate change data from UKCP18 has been used coupled with the replication of proven effective approaches undertaken for similar project types. Assessments made in relation to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>'consequence' and 'likelihood' rely on professional judgement and evidence gathered through other environmental disciplines:</p> <p>(i) Please explain further and specify the approaches which have been replicated and the project types to which they relate.</p> <p>(ii) Please identify the elements of professional judgement relied upon and the 'other environmental disciplines to which they relate.</p>
	Response	
CG.1 Coastal Geomorphology		
CG.1.0	The Applicant	<p>Impacts on coastal processes</p> <p>The ES V II, Chapter 20 [APP-311], identifies potential impacts on coastal change. The Change Request provided additional information in relation to coastal geomorphology and hydrodynamics including the draft Coastal Processes Monitoring and Mitigation Plan appended to the ES Addendum. In the light of EN-1, paragraphs 5.5.7 and 5.5.10 and EN-6 paragraph 3.8.5, please demonstrate how the decision-maker can be satisfied in relation to the changed application:</p> <p>(i) That the potential impacts would be minimised;</p> <p>(ii) That the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period.</p>
	Response	
CG.1.1	The Applicant	<p>Impacts on coastal processes</p> <p>A number of IPs have expressed concern that the scheme could inhibit sediment flow or have an adverse impact on coastal processes at other locations. In the light of NPS EN-1, paragraph 5.5.11, please explain how the decision-maker could be satisfied that any</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		impacts of the project on coastal processes would be managed to minimise adverse impacts on other parts of the coast.
	Response	
CG.1.2	The Applicant, EA, Natural England, ESC	Impacts on coastal processes The EA [RR-0373] in relation to the residual uncertainty associated with predicting future changes to the geomorphology of the greater Sizewell Bay, as well as to key driving processes such as sea level rise and wave climate, considers this to be mitigated by SZC's commitment to continued engagement with the Marine Technical Forum of regulators as part of the Monitoring and Mitigation Plan (MMP): (i) Please confirm that the MMP and proposed means of enforcement would provide sufficient security in that respect, particularly in relation to the agreement and funding of specialists to closely monitor the evolution of the coastline and agree and implement the most appropriate measures to manage any unforeseen impacts. (ii) Please indicate when it is anticipated that the detailed design process for the Hard Coastal Defence Feature (HCDF) will take place and how that process would be appropriately appraised and approved? (iii) Are there any draft DCO changes that would be required to exercise sufficient control over that process?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
CG.1.3	The Applicant, ESC	<p>Impacts on coastal processes</p> <p>The East Suffolk Council [RR-0342] indicates that the draft MMP prepared by SZC Co. is currently under consultation with key stakeholders in parallel with the DCO process. There are several points of contention between ESC and SZC Co. In relation to the identified points of contention between ESC and SZC:</p> <p>(i) Is it agreed that a precautionary principle should be applied to assumptions on potential future critical requirements including Impact Assessments, incomplete designs, and the extent of the area to be monitored?</p> <p>(ii) If not, why not?</p> <p>(iii) If so, please suggest how this should be secured through the DCO, including any amended drafting for the draft DCO or other associated documentation?</p> <p>(iv) Please comment further on the project plan and budget and the assumptions to be made as regards the period that the MMP will remain active explaining any points of difference.</p> <p>(v) Please specify the means, in the event of a transfer by SZC Co. of its interest in the site to a new owner, whereby it is suggested that the new owner would be bound by covenant or other legal mechanism to adopt responsibility including costs for maintaining the MMP process setting out any drafting changes to the DCO documentation that would be required to achieve that.</p> <p>(vi) Please comment further on the proposal for an independent body to monitor the MMP, and to direct SZC Co. mitigation and compensation requirements.</p> <p>(vii) Please provide an update on the Council’s consultation with MMO as regards the delivery of the MMP.</p>
	Response	
CG.1.4	The Applicant, SCC, EA	<p>Impacts on coastal processes</p> <p>Suffolk County Council [RR-1174] identifies as an area of key concern: “<i>xii) A comprehensive coastal change Monitoring and Mitigation Plan (MMP), with an allocated mitigation/compensation budget, that allows determining if and to what extent an observed coastal change in the Sizewell C zone of influence is attributable to the development, and appropriate and required mitigation measures; and xiii) Provision for the cost of full removal of the hard sea defence as part of the decommissioning process</i>”</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>unless and until a future study changes this position”.</i></p> <p>(i) Please indicate the progress of agreeing the MMP; any associated funding for mitigation/compensation and the removal cost for the hard sea defence;</p> <p>(ii) Please identify any outstanding areas of dispute in relation to the MMP, funding and the removal of the hard sea defence;</p> <p>(iii) Has the means whereby the MMP, funding and other costs would be secured been agreed? If not, please identify any matters which remain in dispute?</p>
	<p>Response</p>	<p>SCC defers to ESC as the lead local authority on coastal matters. ESC have provided us with the following response posed by the ExA to SCC which SCC support:</p> <p>i) ESC considers that the Applicant has committed to funding mitigation identified as required by the Coastal Processes MMP.</p> <p>ESC has proposed a Requirement that states ‘Sizewell C Co. shall actively manage and fully fund the CPMMP process until decommissioning and removal of marine works including the Hard Coastal Defence Feature unless otherwise agreed by the MTF’.</p> <p>ESC believes that the Applicant has accepted ESC’s objective that the default position for forward planning and budget setting is that the HCDF will be removed as part of decommissioning unless a future report / environmental statement concludes it can remain, possibly with compensation, is agreed by the MTF. ESC has proposed a draft Requirement to this effect. It has not yet been accepted by the Applicant.</p> <p>(ii) The Coastal Processes MMP is a work in progress. Further detail is required from the Applicant to complete it. Notable current points of difference include:</p> <ul style="list-style-type: none"> • The extent of baseline monitoring scope. ESC requires inclusion of Thorpeness village and coverage of the Coralline crag outcrop. • The design of mitigation beyond the HCDF frontage. ESC requires clarity on how the Applicant will identify how a natural ‘without SZC’ shoreline would develop to compare with a ‘with SZC’ scenario which ESC believes is key to the design of mitigation. • Governance. • Dispute resolution. • Change control.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(Some of the above will require consultation within the MTF group).</p> <p>Funding. ESC believes that as of May 2020 all Coastal Processes MMP actions were obligations in the DML. Now that parts of those Coastal Processes MMP actions are outside the DML remit ESC believes that funding obligations must be restated in Requirements. The draft ESC Requirement is explicit in this regard. It is not yet agreed with the Applicant.</p> <p>HCDF removal. This is subject to confirmation of the Applicant’s agreement to commit to removal as default unless changed by a future EIA. The Applicant has proposed text be added to future revisions of the Coastal Processes MMP to cover both ongoing funding and continuation of actions to cessation or HCDF removal. ESC has proposed a draft Requirement that specifies HCDF removal as a default action unless a future study (Decommission EIA) recommends retention is approved by the MTF. This has not yet been agreed by the Applicant.</p> <p>CPMMP ESC has drafted a Requirement explicitly stating that the Applicant will fund the Coastal Processes MMP process. This has not yet been accepted by the Applicant.</p> <p>Matters of dispute incorporated above.</p>
CG.1.5	The Applicant	<p>Impacts on coastal processes The Alde and Ore Association [RR-1206] also raise issues in relation to the MMP. Please respond to those specific matters of concern including the duration and level of monitoring and funding proposed to be available pursuant to that plan.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CG.1.6	The Applicant, SCC, EA	Impacts on coastal processes Suffolk County Council [RR-1174] notes that the draft DCO proposes not to remove the Sizewell C coastal defence after decommissioning, unless required by the Pre-Decommissioning Environmental Impact Assessment. The Council does not consider this acceptable, and expects the Funded Decommissioning Programme to make provision for the cost of full removal of the hard sea defence as part of the decommissioning process, when safe to do so, unless and until a future study, informed by monitoring and other data, changes this position. Why has the removal not been included in the Funded Decommissioning Programme if there is potential for this to be necessary?
	Response	This is a question which the Applicant would need to respond to.
CG.1.7	The Applicant, ESC	Impacts on coastal processes The MMO [RR-0744] advises that any coastal monitoring plan should also be included as a requirement. This is because for any works landward of MHWS, East Suffolk Council will be the enforcement body; any monitoring that relates to the SCDF and HCDF will be of relevance to the Council. Please comment on this matter and, if agreed, set out any drafting changes required for the draft DCO to accommodate this.
	Response	
CG.1.8	The Applicant, MMO, ESC	Impacts on coastal processes The MMO [RR-0744] advises that monitoring options to address the uncertainties in the scale of predicted impact and hence the level of monitoring should be included in the MMP in particular for the monitoring of the BLF. It also advises that more detailed monitoring plans must be agreed for each project element and method. The MMO makes a number of other detailed criticisms of the MMP. Please comment on the criticisms made and provide an update as to the progress of agreeing the draft MMP.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CG.1.9	MMO, ESC	<p>Impacts on coastal processes</p> <p>The draft Coastal Processes Monitoring and Mitigation Plan [AS-237] provides information on the mitigation proposed. Please indicate whether that mitigation is considered to be satisfactory and, if not, suggest any changes considered to be necessary.</p>
	Response	
CG.1.10	MMO	<p>Impacts on coastal processes</p> <p>The ES Vol I, Appendix 6P, explains that the scope of the assessment has also been informed by ongoing consultation and engagement with statutory consultees throughout the design and assessment process. To facilitate engagement with statutory (and non-statutory) stakeholders on the marine assessments, the Sizewell Marine Technical Forum has been established. The Marine Technical Forum has an independent chair, supported by a technical secretariat supplied by SZC Co. together with nominated technical representatives from Natural England, the EA, the MMO and the East Suffolk Council, and any consultants working on their behalf. The Zone of Influence (ZoI) for the coastal geomorphology assessment has been defined in agreement with the Marine Technical Forum as the Greater Sizewell Bay. Please explain further the role of the MMO as a nominated technical representative of the Marine Technical Forum and indicate whether the ZoI was agreed by the MMO at that stage?</p>
	Response	
CG.1.11	MMO	<p>Impacts on coastal processes</p> <p>The ES Vol I, Appendix 6P [APP-171], Hard coastal defence feature 1.3.45 indicates that the final design and detailed construction plans for the HCDF were not known at the time of assessment. Though considered unlikely, it has been assumed as a worst case that heavy plant will be required to operate on the upper beach as part of the construction works. Please indicate whether it is agreed that the assumption of use of heavy plant in the assessment reasonably represents the worst case. In the absence of detailed design and detailed construction plans explain how the worst case scenario for the HCDF be fairly assessed?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CG.1.12	MMO	Impacts on coastal processes The ES Vol I, Appendix 6P [APP-171], Beach landing facility, paragraph 1.3.46, explains that use of a jack-up barge is considered the worst case for construction of the BLF as the cantilever method (installation from each previously assembled deck section) would have no separate impact apart from the piles themselves. (i) Please indicate whether it is agreed that the assumptions made in the assessment reasonably represent the worst case scenario for the construction of the BLF? (ii) Are there any other factors which should have been taken into account? (iii) Please provide an update in the light of Change 2 to the original application.
	Response	
CG.1.13	The Applicant, MMO	Impacts on coastal processes The ES Vol I, Appendix 6P [APP-171], paragraph 1.3.49, indicates that dredging would only be needed when the BLF approach is too shallow or the requirements for the barge grounding pocket are not met and when the BLF is in use. The dredging requirement (clearance) for vessel (barge and tugboats) access to the BLF is not currently known but is considered to be small (substantially less than 1m). The dredging requirement for the docked (grounded) barge has also not been finalised. Please confirm that: (i) the assumptions set out in Appendix 20A of Volume 2 of the ES [APP-312] made in relation to dredging are agreed; (ii) that these assumptions would over-represent the required barge traffic over the construction period; and (iii) the assessments conservatively assume maintenance of the approach channel and grounding pocket throughout the construction period of the proposed development. (iv) Please provide an update in the light of Change 2 to the original application.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CG.1.14	The Applicant	<p>Impacts on coastal processes</p> <p>The MMO [RR-0744] states that the risk that the wave climate at Sizewell reverts to the pre-1925 case could significantly alter the sediment supply and coastline behaviour and the lack of assessment of changes to the offshore wave climate to a north east domination is a gap in the analysis. In addition, for the nearshore climate, the Applicant assumes that the bank system is stable.</p> <p>(i) Please comment on the criticisms made and provide further justification for the assumptions set out in the ES Volume 2, Chapter 20 [APP-311], including the extent of the study area for coastal geomorphology set out in paragraph 20.3.9 and the assumptions and limitations referred to in paragraphs 20.3.21 and 20.3.29.</p> <p>(ii) In relation to paragraph 20.4.6, as pointed out by the MMO, why has the impact of the "19th Century" wave climate resuming not been assessed?</p> <p>(iii) Please provide further justification for the assumption that the present wave regime and hence little costal change and impact will continue.</p>
	Response	
CG.1.15	The Applicant	<p>Impacts on coastal processes</p> <p>The MMO [RR-0744] states that in general, despite the littoral drift to the south, the mitigation ignores potential impacts to the south of SZC. While the MMO recognises that the assessment concentrates on the stretch of the coast to the north of the site because that is a particularly sensitive area, the less sensitive parts to the south should be further considered. Please explain why this has been omitted to date and whether it is agreed that further consideration should be given to the parts of the coast to the south of the site.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CG.1.16	The Applicant	<p>Impacts on coastal processes</p> <p>The Alde and Ore Association [RR-1206] expresses concern that the ES fails to justify the assertion that the Great Sizewell Bay is a self-contained unit and changes there will have no impact on the longshore coastal evolution which has resulting in the uniquely long shingle spit of Orfordness, which itself created the Alde and Ore Estuary. Likewise, Walberswick Parish Council [RR-1257] submits that EDF have not justified the assertion that coastal effects to the south will not extend beyond the coralline crag to the north of Thorpeness. Given the scope of the ES assessment how can the ExA be satisfied that the proposed change at Sizewell would not adversely these natural processes further to the south?</p>
	Response	
CG.1.17	The Applicant	<p>Impacts on coastal processes</p> <p>Walberswick Parish Council [RR-1257] questions the acceptance of the EDF predictions of when the HCDF will be exposed in the absence of a finalised design. Please provide further justification for the reliability of the ES conclusions on this topic prior to the assessment of the final design of the HCDF.</p>
	Response	
CG.1.18	The Applicant	<p>Impacts on coastal processes</p> <p>East Suffolk Internal Drainage Board [RR-0345] expresses concern that the identified changes to long-term sediment flow off the Coast because of the HCDF would be likely to lead to accretion to the north of the development.</p> <p>(i) Please comment as regards the potential impact that this could cause to future discharge to the sea from the gravitational drainage system at Minsmere;</p> <p>(ii) Please summarise the mitigation proposed and comment on whether this matter has been sufficiently considered.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CG.1.19	The Applicant	<p>Impacts on coastal processes</p> <p>National Trust [RR-0877] in relation to coastal geomorphology and long-term change, expresses concern that there are potential/possible impacts of the proposal on their site during the lifetime of the development that have not been fully explored as part of a holistic and integrated assessment. The Trust submits that the Applicant should be required to define and monitor this change for the lifetime of the development and to include the north of the application site, specifically Dunwich Heath and Beach. (i) Please respond to the specific concerns of National Trust on this topic; (ii) Please explain further and set out the proposals for mitigation/compensation for adverse impacts resulting from the project upon Dunwich Heath and Beach that might arise through coastal change.</p>
	Response	
CG.1.20	The Applicant	<p>Impacts on coastal processes</p> <p>Stop Sizewell C (Theberton & Eastbridge Action Group) [RR-1162] sets out its various concerns in relation to the effect of the Sizewell C Project on coastal processes and flood risk. Please respond specifically to the concerns raised including the current absence of a submitted plan for the HCDF structure; the MMP; and the assertion that coastal effects to the south will not extend beyond the coralline crag to the north of Thorpeness.</p>
	Response	
CG.1.21	The Applicant	<p>Impacts on coastal processes</p> <p>Suffolk Coast Acting for Resilience [RR-1171] raise the issue of coastal erosion outside the narrow Sizewell Bay and the assumption that nothing will change south of the Great Sizewell Bay. Please respond specifically to the concerns raised in respect of:</p> <p>(i) the availability of long-term funds for coastal defence works, including for Aldeburgh to at least Shingle Street.</p> <p>(ii) Whether the latest information on climate change, sea level rise and coastal evolution</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		has been taken into account and, if not, why not and how that affects the soundness of any assessments.
	Response	
CG.1.22	The Applicant	<p>Impacts on coastal processes</p> <p>A number of IPs express concern that the scheme would exacerbate existing levels of coastal erosion along this coast. For example, Dr Kay Laskey [RR-0329] draws attention to existing rapid coastal erosion especially either side of the site, at both Thorpeness and Cove Hithe. Please comment upon such concerns and whether the proposed new defences would be likely to cause flanking erosion in other locations and identify any proposed mitigation for this issue?</p>
	Response	
CG.1.23	The Applicant	<p>Impacts on coastal processes</p> <p>NE [RR-0478] makes specific comments on the Coastal Geomorphology and Hydrodynamics report within the application, and sets out additional information or evidence that it requires or which needs clarification including how the various beach measures would avoid an adverse effect and maintain condition of SAC foreshore annuals vegetation communities; the extent to which the measures would also reduce the risk to SAC/SPA habitats in Minsmere Valley behind the barrier beach; the impact of the coastal defence measures on the dune County Wildlife Site and how the loss of most of the site would be mitigated or offset within the footprint of the HCDF and SCDF; how the coast protection of the development site would enhance the wider coastal natural environment, including its form, function, and ability of coastal habitats to contribute to climate change resilience and nature recovery, as part of the Government's 25 Year Environment Plan. Please comment on the points raised by NE and provide the additional information/clarity sought.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CG.1.24	The Applicant	Impacts on coastal processes The Environmental Statement Addendum – Non-Technical Summary [AS-179], Section 2.3 k) considers coastal geomorphology and hydrodynamics explains that the updated assessment considered the effects associated with the construction and operation of the enhanced permanent breach landing facility, the new temporary beach landing facility, the temporary discharge outfall and the change to the sea defence design and concludes that with mitigation in place all effects on coastal processes associated with the changes are assessed as not significant. (i) Please identify any specific mitigation and/or changes to the Coastal Processes and Monitoring and Mitigation Plan that have been required as a result of these changes. (ii) In relation to the assessed new significant benefit associated with the changes, please explain in detail the basis for that conclusion.
	Response	
CG.1.25	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237] Table 1, summarises the SZC components that are considered to require coastal geomorphology monitoring, along with the proposed method and rationale. (i) Please indicate whether any other components should be monitored? (ii) Please provide further justification for an explanation of the frequency and spatial extent of the monitoring proposed in this table for the relevant components.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CG.1.26	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 2, provides the suite of monitoring methods which would be used to track changes in coastal geomorphic receptors and annual vegetation, including impacts arising from SZC pressures and activities. The methods combine the use of continuous remote sensing techniques for early warning of any impacts with targeted, high-accuracy, field surveys. (i) Please indicate whether any other methods should be utilised? (ii) Please confirm that the suite of methods proposed represents an appropriate balance between remote and on-site techniques.
	Response	
CG.1.27	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 5.2, indicates that all Beach Landing Facilities (BLF) effects have been classified as not significant, although some were minor and some negligible. Minor effects were predicted to arise from the reprofiled navigation channel leading to the permanent BLF jetty and propeller wash from tugboats on the longshore bars. It confirms that seabed reprofiling (dredging) would be required in order to gain safe navigational access to the enhanced permanent BLF jetty. Please explain in further detail: (i) why the altered bed shear stress over this area would have low impact duration and probability; (ii) why the occurrence of a storm could be relied upon to result in rapid shrinkage of the effect; (iii) the reliability of the conclusion reached that higher than natural quiescent levels of suspended sediment concentration arising from propeller wash from tugboats would be directed to the south.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CG.1.28	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 5.2, indicates that as the BLF is close to the Minsmere-Walberswick SPA and Minsmere to Walberswick Heaths and Marshes SAC, precautionary monitoring associated with BLF-use is proposed in order to confirm the predicted no significant effect of bed reprofiling and tugboat propeller wash. However, it is proposed that this aspect of the beach and longshore bar monitoring would be cease once shown that these activities have no significant effect on the designated sites. Given the designation of these particular sites, does the proposed continuation of background monitoring provide sufficient safeguards for the longer term?
	Response	
CG.1.29	The Applicant	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], in relation to scour around BLF piles, acknowledges that with sea level rise and shoreline retreat (landward translation of the beach profile), terrestrial piles could become exposed by the receding intertidal beach and intertidal profiles could become subtidal. Please explain further why the proposed background monitoring would be sufficient to document any changes arising from beach profile translation?
	Response	
CG.1.30	The Applicant	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6, acknowledges that the likely timeframe of 2053 – 2087 for HCDF exposure is sufficiently far into the future that the details of which part of the shingle beach might become vulnerable, and its extent, cannot be known and neither can an individual mitigation plan be specified years or more in advance. Since the precise beach conditions and matching mitigation actions cannot be known at this stage, how can it be ensured that beach

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		conditions would not threaten HCDF exposure and could be satisfactorily mitigated at that time?
	Response	
CG.1.31	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6.2 and 6.3, set out the proposed beach management framework and the mitigation trigger (beach volume). Please confirm that these sections of the draft plan have been agreed and, if not, why not and highlight any changes sought.
	Response	
CG.1.32	The Applicant, MMO	Impacts on coastal processes The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6.5.4, states that the proposed beach maintenance/sediment management approaches would not have an adverse effect on designated supra-tidal shingle habitats. (i) Please confirm that this section of the draft plan has been agreed. If not, please explain why that is the case and highlight any changes sought. (ii) Is it agreed that the Leiston - Aldeburgh SSSI is too distant to be affected by beach management activity at SZC?
	Response	
CA.1.	Compulsory acquisition	
CA.1.0	The Applicant	The scope and purpose of the Compulsory Acquisition Powers sought The Statement of Reasons (SoR) [APP-062], paragraphs 6.1.4 and 6.1.5, indicates that in addition to developing the power station itself, SZC Co. is applying for consent for associated development and assesses the consistency of the proposed development with

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the principles set out in the associated development guidance. Please provide further justification for the conclusions reached in paragraph 6.1.5 bullet points 1, 2 and 4 with particular regard to the provision of the Two Village Bypass (TVP) and the Sizewell Link Road (SLR)?</p>
CA.1.1	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [APP-062], section 5, considers the source and scope of the powers set out in the draft DCO. Paragraph 5.3.3, states that any land within the Order Limits will be subject to a statutory authority to override easements and other rights, and to extinguish private rights of way upon the appropriation of the land for the purposes of the DCO. Please explain in further detail:</p> <p>(i) The need to seek such a wide-ranging power and why all such rights and easements cannot be specifically identified;</p> <p>(ii) Why it is necessary to include powers of compulsory acquisition as a means of overriding existing rights and interests in or over land, as well as creating new rights over land, and granting the right to take temporary possession of land?</p> <p>(iii) The nature and extent of any delay to the project that might otherwise result?</p> <p>(iv) What alternatives to this approach have been explored?</p>
CA.1.2	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [APP-062], paragraph 5.3.9, explains that Article 30 would allow SZC Co. to compulsorily acquire existing and new rights, as well as impose restrictive covenants over land, for example where flood mitigation works need to be retained. Where SZC Co. only needs to acquire rights over land, it is not required to acquire a greater interest in the land.</p> <p>(i) Please provide an indication of the anticipated content and/or an initial draft of any</p>
	Response	
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>restrictive covenants intended to be imposed; (ii) Should a requirement for consultation with relevant owners/occupiers as regards the drafting of any such restrictive covenants be imposed?</p>
	Response	
CA.1.3	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought The SoR [APP-062], paragraph 5.5.8, states that Article 25 would authorise SZC Co. to enter onto any land within the Order Limits or which may be affected by the authorised development (whether or not that land is within the Order Limits) to undertake various survey and investigative works, including trial holes. Article 25(2) provides for a 14 day notice period to be given to the owner/occupier of the land. Please provide justification for a 14 day notice period and consider whether this is unreasonably short and should be extended to 28 days?</p>
	Response	
CA.1.4	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought To assist with the consideration of whether the extent of the land to be acquired is no more than is reasonably required for the purposes of the development to which the development consent will relate: The SoR [APP-062], paragraph 7.3.4, states that the Order Limits have been defined to allow sufficient flexibility to enable the final detailed design of the Sizewell C Project to be optimal. In addition, paragraph 7.3.6, indicates that limits within which the highway works may be constructed have been defined to incorporate sufficient land to allow for the final detailed design to be determined. The land included in the Order Land includes the full extent of the area where works may be undertaken. However, in practice only the land needed for the highway works would be acquired. (i) For the avoidance of doubt, please set out and justify the extent of the flexibility that the submitted scheme would allow in terms of Limits of Deviation (LoD) and parameters</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		providing dimensions where relevant; (ii) How would it be ensured that powers of Compulsory Acquisition would not be exercised in respect of land not ultimately required as a result of the detailed design process?
	Response	
CA.1.5	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [APP-062], paragraph 5.4.3, in relation to Article 18, states that this article would allow SZC Co. to use temporarily any private road within the Order Limits for the passage of persons or vehicles for the purposes of, or in connection with, the construction of Sizewell C without the need to obtain an interest (i.e. right of way) over that land. Please explain why it is necessary to seek this power and identify the private roads to which it is intended to apply?</p>
	Response	
CA.1.6	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [APP-062], paragraph 5.4.5, explains that Article 38 would provide that SZC Co. must exercise its power to temporarily use land or interests within five years of the Order being granted. However, this leaves the period of temporary possession open-ended from the date the power is exercised. Should there not also be a time limit after which the temporary possession of the land or interests must cease?</p>
	Response	
CA.1.7	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>For the avoidance of doubt, please confirm the total number of plots falling within each of the six classes listed in the SoR [APP-062], Table 1.1. for the application as amended.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.8	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR Addendum [AS-149], section 2.2, sets out the amendments to the Order Land that are required as a result of the proposed changes. For the avoidance of doubt, please confirm:</p> <p>(i) the extent of the new land to be included within the Order Limits in respect of which compulsory acquisition powers are sought;</p> <p>(ii) the total area of land over which compulsory acquisition powers are sought;</p> <p>(iii) the extent of the new land to be included within the Order Limits in respect of which temporary possession powers are sought;</p> <p>(iv) the total area of land over which temporary possession powers are sought;</p> <p>(v) the extent of the new land over which the compulsory acquisition of rights only are sought;</p> <p>(vi) the total area of land over which the compulsory acquisition of rights only are sought.</p>
	Response	
CA.1.9	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>In relation to the SoR Addendum [AS-149], Tables 2.1-2.4, please identify and include the number of the relevant change request applicable to each section.</p>
	Response	
CA.1.10	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR Addendum [AS-149], Tables 2.1 and 2.4, and the Draft DCO Addendum [AS-145] provide reasons for the additions/changes to the powers sought. However, please provide further details of the necessity for these additions/changes and the assessment of the extent of the Additional Land/Powers sought in each case including in relation to draft DCO, Schedule 17A [AS-143].</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.11	The Applicant	Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO The SoR [APP-062], section 7.4, sets out the Applicant's compelling case in the public interest for the proposed compulsory acquisition. Paragraph 7.4.1 asserts that the public benefits of the scheme would outweigh the adverse impacts on the interests of those who would be affected by the proposed use of compulsory acquisition powers. (i) What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of compulsory acquisition powers in each case; (ii) What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?
	Response	
CA.1.12	The Applicant	Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO The SoR [APP-062], paragraph 7.4.3, sets out the expected public benefits of the project. Please indicate whether the public benefits claimed within the five bullet points set out in that paragraph require any update?
	Response	
CA.1.13	The Applicant	Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO The SoR [APP-062], paragraph 7.4.7, states that the Applicant has taken pro-active steps to engage with these persons through formal consultation and informal engagement to understand the direct and indirect impacts on them. Paragraph, 9.2.2, explains that the Applicant has engaged directly with individual landowners and those with an interest in the affected land. As a result of this engagement SZC Co. has had a better understanding of the direct and indirect impacts on individual landowners. Please provide further details, with examples where available:

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(i) How such engagement has helped to shape the proposals and enabled the Applicant to make changes to designs to minimise the private loss; (ii) How has the direct engagement with individual landowners given the Applicant a better understanding of the direct and indirect impacts on them; (iii) Please provide detail, where available, of the direct and indirect impacts thereby identified.
	Response	
CA.1.14	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO</p> <p>What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the national Compensation Code in its assessment of private loss?</p>
	Response	
CA.1.15	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO</p> <p>The relevant representation of NFU [RR-0885] raises various issues including the justification for the powers sought, extent and location of the land sought to be compulsorily acquired; the powers sought to create new public rights of way; and that no meaningful negotiations have taken place with those it represents. It submits that a compelling case cannot be made. Please respond to the points raised by the NFU on these matters including the adequacy of the negotiations conducted on the Applicant's behalf and the lack of detail within the heads of terms.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.16	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO</p> <p>The Procedural Deadline A submission made by Gregory Jones QC on behalf of clients [PDA-020] asserts that there has been a failure to justify size and location of balance ponds and, in relation to the proposed new public rights of way, the Applicant should not be authorised to acquire more land than is needed for the scheme itself. Please provide justification for the extent of and need for the land sought to be acquired for these purposes.</p>
	Response	
CA.1.17	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>In the light of the DCLG Guidance related to procedures for the compulsory acquisition of land (CA Guidance), paragraph 8:</p> <p>(i) How can the Panel be assured that all reasonable alternatives to Compulsory Acquisition (including modifications to the scheme) have been explored;</p> <p>(ii) Set out in summary form, with document references where appropriate, what assessment/comparison has been made of the alternatives to the proposed acquisition of land or interests therein in each case.</p>
	Response	
CA.1.18	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>The SoR [APP-062], paragraph 7.5.20, refers to the four stages of statutory pre-application consultation, between 2012 and 2019, and the targeted statutory consultation, informal consultation and engagement that has also taken place outside of these consultation stages and the consideration given to that in the selection of the most appropriate options.</p> <p>(i) Please explain what, if any, account has been taken of responses to pre-application consultation (both in relation to statutory and non-statutory consultation) in the location and design of the elements of the scheme that were the subject of such consultation in</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>considering whether there are reasonable alternatives to Compulsory Acquisition; (ii) Please provide any examples of location/route changes and changes to design development options within the application scheme in response to public consultation.</p>
CA.1.19	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored The ES 6.7 Volume 6 [APP-450] Sizewell Link Road Chapter 3 Alternatives and Design Evolution 3.3.20 states that as part of design refinement and EIA process, there were a number of updates to the design following Stage 4 consultation. (i) Please provide further justification for the extent of the land take that would permanently be required for the new road; the consideration given to the potential severance of holdings and division of existing field patterns and the ability to access and utilise that land following completion of construction. (ii) Please explain in further detail the consideration given to accommodation access tracks and private means of access and how these have been refined or added to reduce severance impacts following Stage 4 consultation.</p>
	Response	
CA.1.20	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored The SoR [APP-062], paragraph 7.5.52, asserts that all reasonable alternatives have been considered prior to the making of the Application and such consideration has included reasonable factors at relevant stages, including the minimisation of environmental and visual impacts and land take. Please explain further, by reference to the documentation submitted, the consideration given to the minimisation of land take and the assessment of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		alternatives to the extent of the land sought to be compulsorily acquired, and the nature of the powers sought for each plot.
	Response	
CA.1.21	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>The CA Guidance, paragraph 25, state that applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</p> <p>(i) Please demonstrate the Applicant’s compliance with this aspect of the CA Guidance.</p> <p>(ii) Has the Applicant offered full access to alternative dispute resolution techniques for those with concerns about the compulsory acquisition of their land or considered other means of involving those affected?</p>
	Response	
CA.1.22	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>The SoR Addendum [AS-149], paragraph 1.3.3, refers to discussions having taken place with relevant landowners of the Additional Land. Please include details of the negotiations within the update to be submitted to the next Deadline, identifying separately those which relate to the Additional Land.</p>
	Response	
CA.1.23	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>The SoR Addendum [AS-149], paragraph 3.3, refers to the summary of main alternatives that have been considered for the Project in the Statement of Reasons [APP-062]. Nonetheless, please expand and explain the consideration of all reasonable alternatives to</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		compulsory acquisition (including modifications to the scheme) of these additional plots in accordance with paragraph 8 of the CA Guidance.
	Response	
CA.1.24	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The CA Guidance, paragraph 17, considers the resource implication of the proposed scheme. In the light of that guidance, please set out the degree to which other bodies (public or private sector) have agreed to make financial contributions or to underwrite the scheme, and the basis upon which any such contributions or underwriting is to be made.</p>
	Response	
CA.1.25	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>In the light of the CA Guidance, paragraph 18, what evidence is there to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following any DCO being made?</p>
	Response	
CA.1.26	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Planning Statement [APP-590], paragraphs 7.3.3-7.3.10, considers financial and technical viability and makes reference to ENS-1 paragraph 4.1, and concludes that based on the Funding Statement the decision maker can be satisfied of the projects viability and that there is a reasonable prospect of the requisite funds for the acquisition becoming available. Please confirm that it is agreed that:</p> <p>(i) This presupposes that the decision-maker is satisfied based on the information provided in the application, that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant?</p> <p>(ii) If the decision-maker is not satisfied from the information provided that the applicant has properly assessed the financial viability of the project, then remains a matter of relevance for the decision-maker?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CA.1.27	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>Please summarise the evidence relied upon to support the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward and in what time period?</p>
	Response	
CA.1.28	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Funding Statement [APP-066], paragraph 3.2.1, indicates that the current cost estimate for the project is circa £20 billion. That figure includes design, land acquisition, and physical construction. The Second Funding Statement Addendum [AS-150], paragraph 3.3.6, indicates that the overall estimated cost of the project remains the same as presented in the Funding Statement [APP-066]. Please explain, in the event that the changes to the application are accepted, how that has been calculated to have no impact upon the overall cost estimate?</p>
	Response	
CA.1.29	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Funding Statement [APP-066], paragraph 3.2.2, states that the cost estimate has primarily been informed by learning from Sizewell C's sister project, Hinkley Point C.</p> <p>(i) Please provide further details of the other sources which have informed the costs estimate and evidence to support the accuracy of the estimated cost?</p> <p>(ii) Given the differences between the two sites including their different locations, please explain why the Hinkley Point C experience can reasonably be relied upon in estimating costs for this project?</p> <p>(iii) What contingencies does the figure of £20 billion include? (iv) Please set out the</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		differences between the initial cost estimate for Hinkley Point C prior to the grant of approval and the actual figure that is likely to be expended.
CA.1.30	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Energy White Paper in relation to nuclear (page 48) expects a 30% reduction in the cost of nuclear new build projects by 2030. Whilst noting that timeline, how does that correspond with the Applicant's own anticipation of costs for the Sizewell C project compared to Hinkley Point C?</p>
	Response	
CA.1.31	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Funding Statement [APP-066], paragraph 4.1.1, states that an estimate of the amounts necessary to cover the payment of compensation associated with the exercise of any compulsory acquisition powers granted has been taken into account in the overall project cost. Please provide a separate estimate of the cost of land acquisition. Please explain further the nature of the expert advice taken in that respect and the basis for and reliability of this estimate?</p>
	Response	
CA.1.32	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Second Funding Statement Addendum [AS-150], paragraph 3.3.6, indicates that the Applicant continues to have positive engagement with potential third party investors:</p> <ul style="list-style-type: none"> (i) Please explain further what is meant by 'positive engagement'; (ii) whether any formal agreement or commitment to invest from third parties, subject to the necessary approvals being obtained, has been achieved; (iii) Why the development of the RAB funding model would be supportive of the project securing its financing requirements?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.33	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Funding Statement Addendum [AS-011], paragraph 3.1.4, states that the replication strategy allows the cost of energy produced at Sizewell C to be substantially less than that produced at Hinkley Point C:</p> <p>(i) Please provide an indication of the anticipated energy cost reduction that it is anticipated would be achieved in comparison to Hinkley Point C;</p> <p>(ii) Please explain further what is meant by “substantially less” and how that would be achieved through the replication strategy?</p>
	Response	
CA.1.34	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Second Funding Statement Addendum [AS-150], paragraph 3.3.5, refers to the publication of a summary of the responses to the Government’s RAB consultation which indicate that a RAB model remains credible for funding large-scale nuclear projects. The Energy White Paper reiterates that position and indicates that it will continue to explore this, alongside a range of financing options with developers. Whilst examining the potential role of Government finance during construction, that is subject to there being clear value for money for consumers and taxpayers. Given that hurdle, explain why the Applicant remains confident that the required funding will be achieved?</p>
	Response	
CA.1.35	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Second Funding Statement Addendum [AS-150], paragraphs 3.3.3 and 3.3.4 refer to the publication of the Government’s ‘Ten Point Plan’ and the Energy White Paper. The Energy White Paper in relation to power, sets out a key commitment to provide up to £385 million in an Advanced Nuclear Fund for the next generation of nuclear technology aiming, by the early 2030’s, to develop a SMR design and to build an AMR demonstrator. Does that financial support for Small Modular Reactors indicate a limited window of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		opportunity for large scale nuclear projects that will be expected to pass the 'value for money' test?
	Response	
CA.1.36	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Second Funding Statement Addendum [AS-150], paragraph 3.3.8, notes a number of factors which increase the Applicant's confidence that it will be able to raise the funding required for the project and for compulsory acquisition to take place within the timescales set by the draft DCO. In relation to the factors listed:</p> <p>(i) The Energy White Paper indicates that the Government's aim to bring at least one large-scale nuclear project to financial close this Parliament is subject to clear value for money, and all relevant approvals. Please explain how the project is anticipated to meet that caveat?</p> <p>(ii) If the Applicant fails to demonstrate that the project represents 'clear value for money' and the negotiations with the Government do not reach a satisfactory conclusion, what are the prospects of obtaining the necessary funds from other sources? In short, is the achievement of the project reliant upon those negotiations reaching a successful conclusion?</p>
	Response	
CA.1.37	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The relevant representations of Interested Persons including Against Sizewell C (TASC) [RR-1231], Louise Gooch (East Suffolk Council Cllr) [RR-701], NJ Bacon Farms [RR-0867], Ward Farming Ltd [RR-1259] and NFU [RR-0885] raise concerns as regards the funding of the project, the proposed compulsory acquisition and decommissioning. Please respond to those concerns.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.38	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected What degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified, and why?
	Response	
CA.1.39	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected The SoR [APP-062], paragraph 7.9.1, acknowledges that the powers of compulsory acquisition sought through the draft DCO would engage Article 8 of the European Convention on Human Rights (ECHR) to the extent that homes are to be compulsorily acquired. (i) Please identify all those homes which are proposed to be compulsorily acquired and indicate whether any agreement has been reached with those owners/occupiers affected in this way? (ii) Please explain separately for each home the necessity and justification for seeking their acquisition and how that acquisition would comply with Article 8(2)?
	Response	
CA.1.40	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected The SoR [APP-062], paragraph 7.9.4, states that in pursuing the DCO, SZC Co. has carefully considered the balance to be struck between individual rights and the wider public interest. Explain more precisely the factors which have been placed in the balance (including references to any paragraphs of the relevant NPS and Government Guidance), the weight attributed to those factors and how this exercise has actually been undertaken?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.41	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>The SoR [APP-062], paragraph 7.9.4, states that to the extent that the DCO would affect individuals' rights, the proposed interference with those rights would be in accordance with law, proportionate and justified in the public interest.</p> <p>(i) How has the proportionality test been undertaken?</p> <p>(ii) Explain further the proportionate approach which has been taken in relation to each plot?</p>
	Response	
CA.1.42	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>In relation to the Applicant's duties under section 149 of the Equalities Act 2010:</p> <p>(i) Please explain how the Applicant has had regard to its public sector equality duty in relation to the powers of Compulsory Acquisition sought and where this can be identified in the Equalities Impact Statement [APP-158];</p> <p>(ii) Have any Affected Persons been identified as having protected characteristics?</p>
	Response	
CA.1.43	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>The Statement of Reasons Addendum [AS-149], paragraph 3.4, asserts that the proposed interference with the rights of those with an interest in the CA Additional land is for a legitimate purpose, necessary and proportionate. Please expand and provide full justification for reaching that conclusion specifically in relation to the Additional Land.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.44	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected The Statement of Reasons Addendum [AS-149], paragraph 3.7.2, relies upon the original Statement of Reasons [APP-062] to justify interfering with the human rights of those with an interest in the land affected. Please indicate the specific consideration given to the human rights of those affected by the proposed CA of the Additional Land.
	Response	
CA.1.45	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected Please provide specific details of the need and justification for the powers of compulsory acquisition sought and the consideration given to the Human Rights of each owner/occupant in respect of the following residential garden areas and/or properties: (i) The Round House, Eastbridge Road, Leiston, (Plot Ref MMDS/01/05); (ii) 54 and 55 Stockhouse Cottages, Main Road, Benhall, Saxmundham, (Plot Ref: 2VB/18/02); (iii) Annison's Cottage, Annesons Corner, Middleton (Plot Ref SLR/21/16); (iv) Upper Abbey Cottage, (Plot Ref MDS/02/04).
	Response	
CA.1.46	The Applicant	Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected The Relevant Representation of Susanne Nujeerallee [RR-1194], states that: " <i>If Sizewell C goes ahead my family and I will be made homeless</i> ". (i) Please respond to the concerns raised by the occupier of Upper Abbey Cottage (Plot ref MDS/02/04) and explain further the need for the powers sought in respect of this Objector's land; (ii) the consideration that has been given to the impact upon this family and the implications for the human rights of the individuals concerned.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CA.1.47	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>The Procedural Deadline A submission made by Gregory Jones QC on behalf of clients [PDA-020] complains that in breach of guidance and case law (as well as Article 8 European Convention of Human Rights and the First Protocol to the Convention) no meaningful negotiations have taken place alongside the formal procedures for compulsory purchase. Therefore a compelling case cannot be made for the proposed compulsory acquisition. Please respond including details of any negotiations that have taken place and what, if any, consideration has been given to the prospect of achieving different locations and/or lesser rights in relation to those plots.</p>
	Response	
CA.1.48	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Please confirm that the BoR [APP-067] and the BoR Addendum [AS-151] together accurately set out the various plots and interests. Please identify any inaccuracies that have come to light since the submission of the application and any further updates that need to be made at this stage.</p>
	Response	
CA.1.49	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>The Statement of Reasons [APP-062], paragraph 9.1.2, states that diligent inquiry to identify relevant persons with an interest in land was undertaken by Land Referencers appointed by the Applicant and sets out the process that was followed to identify such persons:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please comment on the reliability and accuracy of the BoR in the light of those inquiries.</p> <p>(ii) Please provide further details of the process for identifying Category 3 persons.</p> <p>(iii) Explain why that process should be regarded as a conservative approach towards identifying Category 3 persons.</p>
	Response	
CA.1.50	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>What assurance and evidence can the Applicant provide of the accuracy of the land interests identified as submitted and indicate whether there are likely to be any changes to the land interests, including the identification of further owners/interests or monitoring and update of changes in interests?</p>
	Response	
CA.1.51	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Explain how the BoR [APP-067] and the BoR Addendum [AS-151] comply with the guidance published by the former Department for Communities and Local Government – Planning Act 2008: Guidance related to procedures for the compulsory acquisition for land Annex D, paragraph 10?</p>
	Response	
CA.1.52	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Where have the proposed new rights and restrictive covenants been identified and cross-referenced to the relevant development consent order articles? Please explain how this has been achieved by the BoR [APP-067] and the BoR Addendum [AS-151]?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CA.1.53	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Please confirm that the BoR [APP-067] and the BoR Addendum [AS-151] comply with the advice contained in Annex D, paragraph 8, of the guidance. For example, are all those identified in Part 3 also recorded in Part 1?</p>
	Response	
CA.1.54	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>The Consultation Report [APP-069], paragraph 2.4.18, indicates that previously unregistered areas of land were periodically checked to ensure the land remained unregistered. What reliability can be placed upon the process by which those with an interest in unregistered land were initially identified and subsequently checked for accuracy?</p>
	Response	
CA.1.55	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Please provide an up to date list of those plots of land where ownership still remains unknown.</p>
	Response	
CA.1.56	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>Please indicate whether a cover letter accompanied the Land Referencing Questionnaire attached as Appendix G4 to the Consultation Report [APP-084] and/or how the need to complete the document accurately was conveyed to recipients? Was this sent at the same time as the Request for Information Form attached at Appendix G6?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CA.1.57	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], indicates that regardless of Article 26 in the draft DCO, the NDA and Magnox are of the opinion that land plots MDS/05/06 and MDS/05/07 should be excluded from the BoR [APP-067] altogether. Please respond to their concerns and indicate whether the BoR will be amended in that respect?</p>
	Response	
CA.1.58	The Applicant	<p>The accuracy of the Book of Reference (BoR), Land Plans and points of clarification</p> <p>The SoR Addendum [AS-149], paragraph 1.3.2, states that the Applicant has carried out diligent inquiry in the CA Additional Land and persons with a claim for compensation as a result of the proposed development of the CA Land. Please provide specific details of the inquiries that have been made and justification for the reliance placed upon the outcome of those inquiries.</p>
	Response	
CA.1.59	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The SoR [APP-062], paragraph 4.9.5, refers to section 127 PA 2008. However, Article 40 would allow SZC Co. to acquire land or rights in land owned by statutory undertakers (such as telecommunications and electricity suppliers) or to interfere with their apparatus by removing or repositioning the apparatus within the Order Limits. In addition, the relevant representation of Network Rail [RR-0006] makes reference to s138 PA 2008. (i) Please clarify whether or not s138 PA 2008 is engaged by the Sizewell C project. (ii) If s38 is so engaged, then please identify all statutory undertakers to which that applies and provide details of the relevant right or apparatus to be extinguished or removed and why the Applicant considers that to be necessary? (iii) Please explain and justify the extent of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		the land over which such powers are sought given the width of the corridors likely to be needed for the reaction and acquisition of new rights to accommodate the diversion of statutory undertakers' apparatus.
	Response	
CA.1.60	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The SoR [APP-062], paragraph 4.9.7, states that adequate protection for the statutory undertakers will be included within protective provisions in the DCO. SZC Co. therefore considers that the statutory undertakers will not suffer serious detriment to the carrying on of the undertaking as a result of the compulsory acquisition of land or rights over land or powers of temporary possession. (i) Have any Protective Provisions and/or asset protective agreements between the various parties been agreed. If not, please identify any outstanding areas of disagreement? (ii) For those Statutory Undertakers' who have been sent the draft protective provisions but have not confirmed agreement, please explain for each one why these protective provisions are considered to provide adequate protection and why SZC Co. considers that the land and rights can be acquired without serious detriment to the carrying on of the undertaking.</p>
	Response	
CA.1.61	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The relevant representation of Network Rail [RR-0006] objects to the inclusion of the Plots in the Order and to all other compulsory powers in the Order that affect, and may be exercised in relation to, Network Rail's property and interests. Please provide an update on the matters required by Network Rail in order for it to be in a position to withdraw its objection, including whether appropriate protective provisions have been agreed?</p>
	Response	
CA.1.62	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The relevant representation of Anglian Water Services Ltd [RR-073]:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(i) Has the proposed amendment to Article 23 draft DCO been agreed? If not, why not? (ii) Have the specific protective provisions suggested by Anglian Water been agreed? If not, why not? (iii) Please indicate whether agreement has been reached in relation to temporary possession of land in Anglian Water's ownership to provide access to a proposed construction compound for the proposed Yoxford Roundabout?
	Response	
CA.1.63	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The relevant representation of Cadent Gas Limited [RR-0168] explains why adequate protective provisions for the protection of Cadent's statutory undertaking are required and in discussion between the parties but not yet agreed. Please provide an update on the progress of those discussions and indicate whether any agreement has yet been reached?</p>
	Response	
CA.1.64	The Applicant	<p>The acquisition of Statutory Undertakers' land – s127 PA2008</p> <p>The relevant representation of National Grid Electricity Transmission Ltd (NGET) [RR-0874] states that NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or near the Order limits should always be maintained and access to inspect and maintain such apparatus must not be restricted. Please provide an update on the progress of discussions with NGET in relation to protective provisions highlighting any outstanding areas of disagreement?</p>
	Response	
CA.1.65	The Applicant	<p>Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests</p> <p>The relevant representation of East Suffolk Internal Drainage Board [RR-0345] welcomes the consideration of the benefits of including a protective provision for drainage and flood risk authorities (including Internal Drainage Boards) within the draft DCO. Please provide</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		an update on progress and indicate whether such protective provisions have been agreed. If not, please set out any areas of disagreement?
	Response	
CA.1.66	The Applicant	Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], states that Protective Provisions should be included in the draft DCO in order to preserve and protect their respective abilities to effectively carry out their statutory functions and regulatory responsibilities and to reflect agreement reached on the exercise of compulsory acquisition powers. Please provide an update on progress and indicate whether such protective provisions have been agreed. If not, please set out any areas of disagreement?
	Response	
CA.1.67	The Applicant	Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests The relevant representation of Suffolk County Council [RR-1174], seeks Protective Provisions for its role as the Local Highway Authority in order for it to continue to discharge its duties under the Highways Act (1980) within those parts of the public highway included within the Order Land. The Council also proposes that Protective Provisions should be considered for other topic areas, such as its Lead Local Flood Authority and statutory archaeological roles. Please respond and indicate whether any such protective provisions are being negotiated and/or have been agreed?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.68	The Applicant	<p>Crown Land</p> <p>The CA Guidance, paragraphs 39 and 40, provides guidance in relation to Crown Land. It advises that discussions between applicants and the appropriate Crown authority should start as soon as it is clear that such land or interests will be required and that the aim should be to ensure that agreement is in place no later than the time that the application for the project is submitted to the Planning Inspectorate. Please set out when those discussions began and explain why no agreements were in place when the application was submitted.</p>
	Response	
CA.1.69	The Applicant	<p>Crown Land</p> <p>The SoR [APP-062], paragraph 4.9.4, states that the Applicant is in negotiation to acquire the necessary interests directly with the Crown Estate Commissioners and does not perceive any obvious impediment to acquiring these interests. In addition, the Applicant's response [AS-006] to the ExA's [PD-005] request for clarification in relation to Crown Land states that in accordance with Annex A of the CA Guidance, it will seek any necessary consents prior to the end of the examination. Please provide an update to the progress of any such negotiations and also those with the Department of Transport and the Department of Education with reference to relevant plots numbers and when it is anticipated that any such consents and/or voluntary agreements will be concluded?</p>
	Response	
CA.1.70	The Applicant	<p>Other matters</p> <p>In the light of the CA Guidance, paragraph 19, please demonstrate:</p> <p>(i) How potential risks or impediments to implementation of the scheme have been properly managed;</p> <p>(ii) the account taken of any other physical and legal matters pertaining to the application, including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents applicable to this type of development.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CA.1.71	The Applicant	<p>Other matters</p> <p>The SoR [APP-062], paragraph 4.5.2, states that the Sizewell Link Road has been proposed to avoid the adverse effects that would otherwise be associated with the addition of the construction traffic to the existing volume of traffic that would travel along the B1122 through Middleton Moor and Theberton. Please therefore provide justification for the compulsory acquisition of this land on a permanent rather than a temporary basis for the duration of the construction works.</p>
	Response	
CA.1.72	The Applicant	<p>Other matters</p> <p>The SoR section 10, refers to the Schedule of Other Consents, Licences and Agreements (Doc Ref. 5.11) [APP-153] which identifies the other consents, licenses and agreements that are required for the Sizewell C Project to be implemented. Please indicate whether there are any changes to the status and/or timeframe for each consent, licence and agreement listed within that schedule since the application was submitted.</p>
	Response	
CA.1.73	The Applicant	<p>Other matters</p> <p>The SoR [APP-062], paragraph 3.3.7, states that the emerging local plan contains a number of site specific policies, including area specific strategies for Darsham, Leiston, Saxmundham and Woodbridge, which have relevance to some of the Sizewell C Project's associated development sites. Please provide further details of those policies, as adopted, and explain many implications they may have for the associated development sites?</p>
	Response	
CA.1.74	The Applicant	Other matters

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please include in the next submission of the Updated Statement of Reasons Appendix B 'Status of Negotiations with Owners of the Order Land' the relevant parts of the BoR within which each affected person falls and further details of any engagement including dates of any letters sent and/or meetings.
	Response	
CA.1.75	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>The relevant representation made by Clarke and Simpson on behalf of Family Mellen [RR-0241] raises objection to the proposed powers sought in relation to a 9 acre field that came with their house and is integral to their future plans. Please explain further the need for the powers sought in respect of this land; whether a lesser or alternative area of land would meet those needs and the consideration that has been given to impact upon and the implications for the human rights of this family in seeking these powers.</p>
	Response	
CA.1.76	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>The relevant representation of LJ and EL Dowley Farming Partnership [RR-0697] states that the EDF proposed land-take for roads/roundabouts etc and for borrow pits for the spoil from the site would make their arable business unviable. Please explain further the need for the powers sought in respect of this Objector's land; whether a lesser or alternative area of land would meet those needs and the consideration that has been given to the impact upon the business and the implications for the human rights of those individuals comprising the farming partnership in seeking these powers.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.77	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>The relevant representation of NJ Bacon Farms [RR-0867] refers to the Applicant's proposal, as a result of the proposed Sizewell Link Road (SLR), to compulsorily acquire some 12 acres of productive arable and vegetable land from them. The construction of the SLR would cut five fields into halves and quarters and reduce their farmed area. They indicate that it is highly unlikely that they could replace the high quality irrigable vegetable land that is being taken. In addition, the application plans do not provide enough detail for them to know that satisfactory access to areas farmed would be made available in the future:</p> <ul style="list-style-type: none">(i) Please explain further the need for the powers sought in respect of this Objector's land;(ii) whether a lesser or alternative area of land would meet those needs;(iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned;(iv) Please provide specific details by including by reference to a plan of the proposed means of access to the reduced land area in the event that the powers sought are exercised?
	Response	
CA.1.78	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>The relevant representation of Norton Rose Fulbright LLP on behalf of Hevingham Hall Estate (HHE) [RR-0908], explains that part of HHE is located south of the temporary Northern Park and Ride site and a proportion of HHE also falls within land to be compulsorily acquired to facilitate the roundabout at Yoxford (plot OHI/24/02):</p> <ul style="list-style-type: none">(i) Please explain further the need for the powers sought in respect of this Objector's land;(ii) whether a lesser or alternative area of land would meet those needs;

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned.
	Response	
CA.1.79	The Applicant	Objections to the grant of powers of compulsory acquisition and temporary possession The relevant representation of Oliver Holloway on behalf of Clarke and Simpson [RR-912] raises concerns amongst other things in relation to the justification for the need for the Sizewell Link Road, Fen Meadow mitigation, the consideration of alternative options and funding: (i) Please respond to the concerns raised and explain further the need for the powers sought in respect of this Objector's land; (ii) whether a lesser or alternative area of land would meet those needs; (iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CA.1.80	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], indicates that they oppose the acquisition of any land, or the extinguishment of any rights etc, in any land plots which are: (a) within the boundary of the nuclear site licence, held by Magnox, for the Sizewell A Nuclear Site, and (b) land which the NDA has responsibility for decommissioning and cleaning-up in accordance with the Energy Act 2004 and the Sizewell A Directions, being land plots MDS/05/06 and MDS/05/07. Please respond to the specific concerns raised including:</p> <p>(i) Why the Applicant may need to acquire the plots detailed in column (2) of Part 1 of Schedule 15 to the draft DCO;</p> <p>(ii) Why land plot MDS/02/28, in respect of which Magnox is a Category 1 person, is not detailed in column (2) of Part 1 of Schedule 15 to the draft DCO;</p> <p>(iii) Why the protection afforded to the Sizewell B Nuclear Site in Article 26(2)(b) of the draft DCO should not be extended also to the Sizewell A Nuclear Site;</p> <p>(iv) Whether Article 30 should be made subject to Article 26?</p> <p>(v) the implications of these powers for those plots that abut the nuclear site licence area, being plots MDS/05/02 and MDS/05/13;</p> <p>(vi) Whether the Applicant has undertaken diligent enquiry as to why the relevant Class 4 powers are required, or how the compulsory acquisition of Class 4 powers may affect more widely the ability of the NDA and Magnox to carry out their respective statutory functions and regulatory responsibilities?</p> <p>(vii) Whether there is a need to for a Nuclear Site Licensees' Co-operation Agreement(s) to be entered into between the NDA, Magnox, the Applicant and EDF?</p>
	Response	
CA.1.81	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>Savills (UK) Ltd on behalf of Justin and Emma Dowley [RR-1099], Nat and India Bacon [RR-1100] and the Trustees of A W Bacon Will Trust [RR-1101], question why the 'Road D2' option was not taken forward. Please provide a response to those queries and justify the response to consultation in that respect.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CA.1.82	The Applicant	Objections to the grant of powers of compulsory acquisition and temporary possession The relevant representation of Ward Farming Ltd [RR-1259], object to the proposed compulsory acquisition of some 12 acres of productive arable and vegetable land that the company farms. They indicate that the construction of the road would cut five fields into halves and, quarters and result in a reduction in farmed area of around 41 acres. Please respond to their complaints in relation to: (i) The failure of the Applicant's experts to meet as requested and to genuinely engage with them; (ii) the analysis, rigour and level of detail provided by the Aecom Report on the SLR route; (iii) the impact of the proposed reduction in land area. (iv) the provision of satisfactory means of access in the future; and (iv) the creation of new rights of way.
	Response	
CA.1.83	The Applicant	Objections to the grant of powers of compulsory acquisition and temporary possession The relevant representation of the CLA Country Land and Business Association [RR-0229] raises concerns in relation to the fragmentation of farms and other rural businesses by new infrastructure and overall impact of the scheme. Please explain including by reference to the application documentation the impact upon such businesses in considering design and route alternatives to the application scheme and the associated powers of compulsory acquisition sought.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
CI.1	Community Issues	
CI.1.0	The Applicant ESC	<p>Accommodation Strategy</p> <p>Within the Accommodation Strategy [APP 613] para 5.4.10 – reference is made to the layout being shared with ESC.</p> <p>(i) Please provide a copy of the layout and indicate the facilities that are to be included.</p> <p>(ii) Please provide an update of the latest position on the delivery, operation and management of the site and how these components would be secured through the DCO</p>
	Response	
CI.1.1	The Applicant Leiston Town Council ESC SCC	<p>Land East of Eastlands Industrial Estate (LEEIE)</p> <p>Please provide an update on the strategy that has been developed for the movement of workers from the main development site to and from the LEEIE and between the LEEIE and Leiston Town.</p>
	Response	<p>The assessment of the early years of construction includes 180 bus movements between the Main Site (split evenly between the Sizewell B access and the Secondary Site Entrance). This reflects the presence of the LEEIE Park and Ride during the Early Years of construction. The assessment of peak construction indicates 24 bus movements between the Main site and the LEEIE, and approximately 160 direct bus movements between Leiston and the main site to support sustainable staff movements between the site and the town. Whilst specific bus movements have been assessed within the transport modelling, the actual services will reflect relevant demand at that period of the construction programme.</p> <p>Through the proposed workforce travel plan, workers would not be able to drive between the LEEIE and Main Site and therefore would be expected to walk, cycle (using the walk/cycle route parallel to Lover’s Lane once completed) or use the bus services provided. There is a commitment within the workforce travel plan to achieve the assessed proportions of staff travelling by public transport including staff by Park and Ride bus</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>during the Early Years (i.e. the LEEIE), as well as associated monitoring of staff travel patterns.</p> <p>Closure of Valley Road to vehicles would provide an acceptable route for workers to walk or cycle between the LEEIE and Leiston town centre. See also responses AR.1.29 and AR.1.30.</p>
CI.1.2	The Applicant	<p>Accommodation Campus</p> <p>The facilities to be provided at the accommodation (gym, restaurant, amenity area etc.) campus to assist in managing the needs of onsite staff and reducing the pressure on local facilities do not appear to be described in detail. There is no obvious indication of the scale of these facilities, the time period for their delivery/maintenance/availability.</p> <p>(i) Please explain in light of this how the assessment of the effectiveness of these proposed mitigations has been undertaken and explain where this information defining their scale, availability etc. is set out within the ES?</p> <p>(ii) How and when would the facilities be delivered through the DCO?</p>
	Response	
CI.1.3	The Applicant	<p>Accommodation Campus</p> <p>(i) Please provide a timeline mapping the number of workers expected to be working on the main development site alongside the provision of the accommodation campus, camping/caravanning area and provision of gymnasium, restaurants and any other supporting facilities.</p> <p>(ii) Please explain how each element is linked to a delivery mechanism within the dDCO to ensure the mitigation anticipated would materialise at an appropriate time.</p>
	Response	
CI.1.4	The Applicant	Accommodation Campus

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	Several RRs express concerns that the scale of the accommodation campus did not change when the staffing numbers increased during the consultation process. Please explain the rationale for the quantity of accommodation relative to the quantity of workforce anticipated to be on site throughout the construction period.
CI.1.5	The Applicant	Accommodation Strategy In assessing the accommodation needs both during construction and subsequent operation: (i) Did the assessment include the additional 850 staff that may be on site at Sizewell B during planned outages? (ii) Please advise where this is set out within the ES.
	Response	
CI.1.6	The Applicant	Accommodation Strategy (i) What confidence can the ExA have that the accommodation campus and proposed caravan site would be optimally occupied during construction? (ii) How would this be achieved?
	Response	
CI.1.7	The Applicant	Accommodation Strategy (i) Please confirm whether or not the figures provided for bed spaces within the private rented sector include bed spaces that would come from holiday self-catering accommodation or second homes? (ii) Explain how have the figures been differentiated between private rented and holiday cottages/flats? (iii) Provide details of what safeguards are in place to ensure that double counting of holiday cottages/flats as both 'tourist accommodation', 'private rented sector' or 'second homes' has not occurred?

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
CI.1.8	ESC, SCC	<p>Accommodation Strategy</p> <p>Are there any concerns regarding the effect of demand for temporary worker accommodation and any effect this may have on the private rented sector and or holiday accommodation?</p>
	Response	<p>Please see Section 29 of the LIR [REP1-049] for our assessment of the effect of demand for temporary worker accommodation and any effect this may have on the private rented sector and/or holiday accommodation. This is also likely to impact on specialist and supported housing – vulnerable, disadvantaged and lower income groups could be adversely impacted. ESC is the lead authority on housing and agreeing mitigation strategies.</p>
CI.1.9	The Applicant, ESC	<p>Accommodation Strategy</p> <p>Licensing or planning restrictions may exist for caravanning and camping sites regarding occupancy.</p> <p>(i) Are there similar restrictions for example planning conditions for other property within the tourism stock such as holiday cottages?</p> <p>(ii) If there are, how would this effect the availability of such accommodation and has this been factored in?</p> <p>(iii) Would ESC support the temporary removal/suspension of such conditions or licence restrictions to enable this stock to be used for worker accommodation during the construction period?</p>
	Response	
CI.1.10	The Applicant	<p>Accommodation Strategy</p> <p>There would appear to be the potential for significant pressure on local accommodation during the construction period. Please explain where the additional pressure from outages at Sizewell B has been considered and how this has been addressed?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CI.1.11	The Applicant, ESC, SCC	<p>Leiston</p> <p>The Town Council express concern that the mitigation for impacts from a large influx of predominantly male workers has not been fully addressed, with the only specific mitigation proposed the sports facilities at the Academy.</p> <p>The concerns in respect of the potential community impacts are much broader than just the effects on sports provision.</p> <p>Please respond to these concerns and explain how the ES has considered the broader community effects of a large influx of largely male workers and what mitigation would be secured to address these community effects.</p>
	Response	<p>From a Community Safety perspective, SCC is concerned that there is a risk that a large influx of predominantly male workers could impact a number of crime types, including criminal exploitation, gangs, county lines, domestic abuse, sexual violence, and hate crime. SCC expects to participate in mitigation through use of Public Sector Resilience Fund and/or Community Fund. We would use this to enhance our existing work programmes to ensure that more support services/awareness raising, and training are available from years 1 to 12 of the Sizewell C project.</p>
CI.1.12	The Applicant	<p>Effect of the proposed development on the local population</p> <p>In light of the concerns expressed by the CCG [RR-0500] and the Suffolk Constabulary [RR 1140] amongst others please comment on whether you still regard the assumptions of impacts on the local community as conservative and fully assess the likely impacts. In responding please address the following:</p> <ul style="list-style-type: none"> (i) Whether the increased workforce could be supported by existing GPs (ii) Whether the effect on housing availability has been underestimated; (iii) The potential for adverse effects on health workers capacity to do their work due to impacts on journey times; (iv) Whether the equalities assessment adequately assesses effects on vulnerable groups; (v) Whether the mitigation for noise, dust, and impact on travel times has fully addressed health impacts; and

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(vi) Whether there has been a full assessment of the impacts on care homes and their residents.
	Response	
CI.1.13	The Applicant	<p>Access to Health Services</p> <p>The Ipswich and East Suffolk CCG and West Suffolk CCG [RR-0500] have expressed concern that the proposed development could have an adverse impact on health visitors and other professionals accessing residents in a timely manner.</p> <p>In light of the need to ensure there are not adverse indirect health impacts how do you respond to these concerns?</p>
	Response	
CI.1.14	The Applicant, Suffolk Constabulary	<p>Community Safety</p> <p>The Suffolk Constabulary [RR-1140] express concern that important community safety and policing impacts raised during the pre-application consultation stage have yet to be addressed. Please advise what progress has been made between the parties in this regard.</p>
	Response	
CI.1.15	The Applicant, Suffolk Constabulary	<p>Community Safety</p> <p>In light of the concerns raised by the Suffolk Constabulary in respect of what they describe as the narrowness of the assessment please advise what you have done to address this criticism, and what could be put in place to respond to these concerns.</p> <p>Please advise how you consider any appropriate mitigation could be delivered through the DCO in order to achieve a satisfactory level of community safety.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
CI.1.16	The Applicant Suffolk Constabulary	<p>Community Safety</p> <p>(i) Please advise on the progress in developing the assessment of likely community safety impacts and policing impacts following the more detailed assessment of transport, staffing and demographic data.</p> <p>(ii) Is it intended to provide a copy of this assessment into the Examination?</p> <p>(iii) Is this assessment now agreed?</p>
	Response	
CU.1 Cumulative impact		
Cu.1.0	The Applicant	<p>Cumulative assessment in EIA and HRA 'in-combination' assessment</p> <p>Natural England (NE) [RR-0878] does not consider that a suitably robust assessment has been undertaken within the HRA of impacts from different aspects of the project, or of 'in combination' impacts between other projects which may impact on the same internationally designated sites and features. In particular, the cabling for East Anglia ONE North (EA1N) and East Anglia TWO (EA2) would come ashore and be routed through this part of the AONB close to the Sizewell C construction site. (i) Please provide an update on the latest position in relation to discussions with NE on this topic and indicate any outstanding points of disagreement for this element of the HRA process; (ii) Please provide an update on the part of the Sizewell project's nine to twelve years construction phase that would be likely to coincide with the EA1 North and EA2 cable route's construction?</p>
	Response	
Cu.1.1	The Applicant	<p>Inter-relationship effects</p> <p>NE [RR-0878] does not consider that a suitably robust assessment has been undertaken on cumulative impacts from all project elements on nationally designated sites (SSSIs) and their notified features. Please provide an update on the latest position in relation to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		discussions with NE on this topic and indicate any outstanding points of disagreement on this aspect of the SSSI impact assessment process.
Cu.1.2	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>NE [RR-0878] highlights the impact of the Sizewell C scheme on how Sizewell B currently relates visually to its immediate and wider landscape setting and submits that the potential mitigation benefits would not address a general cumulative effect of the power station with existing energy infrastructure on the landscape character of the AONB. Please comment on the criticisms made and indicate whether there is any additional mitigation, such as by way of updates to the LEMP or mitigation route maps which might alleviate the adverse cumulative impact of the scheme and avoid the visual clutter anticipated by NE?</p>
Cu.1.3	The Applicant, ESC, SCC	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4, Table 4.16 [APP-578], identifies those effects that have been found to be greater in-combination with the non-Sizewell C schemes than for the proposed development alone. For transport, this includes the A12 at Little Glemham and Marlesford. (i) Please explain further how the proposed mitigation would operate in practice and how this would satisfactorily overcome the anticipated cumulative moderate adverse effect on fear and intimidation; (ii) Please indicate whether there are any other steps which could be taken in mitigation of this adverse effect?</p>
	Response	(i) SCC considers that mitigation is required at this location in a Sizewell C project only scenario and therefore for all cumulative scenarios as well. For this cumulative scenario, it is understood that the Applicant proposes through communication with EA1N and EA2 projects and the TRG, that if the worst-case Environmental Impacts were predicted to occur then the need for mitigation would be triggered, which would then be delivered.

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ExQ1	Question to:	Question:
		<p>There are a number of potential issues with this approach, the first being that through the EA1N and EA2 examination mitigation at these locations has been agreed between the Applicant and Councils (although no decision has been made on the DCO) to sufficiently mitigate the proportional impact at this location of the EA1N and EA2 proposals. The mitigation proposed is considered proportionate to the scale of EA1N and EA2's impact both in terms of peak impact and the length of impact and is not considered proportionate to Sizewell C's impact. SPR have committed to providing this mitigation which can be viewed at Annex 5 of the Construction Traffic Management Plan, found here: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010077/EN010077-004832-8.9%20EA1N%20Outline%20Construction%20Traffic%20Management%20Plan.pdf).</p> <p>Another issue is that there is no assessment of the exact point mitigation is required; it is only suggested that it is required for a peak scenario, but there would be a threshold prior to the absolute peak that the assessment method used by the Applicant would determine a need for mitigation, and this also requires a level of professional judgement. Given the length of time it can take to book road space and undertake roadworks (including the availability of contractors) it may take several months following identification of the need for mitigation for that mitigation to be delivered. The mitigation itself will have an impact on traffic using the A12 as it is likely that some form of traffic management will be required, which if traffic volumes are high require working outside normal working hours in turn with consequential impacts such as noise on local residents. On that basis, the TRG would then need to determine whether SZC HGV movements needed to be controlled or the extent to which a short-term impact would be considered tolerable on the basis that mitigation was planned to be delivered in the near future, or even if the impact of delivering the mitigation outweighs its own impact; this would also need to be considered in the context of the delivery of EA1N and EA2 mitigation. That being said, the Applicant is currently working on a strategy for mitigating their impacts at this location, which would address the issue as they would be mitigating their proportional impact, which SCC considers necessary.</p> <p>(ii) Mitigation could be provided in the form of controls on HGV numbers or alternatively footway widening, footway extensions and a crossing facility. SCC considers that mitigation is required at this location in all scenarios and believe that mitigation should be delivered very early in the programme to avoid disruption on a haul route for</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		both this Project and the EA1N and EA2 projects, and to minimise disruption on a strategic corridor.
Cu.1.4	The Applicant	<p>Cumulative effects with other plans, projects and programmes ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, Table 4.16 in relation to landscape and visual impact, and amenity and recreation, identifies significant adverse cumulative effects for Visual Receptor Groups 18, 19 and 20 during the construction period. (i) Please explain further why there are considered to be no more practicable and proportionate mitigation steps available? (ii) For these receptors, please explain in detail how the combined effects of these cumulative impacts arising under these different topics have been assessed, including on the overall effect on health and well-being of those concerned?</p>
	Response	
Cu.1.5	The Applicant	<p>Cumulative effects with other plans, projects and programmes ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, Table 4.16 in relation to health and wellbeing and effects associated with changes to noise and vibration, identifies significant adverse cumulative effects for the rail proposals (construction), and the two village bypass (construction and operation). Please explain further why there are considered to be no more practicable and proportionate mitigation steps available?</p>
	Response	
Cu.1.6	The Applicant	<p>Cumulative effects with other plans, projects and programmes ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraphs 4.21.35 to 4.21.38, in relation to cumulative quality of life and wellbeing effects associated with general stress and anxiety, recognises that due to their scale, larger projects may generate stress and anxiety. However, it concludes that on the basis</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		<p>that each individual development would inherently manage stress and anxiety associated with the planning application process, the cumulative health and wellbeing effects would remain minor adverse and not significant.</p> <p>(i) Please explain further how such stress and anxiety would be inherently managed rather than exacerbated by the planning process?</p> <p>(ii) Please provide further evidence and reasoning to support the conclusion reached that the cumulative effect would not be significant?</p>
	Response	
Cu.1.7	The Applicant, EA1N	<p>Cumulative effects with other plans, projects and programmes</p> <p>EA1N [RR-0340] indicates that its representatives have engaged proactively with Sizewell C representatives to better understand the scope and impact of the proposed Sizewell C Project and its potential cumulative and in-combination effects, in particular on transport related matters. Please confirm that such discussions are ongoing and indicate whether any further information is available at this stage in relation to potential cumulative and in-combination effects of the projects with particular regard to transport- related matters.</p>
	Response	
Cu.1.8	The Applicant, EA1N, EA2	<p>Cumulative effects with other plans, projects and programmes</p> <p>EA1N [RR-0340] and EA2 [RR-0341] explain that the Order limits for the EA1N Project and the Sizewell C Project overlap in three areas of the public highway, namely: Sizewell Gap (close to the Junction of Sizewell Gap/King George’s Avenue); the junction of A12/A1094 (Friday Street); and the junction of A1094/A1069 (Snape Road).</p> <p>(i) Please indicate whether any progress has been made in relation to opportunities for co-ordinating works in these areas and how this would be secured by the DCO(s).</p> <p>(ii) If not, what are the perceived obstacles to any such co-ordination?</p> <p>(iii) Explain the way in which the various works for these schemes in these locations could conflict?</p>

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ExQ1	Question to:	Question:
		(iv) Explain how it is proposed that the necessary access for the EA1 North and EA TWO Projects would be maintained?
	Response	
Cu.1.9	The Applicant, EA1N, EA2	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraph 4.4.13, indicates that the construction of EA1N and EA2 could overlap with the construction of the Sizewell C Project. Paragraph 4.14, states that the 'concurrent build' traffic flows have been used, derived from the preliminary environmental information for the EA2 development.</p> <p>(i) Please indicate whether any further information is available at this stage as to the likely timing and duration of the overlap should all these projects be approved. (ii) Please comment on the reliability of the ES assessment given that it has utilised preliminary environmental information and indicate whether this has now been superseded?</p>
	Response	
Cu.1.10	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraph 4.4.47, states that at peak construction all of the highway improvement schemes associated with the Sizewell C Project will be operational. (i) Please explain how that would be secured and enforced through the draft DCO or other means? (ii) Would there be any consequential effects on the assessment conclusions were this not to be met, even if it were for short periods?</p>
	Response	

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ExQ1	Question to:	Question:
Cu.1.11	The Applicant, EA1N, EA2, SCC	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], paragraph 4.4.53, explains that the cumulative assessment for Sizewell C with EA1N and EA2 is based on certain worst case assumptions. Please indicate whether those assumptions are agreed between all parties and that they comprise a complete list of potential 'worst case' factors?</p>
	Response	<p>With regards to the assessment of EA1N and EA2, the assumptions are agreed and considered to be acceptable by the Council. For clarity, the Applicant has recently submitted an updated technical note to the Council (see TT.1.62) highlighting that there are some minor differences between the EA1N and EA2 flows assessed in their DCOs and in the Sizewell C DCO; however, these are considered to be minor and highly unlikely to materially impact any conclusions.</p> <p>The assessment here relates to the cumulative impact for the implementation of EA1N, EA2 and SZC. It does not take into account the possible construction of other energy projects in the vicinity.</p>
Cu.1.12	The Applicant, ESC, SCC	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], paragraph 4.4.54, indicates that it is possible that the significant adverse effect on fear and intimidation would not arise. The construction programmes for East Anglia ONE North and East Anglia TWO and the Sizewell C Project will be monitored through the transport review group throughout the construction phase of the Sizewell C Project and should there be a potential for the worst case traffic flows to arise concurrently, additional mitigation measures would need to be secured through the transport contingency fund, which is to be secured via the Section 106 Agreement.</p> <p>(i) Please explain further how the effect on fear and intimidation could be satisfactorily managed through the transport review group and transport contingency fund?</p> <p>(ii) Although the contingency fund is referred to in the Mitigation Route Map, Plate 1.1 [APP-616], it does not appear to be mentioned in the main mitigation route map tables. Please explain why not?</p>

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ExQ1	Question to:	Question:
		(iii) Please outline the additional mitigation measures anticipated and explain how this would achieve the desired objective?
	Response	See our answer to CU.1.3
Cu.1.13	The Applicant, EA1N	<p>Cumulative effects with other plans, projects and programmes</p> <p>EA1N [RR-0340] in relation to offshore matters notes that whilst the Sizewell C Project's Work Nos. 2B, 2D and 2F fall outside the EA1N Order limits, there remains an overlap in the Order limits. The company expresses concern that it must not be hindered from undertaking the necessary works for the EA1N Project as a result of the Sizewell C Project works at these locations. Please indicate the form of assurance sought in this respect and whether this has been provided to the satisfaction of EA1N?</p>
	Response	
Cu.1.14	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], section 4.19 Climate Change, paragraph 4.19.1, states that presenting the impact of the proposed development in the context of the UK carbon budgets is an inherently cumulative assessment and as such it is concluded that further assessment of cumulative GHG emissions is not applicable. Please explain further the basis for this approach and why the cumulative impact of a number of different projects that each fall below the 1% threshold should not be a matter of concern?</p>
	Response	

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ExQ1	Question to:	Question:
Cu.1.15	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>Beach View Holiday Park [RR-0126] propose that an independent 'cumulative impact study' should be undertaken to safeguard the AONB and wider area from the impact on multiple large-scale industrial projects including Sizewell C, EA1N and EA2 wind farms, Nautilus and Eurolink and SCD1 and SCD2 Interconnector. Please comment specifically on the need for and benefits of such an additional study?</p>
	Response	
Cu.1.16	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>ESC [RR-0342], expresses concern that the potential in-combination effects on the labour market of Sizewell C with other major construction projects including ScottishPower Renewable projects, Bradwell B, other power stations in England and Wales and sizeable engineering projects such as Crossrail 2 has not been fully considered or reflected in the mitigation package. Please respond to this specific point and explain further the consideration of this factor and any mitigation proposed.</p>
	Response	
Cu.1.17	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>ESC [RR-0342] states that during the construction phase of Sizewell C, particularly the peak years, cumulative effects related to the labour market may arise in-combination with other NSIPs in the region. Please explain in detail the means of delivering, monitoring and enforcing the proposals for boosting skills and employment to minimise the cumulative effects arising from the in-combination construction of the various consented or under consideration NSIPs in the region.</p>
	Response	

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ExQ1	Question to:	Question:
Cu.1.18	The Applicant, ESC	<p>Cumulative effects with other plans, projects and programmes</p> <p>ESC [RR-0342] accepts that the primary issues arising in the cumulative assessment are predominantly managed with the proposed transport strategy. However, one element that continues to raise concern is the A12 west of Woodbridge and the A12/A1094 junction to Aldeburgh pre: Two Village Bypass construction.</p> <p>(i) The Council is requested to explain further its stated intention to work with the Highway Authority to understand how capacity here can be increased and indicate the prospects of that objective being achieved?</p> <p>(ii) Please provide further explanation as to the anticipated timetable for the provision of the Two Village bypass and the scope for the Friday Street roundabout element of the Two Village Bypass to be brought online as soon as possible during the Sizewell C construction.</p>
	Response	
Cu.1.19	The Applicant, ESC	<p>Cumulative effects with other plans, projects and programmes</p> <p>ESC [RR-0342] in relation to amenity and recreation notes that during the early years of construction there may be impacts in some areas should other NSIPs be under construction simultaneously. The majority of these impacts will be on receptor groups using public footpaths. The majority are considered to be not significant, but receptors at Aldringham Common and The Walks are likely to experience significant effects.</p> <p>(i) Please indicate whether it is considered that any further mitigation other than that already proposed is necessary for receptors in these locations.</p> <p>(ii) If not, why not?</p> <p>(iii) If so, what additional mitigation is sought and how could that be secured through the draft DCO?</p>
	Response	

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ExQ1	Question to:	Question:
Cu.1.20	The Applicant, National Grid (in relation to (i))	<p>Cumulative effects with other plans, projects and programmes</p> <p>Norfolk County Council [RR-0906] raises cross-boundary electricity transmission issues in respect of the 400kV network which runs between Norfolk and Suffolk including the potential for reinforcement and new lines in both Norfolk and Suffolk.</p> <p>(i) Please indicate whether there is likely to be any requirement in the wider area for either: (a) reinforcement; of the existing 400 kV network; or (b) new overhead lines (400kV).</p> <p>(ii) Please explain how the cumulative impact on the 400 kV transmission network in the wider strategic area has been considered by the ES?</p> <p>(iii) Please comment on the need for further evidence and studies setting out the full implications of both Sizewell C and the planned/emerging offshore wind energy projects on the existing 400 kV network across the two Counties.</p>
	Response	
Cu.1.21	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB) Partnership [RR-1170] considers the cumulative impacts of proposed and existing infrastructure appear to have been underplayed when taken into combination in relation to the statutory purpose of the AONB. Please provide further explanation and justification for the ES conclusion in relation to cumulative impact upon the AONB having regard to the other proposed and existing Nationally Significant Infrastructure in the area that has been referred to in that representation.</p>
	Response	
Cu.1.22	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>SCC [RR-1174] considers that the full cumulative impacts of the existing and potential future projects in the East Suffolk area have not been adequately assessed.</p> <p>(i) Please indicate whether any further information has come to light on the schemes considered by the ES and other schemes coming forward since the time of the assessment including offshore wind projects, inter-connector cables across the North Sea and the</p>

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ExQ1	Question to:	Question:
		<p>interconnector project to Kent;</p> <p>(ii) Please summarise the proposals for the delivery of traffic mitigation schemes and explain how that could be achieved in practice without disrupting traffic from other projects including use of the A12/B1122 and A12/A1094/B1069 transport corridors by East Anglia ONE North and East Anglia TWO traffic;</p> <p>(iii) Please explain how cumulative impacts which are not currently proposed to be mitigated due to the length of time they are expected to occur and their deemed likelihood of occurring would be monitored, identified and then mitigated should they in fact occur?</p>
Cu.1.23	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>SCC [RR-1174] in respect of the cumulative ecological impact, submits that it is not clear why the construction of the EA1 North and EA2 have been scoped out of the assessment of cumulative impacts, particularly in respect of Natura 2000 sites, when the cable corridor passes relatively close to the Sizewell C project. Please provide further details and reasoning to justify the scoping out of that matter from the cumulative impact assessment.</p>
Cu.1.24	The Applicant	<p>Cumulative effects with other plans, projects and programmes</p> <p>SCC [RR-1174] in relation to economic development and skills is critical of the ES consideration of the potential in-combination effects on the labour market of Sizewell C with other major construction projects. In addition, it indicates that the timelines for construction of East Anglia THREE (EA3) have changed and are significantly different to the timelines presented in the application.</p> <p>(i) What account has or will be taken of the other significant projects to be delivered in the same time period as the proposed construction of Sizewell C, as identified by the Technical Skills Legacy Study?</p> <p>(ii) How is it proposed that changes in the timelines for the construction of EA3 compared to those presented in the application will be reflected in the cumulative impact assessment?</p>

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ExQ1	Question to:	Question:
		(iii) Please respond to the Council’s criticism of the cumulative impact assessment methodology and whether this should have taken into account the different skill sets needed to deliver at particular phases of the project, rather than only concentrating on construction labour.
	Response	
Cu.1.25	The Applicant, SCC	<p>Cumulative effects with other plans, projects and programmes</p> <p>SCC [RR-1174] considers that the cumulative pressure on the local housing stock may increase impacts in East Suffolk and may push workers to look further afield creating pressures on adjacent authorities such as Ipswich and Mid Suffolk. (i) Please respond to the criticism that appropriate monitoring and mitigation measures need to be put in place for all affected areas, to ensure housing impacts are managed and mitigated. (ii) Should anything else be included in the accommodation strategy and other measures related to housing in addition to those measures already set out in the Mitigation Route Map?</p>
	Response	<p>SCC has concerns that the large influx of SZC workers could push some local housing needs onto adjacent housing authorities. SCC has a particular service responsibility for specialist and supporting housing customers.</p> <p>By way of background, the Ipswich Strategic Planning Area (ISPA) which includes SCC as a partner organisation – Ipswich Borough Council (IBC), the former Suffolk Coastal District Council (SCDC, now ESC), Babergh District Council (BDC) & Mid Suffolk District Council (MSDC) jointly commissioned the production of a Strategic Housing Market Assessment (SHMA) in 2016. The SHMA concluded that the areas covered by IBC, the former SCDC, and BDC and MSDC represents one Housing Market Area (the Ipswich Housing Market Area) (IHMA) based upon the functional relationships between the areas such as being relatively self-contained in terms of travel to work areas. Lowestoft is separately covered in the Waveney HMA.</p> <p>The IMHA confirms that for strategic planning purposes the housing market area is wider than ESC.</p>

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ExQ1	Question to:	Question:
		<p>ESC is the lead authority on Housing, and the accommodation related issues are identified in Chapter 29 of the LIR [REP1-045]. Mitigation measures will be secured in the Housing Fund and, in relation to some of the SCC services, the Public Services Resilience Fund.</p>
Cu.1.26	The Applicant	<p>Inter-relationship effects NPS EN-1, paragraph 4.2.6, explains that consideration should be given to how the accumulation of, and interrelationship between, effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. Please explain how the overall effects (cumulative, inter-related, intra-related and inter-related) on health and well-being for the various individual communities affected has been considered by the application?</p>
	Response	
Cu.1.27	The Applicant	<p>Inter-relationship effects ESC [RR-0342] on the topic of inter-relationship effects recognises that a summary of each element of the development and its potential impact is included in the ES and does not disagree with its findings. However, it considers that the mitigation proposed to address these potential effects lacks clarity. Please provide further details, by way of expansion of the Mitigation Route Map, of the mitigation proposed including what would be available, in particular for residential properties, to mitigate for the interrelationship effects of the proposal.</p>
	Response	
Cu.1.28	The Applicant	<p>Inter-relationship effects ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] assesses the potential for residential properties, commercial facilities and schools to experience effect interactions as a result of the Sizewell C Project. Paragraph 2.3.10 identifies that a number of receptors within close proximity to the main development site have a high potential for combined effects arising from noise and</p>

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ExQ1	Question to:	Question:
		<p>vibration, air quality and views during construction. In addition, paragraph 2.3.13, identifies a number of receptors that are also likely to have high potential for combined effects arising from impacts during operation. There are also areas where new and/or different environmental effects may be experienced including properties between Yoxford and Leiston, close to the B1122.</p> <p>(i) Please explain in detail any mitigation proposed to overcome these additional or new impacts.</p> <p>(ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, please explain why that approach is considered to be acceptable?</p>
	Response	
Cu.1.29	The Applicant	<p>Inter-relationship effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Northern Park and Ride, paragraph 2.3.22, identifies receptors at residential properties on the western side of Main Road adjacent to the eastern boundary of the site that have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction, operation and removal and reinstatement. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, please explain why that approach is considered to be acceptable?</p>
	Response	
Cu.1.30	The Applicant	<p>Inter-relationship effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects Chapter 2 Inter-relationship effects [APP-575] in relation to the Two Village Bypass, identifies receptors at The Red House and Timbers, Main Road; Hall Cottages, Farnham Hall, Farnham Street Farm; Farnham Hall Farmhouse; and Rosehill Cottages that have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction. Paragraph 2.3.36, identifies a number of receptors are also</p>

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>likely to have high potential for combined effects arising from impacts during operation.</p> <p>(i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors.</p> <p>(ii) If no additional mitigation is proposed, and/or mitigation to further reduce the impact of individual components, please explain why that approach is considered to be acceptable?</p>
	Response	
Cu.1.31	The Applicant	<p>Inter-relationship effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Sizewell Link Road, paragraph 2.3.43, identifies receptors at Kelsale Lodge Cottages; Fir Tree Farm; The Red House Farm and Rosetta; Vale Cottage and Oakfield house; Valley Farm House; Annesons Cottage; Coronation Cottages; Forge Cottage and Walnut Cottage have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction. In addition, a number of receptors are also likely to have high potential for combined effects arising from impacts during operation. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors.</p> <p>(ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, then explain why that approach is considered to be acceptable?</p>
	Response	
Cu.1.32	The Applicant	<p>Inter-relationship effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Freight Management Facility, paragraph 2.3.57, identifies residential properties at 1 and 2 Keepers Cottage have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction and removal and reinstatement.</p> <p>(i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these</p>

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ExQ1	Question to:	Question:
		<p>receptors. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, then please explain why that approach is considered to be acceptable?</p>
	Response	
Cu.1.33	The Applicant	<p>Inter-relationship effects ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Green Rail Route, paragraph 2.3.65, identifies that during construction, noise generated from rail movements on the East Suffolk line have the potential to interact with air quality effects from road traffic and rail emissions and could result in new and or different environmental effect within a number of areas. It recognises that there is a potential for effect interaction to occur and result in a further significant effect at those receptors where noise effects from the rail movements would be significant (within 20 metres of the East Suffolk Line). The rail noise effects would be mitigated where possible through the implementation of speed restrictions along the East Suffolk Line. (i) Please identify the receptors where the effects would be significant? (ii) Please explain further mitigation proposed and the extent to which the proposed speed restrictions would assist in that respect; (iii) How could it be ensured that the proposed speed restrictions would be implemented and adhered to?</p>
	Response	
Cu.1.34	The Applicant	<p>Cumulative impact of water supply strategy The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS- 189] paragraph 10.4.229 indicates that the proposals would require an upgrade to some existing water treatment plants and a new high capacity water main. Please provide further details and explanation to support the view set out in paragraph 10.4.232 that the preferred water supply strategy proposal would not change the conclusions of the waste and material resource</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		cumulative assessment presented within Volume 10, Chapter 4 of the ES [APP-578], based on expected waste arisings and material quantities required due to the scale and nature of the scheme.
	Response	
Cu.1.35	The Applicant	<p>Cumulative impact of water supply strategy</p> <p>The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS-189] paragraph 10.4.233 b)(iii) Transport – explains that works associated with the preferred water supply proposal are currently programmed to coincide with the Early Years construction of the Sizewell C Project. In addition, paragraph 10.4.235 b) (iv) noise and vibration, identifies that if the earthworks for the cut and fill, and the pipelaying task for the preferred water supply proposal works were to take place at a time when other construction works associated with the Sizewell C Project is occurring nearby, there is the potential for a cumulative effect. This could occur at receptors close to construction works for the Sizewell link road, the main development site and along the Saxmundham to Leiston branch line.</p> <p>(i) Please explain further how it is proposed that routing and logistics associated with the water supply would be managed to ensure existing and Sizewell C traffic is not disrupted as a result.</p> <p>(ii) How would that be secured through the draft DCO?</p> <p>(iii) What further work is required to understand the programme and scope of works, and to determine the best measures to put in place?</p> <p>(iv) Please provide further details, for example, of anticipated trip generations and duration of works to support the view that the construction traffic generated by the preferred water supply strategy proposal would not change the conclusions of the transport cumulative assessment.</p> <p>(v) Please indicate if any updated information is available in relation to the temporary nature of the construction works and the extent of the works required for the installation of the water main.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
Cu.1.36	The Applicant	Cumulative impact of water supply strategy The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS- 189] paragraph 10.4.258 states that overall the preferred water supply connection strategy would result in no new or different significant effects than those reported in Volume 10, Chapter 4 of the ES [APP-578]. Please confirm that that remains the position in the light of any updated information on that topic.
	Response	
Cu.1.37	The Applicant	Project-wide effects ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 3 Assessment of Project-wide Effects [APP-577] Table 3.1, identifies receptors or receptor groups where there is potential overlap of noise impacts from different elements of the project, and where two or more of the project elements could be close enough to receptors such that combined noise levels may have a significant effect. This includes Receptor 13 (Leiston Abbey, including Pro Corda music school) combined effects are therefore considered significant. (i) Please provide further details and the timing of the proposed bespoke assessment of impacts from the Sizewell C Project on the Pro Corda Music School at Leiston Abbey; (ii) Please indicate whether there has been any progress in relation to the provision of any additional mitigation requirements? (iii) Please explain exactly how that mitigation would be secured through planning obligations.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Cu.1.38	The Applicant	<p>Project-wide effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 3 Assessment of Project-wide Effects [APP-577] Table 3.1 identifies Receptor 14 (Lovers Lane / Sandy Lane Junction) as a location where the combined effects of the construction and construction road traffic noise may result in a perceived worsening of effects during the day during some early phase construction work at LEEIE.</p> <p>(i) Please explain further the role of professional judgment in assessing the combined impact of these two noise sources.</p> <p>(ii) How in practice would an exceedance of the SOAEL be determined and how would that be avoided through the application of the Noise Mitigation Scheme?</p>
	Response	
Cu.1.39	The Applicant	<p>Project-wide effects</p> <p>[APP-577] Para 3.5.6 In terms of habitat loss and fragmentation, it is said that (i) impacts are considered to be <i>“temporarily moderate adverse and significant during the construction phase”</i> and (ii) that <i>“avoidance measures have been incorporated into the scheme design in the “associated design principles”</i>.</p> <p>Please will the Applicant state where these are secured. Please will it also explain what is the effect with those principles in place.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Cu.1.40	The Applicant	<p>Project-wide effects</p> <p>[APP-577] In section 3.5, there are a number of cases where the argument for no significant project-wide effect is that there is no significant effect at the relevant individual sites, therefore there is no significant project-wide effect. But cannot several non-significant effects add up to a significant effect? Examples of paragraphs where this approach is taken are: 3.5.10; 3.5.12; 3.5.14; 3.5.15; 3.5.19; 3.5.21; 3.5.22. The Applicant's reply should not please be limited to those paragraphs but also address the issue generally across the ES.</p>
	Response	
Cu.1.41	The Applicant	<p>Cumulative effects with other plans etc [APP-578]</p> <p>Para 4.8.30 – peak construction, breeding birds. This does not have a conclusion on effects. Please could the Applicant explain.</p>
	Response	
Cu.1.42	The Applicant, ESC	<p>Cumulative effects with other plans etc [APP-578]</p> <p>Para 4.8.33 – bats – this conclusion of no significant effect relies on an explicit assumption. How likely is that assumption to hold good?</p>
	Response	
Cu.1.43	The Applicant	<p>Cumulative effects with other plans etc [APP-578]</p> <p>Para 4.15.67. Assessment of cumulative effects of noise on harbour porpoise appears to be limited to the winter period or area only. Please could the Applicant point the ExA to the summer (and other seasons) assessment or clarify why winter alone is the correct approach. Is the answer para 9.2.7 of [APP-145]? Please could the Applicant submit an amended version of Fig 22.15 of [APP-333] to demonstrate this and confirm separation distances to the summer area?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Cu.1.44	The Applicant	Cumulative effects with other plans etc [APP-578] Para 4.17.1 Assessment of cumulative navigational effects. This says schemes outside the 10 mile radius ZOI have been included if vessels may cross the route of AIL vessels for the Proposed Development, <i>that is</i> "if the transshipment base is at Harwich" (emphasis added). What happens if the transshipment base is not at Harwich? What other candidate locations are there?
	Response	
Cu.1.45	The Applicant	Cumulative effects with other plans etc [APP-578] Para 4.17.14. Presumably the reference in the heading to "construction" is a misprint for "operation". But please will the Applicant confirm this.
	Response	
Cu.1.46	The Applicant	Transboundary effects ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 5 Transboundary Effects, Appendix 5A: Long Form Transboundary Screening Matrix sets out the Applicant's response to a screening exercise using the matrix in Annex 1 of Advice Note Twelve. In relation to risk of accidents, reliance is placed upon the Nuclear Site Licence and the Euratom Treaty obligations. It indicates that the proposed UK EPR™ design of reactor has been the subject of a regulatory justification process. (i) Please confirm that reliance is no longer placed upon the Euratom Treaty obligations; (ii) Please clarify the stage of construction by which the Nuclear Site Licence must be in place; and (iii) Please indicate whether any further review of the proposed UK EPR™ design of reactor is anticipated and whether that review takes into account the latest available information on risk of accidents?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Cu.1.47	The Applicant	<p>Transboundary effects</p> <p>Ministry of Energy, Agriculture, the Environment and Nature – Germany and Digitalisation of the State of Schleswig-Holstein [RR-0801] expresses concern that the UK’s withdrawal from Euratom may have a negative impact on reactor safety and radiation protection in relation to both existing plants and planned projects. The ES Volume 2 Chapter 27 Major Accidents and Disasters [APP-344] footnote 2 provides details of the position during the transition period for the UK exiting the EU and the Euratom Treaty. Please provide an update and/or any relevant changes to that information post Brexit.</p>
	Response	
Cu.1.48	The Applicant	<p>Transboundary effects</p> <p>ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 5 Transboundary Effects [APP-580], paragraph 5.4.43, in relation to Major Accidents and Disasters recognises that without mitigation, such hazards and threats could result in significant environmental effects and might result in transboundary effects. Please explain in further detail the conclusion reached that following the implementation of the identified mitigation, all risks including any potential transboundary effects are considered to be tolerable or tolerable if as low as reasonably practicable and not significant.</p>
	Response	
Cu.1.49	The Applicant	<p>Transboundary effects</p> <p>There are a number of RR’s and other submissions made under EIA Reg 22 including Belgian State [RR-0127], Danish Emergency Management Agency [RR-0265], National Planning Agency [RR-0876], Nucléaire Stop Kernenergie [RR-0909], Stowarzyszenie 'Wspólna Ziemia' (Association Common Earth) [RR-1163], Swedish NGO Office for Nuclear Waste Review and member org [RR-1197], Ministry of Energy, Agriculture, the Environment and Nature – Germany and Digitalisation of the State of Schleswig-Holstein [RR-0801], The Ministry of Infrastructure and Water Management [RR 802] for the Netherlands and Wiener Plattform Atomkraftfrei [RR-1267] that raise transboundary</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		issues. Please ensure that responses to the Reg 32 submissions are included as psrt of the comments on RRs.
	Response	
Cu.1.50	The Applicant	Transboundary effects Brigitte Artmann [RR-0155] expresses concern that the proposal as carried out to date is in breach of the Aarhus convention. Please respond to the specific points raised in relation to the requirements of this convention.
	Response	



Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

PART 4 OF 6

- DCO.1 [Draft Development Consent Order \(DCO\)](#)
- FR.1 [Flood risk, ground water, surface water](#)
- HW.1 [Health and wellbeing](#)
- HE.1 [Historic environment \(terrestrial and marine\)](#)
- LI.1 [Landscape impact, visual effects and design](#)



Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 Part 5 of 6

Ma.1 [Marine water quality and sediment](#)

MN.1 [Marine Navigation](#)

NV.1 [Noise and Vibration](#)

R.1 [Radiological considerations](#)

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Ma.1 Marine water quality and sediment		
In the following questions, unless otherwise stated, paragraph numbers are to [APP-314] with section references drawn from [AS-034] (A.b.b and so on)		
Ma.1.0	The Applicant, MMO, EA	Para 21.2.8 Section D, eel management plans. Please explain further the importance in legal and policy terms, of the relevant plan, any non-compliance arising from the Proposed Development, and what is in place should the Proposed Development be non-compliant.
	Response	
Ma.1.1	The Applicant	Para 21.3.109 Section G.b.b; is the ExA to understand that all of scenarios A, D, D1 and E have been assessed?
	Response	
Ma.1.2	The Applicant	Para 21.3.17, section D. This para states that the influence of marine water quality is considered "in conjunction" with the Shadow HRA. As pointed out elsewhere in these ExQs, the HRA operates on different regulations and criteria. Is it intended that any of the material including conclusions of that document are imported and necessary for the understanding and conclusions of the Chapter? If this chapter of the ES is incorporating parts of the Shadow HRA, please succinctly but adequately summarise them in terms applicable to the ES, giving cross-references and EL numbers.
	Response	
Ma.1.3	The Applicant	Para 21.6.122, section C.d.b, on cooling water discharges. (i) Please will the Applicant explain this paragraph carefully. It discusses thermal values and uplifts of over a certain amount (e.g. absolutes of >23°C or uplifts of >2°C respectively) as a 98 th percentile. Given that a percentile is a figure NOT exceeded, what is being described and discussed here? (ii) Where the para refers to absolute values >23°C the normal meaning of the sentences suggests that includes >28°C. But there is a WFD standard referred to in the previous
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>paragraph of >28°C. The position is similar for uplifts. Please will the Applicant explain what is the intention.</p> <p>(iii) This issue carries through into table 21.19 a couple of paragraphs later. In para 26.1.120 it is said that the WFD maximum uplift figure for 98th percentile "good" is "2.C < Uplift</= 3.C". But in Table 21.19 it is said it is >2 which would include >3. This applies to both Sizewell B only, C only and B and C together.</p>
	Response	
Ma.1.4	The Applicant	Para 21.6.126 Section C.d.b states that effects of future climate change and warming sea temperatures re: thermal discharges are considered further. Please state where.
	Response	
Ma.1.5	The Applicant	<p>Para 21.6.129 Section C.d.b</p> <p>Please would the Applicant expand this paragraph to spell out: (i) what are the standards to which it refers, giving the figures and the publications in which they are found, (ii) the actual exceedance areas (presumably the figures in Table 21.19) (iii) the likely time periods of exceedance (iv) comparators which have been used to conclude that the above threshold period is "relatively short". In the case of the exceedance of the Habitats Directive standards, please give the cross-references to where these exceedances are considered elsewhere in the ES or in the HRA assessment and explain how they affect the appropriate assessment, IROPI, compensation and conclusions of the HRA assessment.</p>
	Response	
Ma.1.6	The Applicant	Para 21.6.137, (or 21.6.138 in [AS-034] section C.d.c states that the thermal uplift was applied to "this contemporary annual baseline". Please can the Applicant explain what is meant by contemporary baseline within the Chapter?' Does it mean "present day"? The word "contemporary" is used several times in this section on the effect of climate change on cooling water discharges..
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
Ma.1.7	The Applicant	Paras 21.6.132 – 144 Section C.d.c (Effect of climate change on cooling water discharges: Temperature changes) as a whole. What is the conclusion of this section as to whether there will be major, moderate, minor or negligible significant effects?
	Response	
Ma.1.8	The Applicant	Para 21.6.166, Section C.d.d.b. The PNEC (Predicted No Effect Concentration) for bromoform is 5µg/l as a 95th percentile (para 21.6.160). The average concentration from 10 power stations is 16.3 µg/l, with range of 1-43 µg/l (para 21.6.164). How does the ES conclude that discharges which are on average four times the PNEC and up to almost nine times are minor adverse, not significant?
	Response	
Ma.1.9	The Applicant	Para 21.6.243 of [APP-314] (21.6.244 of AS-034)), section C.f.c. (i) <i>"The level of total ammonia discharged including current background levels is low and represents an increase of ca.30% of the present mean background total ammonia"</i> be better written <i>"The level of ammonia discharged represents an increase of ca.30% of the present mean background total ammonia but the total of discharge and background levels is low"</i> . Please will the Applicant clarify the sentence. (ii) It is apparent that an extra paragraph has crept in to [AS-034] or that the numbering has jumped by one. Please will the Applicant clarify what has happened.
	Response	
Ma.1.10	The Applicant	Para 21.7.7, Section B (Monitoring). "... monitoring may be extended...". Please explain enforceable criteria and action, together with the dispute resolution procedure.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
Ma.1.11	The Applicant, EA	<p>Tables 21.22 and 23 – summary of effects for the construction and commissioning phase (22) and operation (23).</p> <p>In many places, these tables identify the need for additional mitigation in the form of WDA permits and the monitoring set out in those permits. The Environment Agency has indicated that it is not able to issue Letters of No Impediment (which presumably will relate to these permits, amongst others) prior to the end of the examination.</p> <p>(i) Please will the Environment Agency say whether it considers that the mitigation will be appropriate?</p> <p>(ii) Please will the Applicant and the Environment Agency set out how the absence of Letters of No Impediment will affect (a) the conclusions in relation to residual effects and (b) the assessment in this Chapter 21.</p>
	Response	
MN.1 Marine Navigation		
In the following questions, unless otherwise stated, paragraph numbers are to [APP-337]		
MN.1.0	The Applicant	<p>Para 24.3.18 – assessment methodology – marine developments under construction have been taken into account.</p> <p>What account has been taken of the EA One and Two windfarm NSIPs currently in examination?</p>
	Response	
MN.1.1	The Applicant	<p>Para 24.3.19 – assumptions and limitations.</p> <p>The reader is referred to Vol 1 Appx 6T (which is [APP-171] pages 811 and ff). Have any of the assumptions and limitations changed?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
MN.1.2	The Applicant	<p>Para 24.5.6 – tertiary mitigation, construction phase.</p> <p>The mitigation measures set out in paragraph 24.5.6 are stated to be secured via conditions of the marine licence listed in Schedule 20 of the DCO however, not all of the activities listed are secured here. Can the Applicant clarify this discrepancy?</p> <p>(i) Please explain how these measures are secured in the DCO or elsewhere. The delivery and logistics plan for AILs for example does not obviously appear to be tertiary mitigation.</p> <p>(ii) What is the role and power of the Fisheries Liaison Officer?</p>
	Response	
MN.1.3	The Applicant	<p>Para 24.7.3 – Mitigation – buoyed construction zone and patrol launch to assist vessels in difficulty.</p> <p>How are these secured in the DCO or other documentation? How is the availability of the launch, its capacity and the frequency and range of its patrols specified and secured?</p>
	Response	
NV.1	Noise and Vibration	
NV.1.0	The Applicant, ESC (ii) only	<p>Methodology</p> <p>SCC in their [RR-0342] raise concern that relying simply on a fixed sound level could underestimate the impact on a receptor.</p> <p>(i) How do you respond to this concern?</p> <p>(ii) What additional information do you (ESC) seek to improve the assessment of effect?</p>
	Response	
NV.1.1	ESC	<p>Methodology</p> <p>In paragraph 1.9 of the RR it is indicated that using a noise level such as LOAEL or SOAEL may not be of sufficient sensitivity.</p> <p>(i) How does the Council wish this concern to be addressed?</p> <p>(ii) Would this be a specific assessment for each receptor or noise generating activity or would a broad approach be considered appropriate?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(iii) What parameters is the Council looking to define such that ongoing monitoring could be undertaken to ensure that any obligations/requirements are achieved? In responding to the above please support the answer with reference to relevant guidance or precedents.
	Response	
NV.1.2	ESC	Rochdale Envelope In light of the comments you make in paragraph 1.11 of your RR can ESC explain what justification is required to acknowledge that the Proposed Development is not abusing the flexibility of the Rochdale Envelope in line with case law?
	Response	
NV.1.3	ESC	DCO Requirement Is the Council seeking a requirement within the DCO to ensure there is a commitment to ongoing monitoring and provision of mitigation if appropriate as set out in [RR-0342]? Please provide a draft of such a requirement if this is what is being sought.
	Response	
NV.1.4	ESC	Underestimate of Effects Paragraph 1.14- 1.19 of [RR-0342] suggests that that the ESC have concerns about the noise assessment and whether effects could have been underestimated. Are there particular areas that this concern refers to? Please clarify the position.
	Response	
NV.1.5	ESC	Tranquillity A tranquillity assessment has been undertaken [APP-270] [Volume 2, Chapter 15, APPENDIX 15E] (i) Does this not achieve what you are asking for? (ii) What additional work would you expect to be carried out?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
NV.1.6	The Applicant, ESC (part iii only)	<p>LOAEL and SOAEL</p> <p>(i) Please explain why the noise from new road schemes differentiates the measurement from free field during the day to facade level during the night? [Table 11.13 APP-202]</p> <p>(ii) The Day period overlaps with the night period 23:00 – 24:00 – in the event noise is generated during this period – which level would apply as a trigger? [Table 11.13 APP-202]</p> <p>(iii) Are the Council content that this approach would give them appropriate methods of monitoring and enforcement?</p> <p>(iv) In light of the range of SOAEL levels for construction work set out in Table 11.11 [APP-202] and the different levels road traffic noise in Table 11.13, please explain which level would apply where a receptor was subject to both noise sources and how this could be monitored and enforced.</p> <p>(v) Where a receptor is subject to noise from construction, road and rail traffic which SOAEL and LOAEL levels would apply?</p>
	Response	
NV.1.7	ESC	<p>Setting of LOAEL and SOAEL</p> <p>(i) What LOAEL/SOAEL levels would you consider appropriate for the assessment of night time noise arising from the different elements of the proposed development?</p> <p>(ii) On what would this be based?</p>
	Response	
NV.1.8	The Applicant	<p>Requirements</p> <p>Do you agree the requirement suggested by ESC at 1.33 of their RR is appropriate? If not please explain your position.</p>
	Response	
NV.1.9	The Applicant	<p>Code of Construction Practice</p> <p>[APP-615] CoCP Part C para 1.1.6 – “avoid use of noisy works”</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>This term is imprecise and would be difficult to enforce – and in this respect it is hard to see what mitigation the CoCP would provide. The NPS EN1 advises that a standard should be provided to ensure appropriate mitigation is achieved. Please provide the details of the standards which should be achieved to avoid significant adverse effects.</p>
	Response	
NV.1.10	The Applicant	<p>Combined Heat and Power Plant</p> <p>(i) How would the DCO ensure that the final CHP, Air Source Heat Pump system and / or back-up generator did not exceed 35dB LAr, for 15 minutes?</p> <p>(ii) If this were to be measured outside the nearest residential receptor whilst this might be satisfactory in protecting residential amenity, what standard or safeguard would it achieve for tranquillity within the AONB?</p>
	Response	
NV.1.11	The Applicant	<p>Rail Noise</p> <p>The assessment [APP-546] does not appear to make clear how the mitigation of speed restriction, and stopping of trains at certain points along the line will be delivered through the DCO.</p> <p>(i) Please clarify how this would be achieved/delivered through the DCO.</p> <p>(ii) A train pulling 20 trucks is suggested to be what is likely to be used. Is this due to a physical constraint on site/on the line? If not, what controls would be in place to ensure this were the maximum size of train?</p> <p>(iii) What would the implications be if the train were to be longer? Has this been assessed?</p> <p>(iv) A train travelling at 20mph with 20 trucks would take how long to pass a single point?</p> <p>(v) How will the restriction on the number of trains and the timetable they are to operate to be adhered to/delivered through the DCO?</p> <p>(vi) Please describe how you envisage a typical timetable for delivery and departure of trains to and from the site would occur, so the effect on the site and the receptors along the rail routes can be fully understood. It may be helpful to support this with a plan indicating the locations and times the trains would be expected to be at each location.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
NV.1.12	The Applicant, Network Rail(part iii only)	<p>Rail Noise</p> <p>(i) The mitigation proposed appears to rely upon welds not being within a certain distance of sensitive receptors. What distance is required between receptor and the track to achieve the LOAEL and SOAEL levels?</p> <p>(ii) Please clarify where the measurements are taken from and to.</p> <p>(iii) How would this be delivered through the DCO?</p>
	Response	
NV.1.13	The Applicant, Network Rail part iii only)	<p>Rail Noise</p> <p>(i) The placement of matting under the ballast would appear to be required for all locations where a sensitive receptor is within 20m of the centreline of the railway, and this matting should extend 10m beyond the end of the receptor building. How would this be delivered through the DCO?</p> <p>(ii) Does this require a specific standard of matting to be provided and method of laying of the matting and the ballast to meet the minimum noise absorption required and therefore is a specific minimum specification required? If so, how is this to be secured?</p> <p>(iii) Do Network Rail agree to this method of installation?</p>
	Response	
NV.1.14	The Applicant	<p>Rail Noise/Freight Management</p> <p>(i) The information provided in support of the train noise assessment indicates [APP 545] that a typical truck has the capacity to carry 77.9t of cargo. Assuming this to be the case a train with 20 trucks would have a payload of 1,558t. Please explain why this figure exceeds the quantum of material said to be imported per train as set out in the Freight Management Strategy?</p> <p>(ii) Assuming trains were loaded to full capacity what implications would this have for the noise assessment?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
NV.1.15	The Applicant	<p>Rail Noise</p> <p>Part of the mitigation proposed is to hold trains on the branch line and only allow them to enter Leiston after 07:00 in the morning.[AS-258]</p> <p>Please explain why it is considered appropriate Leiston should benefit from this protection, but other areas along the proposed freight rail route should not.</p>
	Response	
NV.1.16	The Applicant	<p>Rail Noise</p> <p>In undertaking the noise assessment, a test train was run in August 2020, it is understood this was unladen.</p> <p>(i) How representative of the noise of a fully loaded train would this be?</p> <p>(ii) Please explain what differences in acoustic terms you could expect for acceleration and breaking, relative to a fully laden train.</p>
	Response	
NV.1.17	The Applicant, Network Rail	<p>Rail</p> <p>[APP-558] makes reference to trains travelling at 25mph para 8.6.45, this would appear to conflict with the speed restriction of 20mph, please clarify the position.</p>
	Response	
NV.1.18	The Applicant, ESC, SCC	<p>Rail SOAEL and LOAEL</p> <p>The SOAEL and LOAEL is based at least in part on the assessment for HS2, and the justification of a higher rating appears to be based on the quantum and speed of rail traffic associated with HS2 as opposed to here.</p> <p>(i) Do the Councils agree this is a reasonable position to take in setting the SOAEL and LOAEL for rail noise?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) In the event the Councils do not agree, what method would be considered would provide a reasonable approach in the circumstances of this case?
	Response	<p>Although there are differences between the operation of a passenger railway line and a freight railway line, The Applicant has modelled and surveyed the level of rail noise anticipated to occur on the Leiston Branch Line and the East Suffolk Line and compared against the noise and vibration levels generated by HS2. Therefore, the technical basis for the adopted LOAEL and SOAEL is accepted.</p> <p>It is expected though that The Applicant will ensure that all efforts are taken to mitigate adverse effects above LOAEL and to avoid significant adverse effects above SOAEL, as set out in the NPS EN-1. As such, adequate consideration of mitigation is critical to the correct use of these parameters. SCC would like to see The Applicant explore all mitigation options to “mitigate and minimise” adverse impacts. This should be reflected in the Draft Rail Noise Mitigation Strategy and Noise Mitigation Strategy, which should provide adequate protection for local residents above a standard offer of double-glazing. Specifically, we believe that mitigation should be triggered at a level below SOAEL, which simply represents a threshold to be avoided. Discussions are ongoing on this between The Applicant and ESC and progress is expected, but this remains a key concern.</p>
NV.1.19	The Applicant, ESC, SCC, PHE	<p>Rail SOAEL and LOAEL</p> <p>As currently assessed, the LOAEL would be exceeded at receptors within 42m of the line with trains travelling at 10mph and within 50m of the line for trains travelling at 20mph. In light of the need to protect human health from noise, and length of construction period should not the potential for noise mitigation be made available to all receptors where the LOAEL would be exceeded?</p>
	Response	Setting the threshold for noise insulation mitigation at LOAEL would represent the most robust possible means of protecting amenity. However, there is no clear basis for this and both SCC and ESC recognise that other forms of mitigation exist that could negate the need for improved noise insulation, which should be a last resort. There is a need to

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ExQ1	Question to:	Question:
		<p>ensure that rail infrastructure aimed at reducing noise is delivered and maintained to the highest standard on the Branch Line and the East Suffolk Line. A clear agreement between the Applicant and Network Rail is required.</p> <p>Both SCC and ESC believe that eligibility for noise insulation should be triggered at a level below SOAEL, which represents a threshold to be avoided. Discussions are ongoing on this between The Applicant and ESC and progress is expected, but this remains a key concern.</p>
NV.1.20	The Applicant. Network Rail	<p>Rail Freight Option What controls are there over when trains would run, what engines would be used, and therefore how realistic is the assessment that has been carried out?</p>
NV.1.21	The Applicant	<p>Rail Freight Locomotive type (i) A preference for a type 66 locomotive is expressed [AS-258] what is the reasoning for this? (ii) This preference would not appear to be a commitment but be dependent upon what the freight companies have available – is this correct? (iii) Is the type 66 locomotive a 'conservative' locomotive in terms of noise profile? (iv) Are quieter trains available, if so why has this eventuality not been put forward as a potential mitigation?</p>
NV.1.22	The Applicant	<p>Rail It is asserted that to operate trains on a rail line is not development. Consequently, this would not be directly authorised by the DCO but is one of the methods to facilitate the NSIP development.</p>

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ExQ1	Question to:	Question:
		If this is the case, what controls can the ExA rely upon to ensure that rail activity associated with the construction of the development is carried out in a way which minimises harm to residents and other sensitive receptors?
	Response	
NV.1.23	The Applicant	Rail Noise There are a series of cottages along the branch line which are in close proximity to the line and therefore are susceptible to significant disturbance. (i) It is suggested that due to the historic association with the railway line those properties built with the railway could/should expect a degree of noise and disturbance from railway activity. What guidance or other precedence is available to sustain this position? (ii) Please provide information evidencing when these properties would have last been subject to rail activities, and as such whether the historic association could still be regarded as a material consideration and this position justified.
	Response	
NV.1.24	The Applicant	Rail Noise ESC have indicated in the [RR-0324] that significant concern remains in respect of the potential significant adverse effects that could occur from night-time rail operations. The Council do not consider this concern would be fully addressed by limiting speeds to 20mph, or that the assessment fully reflects the distance from the rail line that properties would experience adverse effects. Please respond to these concerns.
	Response	
NV.1.25	The Applicant	Rail Noise In light of the length of time that the construction period would last, would not occupiers of properties within close proximity of the rail line need to be rehoused for the duration to avoid being subject to regular significant disturbance?

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ExQ1	Question to:	Question:
		<p>(Currently the ES suggests that the SOAEL would be exceeded at a distance of 5m at 10mph but this would not yet appear to be an agreed position.)</p> <p>The s106 agreement [PDB-004] explains on pg 77 that the Noise Mitigation Scheme will either be secured through the DCO or the s106 agreement, but this is still under consideration please explain the latest position on how this mitigation would be secured</p>
	Response	
NV.1.26	The Applicant, Network Rail, ESC, SCC	<p>Rail Noise</p> <p>In order to minimise disturbance to receptors in close proximity to the rail line, particularly at night, would a period excluding train operations be reasonable and or enforceable?</p>
	Response	<p>SCC's wish is to maximise rail movements and to have as many trains as are operationally possible; however, this must be balanced against causing a detrimental impact on residents. There is a balance to be struck between operational practicalities and the amenity of residents.</p> <p>In that spirit, SCC is supportive of a period of no train operations. By our estimation, under the current proposals there will be a short window between 01:30am and 04:30am when there will be no train movements.</p> <p>Such a provision would need to include a clause for emergencies, but subject to that it should in principle be reasonable and enforceable.</p> <p>On the mechanics of enforcement, SCC defer to the expertise of ESC.</p>
NV.1.27	ESC, SCC	<p>Rail Noise</p> <p>In the Additional information supplied by the Applicant in [AS 257] an assessment of sleep disturbance has been set out. Do the Councils agree the methodology of assessment and the subsequent justification for the setting of the LOAEL and SOAEL in this respect?</p>
	Response	<p>Notwithstanding the obvious differences between a new high-speed rail line and freight rail traffic serving the construction of a power station, the survey and modelling work undertaken by the Applicant makes the technical basis for the adopted LOAEL and SOAEL acceptable.</p>

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ExQ1	Question to:	Question:
		<p>However, the overarching policy aims of NPS EN-1 require that all efforts are taken to mitigate adverse effects above LOAEL and to avoid significant adverse effects above SOAEL. As such, adequate consideration of mitigation is critical to the correct use of these parameters. SCC does not currently believe that the Applicant has adequately explored and exhausted all mitigation options to “mitigate and minimise” adverse impacts, or that the Rail Noise Mitigation Scheme provides adequate protection for local residents. Specifically, we believe that the scheme should be triggered at a level below SOAEL, which simply represents a threshold to be avoided. Discussions are ongoing on this between The Applicant and ESC and progress is expected, but this remains a key concern. Further commitments are also needed between The Applicant and Network Rail to secure noise reducing rail infrastructure.</p>
NV.1.28	ESC, SCC, PHE	<p>Rail Noise</p> <p>It would appear that the ES recognises a significant harm to between 100 and 110 properties. Would this accord with NPS EN1 Policy to avoid harm to human health, or the aims of the Noise Policy Statement for England?</p> <p>Do the Councils or PHE consider the approach justified in seeking to set a SOAEL at a higher level than the significant level identified through the ES assessment?</p>
	Response	<p>The overarching policy aims of NPS EN-1 require that all efforts be taken to mitigate adverse effects above LOAEL and to avoid significant adverse effects above SOAEL. As such, adequate consideration of mitigation is critical to the correct use of these parameters. SCC do not currently believe that The Applicant has adequately explored and exhausted all mitigation options to “mitigate and minimise” adverse impacts, or that the Rail Noise Mitigation Scheme provides adequate protection for local residents. Specifically, we believe that the scheme should be triggered at a level below SOAEL, which simply represents a threshold to be avoided. Discussions are ongoing on this between The Applicant and ESC and progress is expected, but this remains a key concern. Further commitments are also needed between The Applicant and Network Rail to secure noise reducing rail infrastructure.</p>

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ExQ1	Question to:	Question:
NV.1.29	ESC	<p>Rail Noise</p> <p>The Applicant concludes [APP 545] that up to 460 properties would be subject to noise above the L_{Amax} based LOAEL. Do you agree that the secondary mitigation offered would minimise the adverse effects on health and quality of life?</p>
	Response	
NV.1.30	The Applicant, Network Rail	<p>Saxmundham Points System</p> <p>(i) Has it been confirmed that the automatic points system at Saxmundham can be implemented to avoid trains stopping and starting? (ii) How is this to be secured?</p>
	Response	
NV.1.31	The Applicant, Network Rail	<p>Rail Noise Mitigation Scheme</p> <p>[APP-545] – makes reference to mitigation that ‘could’ include selection of alternative plant, working methods, barrier screening and or stand off margins.</p> <p>(i) Are Network Rail satisfied that there is the space to accommodate barrier screening, or increase stand off margins? (ii) In the event neither of these are possible, what are the implications for receptors?</p>
	Response	
NV.1.32	The Applicant, Network Rail	<p>Level Crossing Warning Alarms</p> <p>[APP-545] indicates that warning alarms would need to be limited to a maximum of 70dB at night measured at 1m. It is also indicated that alarms should be set a minimum of 4m from noise sensitive receptors. How are these two methods of mitigation to be delivered?</p>
	Response	
NV.1.33	The Applicant	<p>Main Development Site</p>

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ExQ1	Question to:	Question:
		<p>(i) Piling is potentially a significant noise source; please provide a schedule of piling for the development at the main development site. It would be helpful to understand which elements of the project include piling and therefore please provide the breakdown setting out the information, so this is understood?</p> <p>(ii) Within the schedule set out an approximate time frame for such activities for each location and over what period this anticipated to take place?</p>
	Response	
NV.1.34	The Applicant	<p>Main Development Site</p> <p>(i) In trying to understand the possible effects on Crown Lodge and the area near the LEEIE, please confirm where the drop off and collection point for the proposed buses serving the LEEIE is proposed to be.</p> <p>(ii) Has a plan been provided indicating the location, turning and routing for the buses, if so please advise where this can be found.</p> <p>(iii) If no such plan has been provided, how will the final arrangements be secured?</p>
	Response	
NV.1.35	The Applicant	<p>Upper Abbey</p> <p>Within the ES Chapter on Noise (para 11.3.9) of [APP-202] Upper Abbey is not assessed for noise impacts as it is advised it would not be occupied during construction.</p> <p>(i) To which property(ies) does this refer?</p> <p>(ii) How will it be ensured the properties would not be occupied throughout the period of construction?</p>
	Response	
NV.1.36	The Applicant	<p>Accommodation Campus</p> <p>In the Design and Access Statement 'Accommodation Campus Design Principles' the description indicates that a reasonable standard of internal and external acoustic amenity would be achieved.</p>

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ExQ1	Question to:	Question:
		Please explain what standard BS 8223 would achieve for both internal and external spaces and how this is to be secured?
	Response	
NV.1.37	The Applicant	<p>Two Village Bypass</p> <p>It would appear from the conclusions in Table 4.21 and 4.23 of Vol 6 Ch 4 significant adverse effects would occur at several properties both during construction and subsequently during operation.</p> <p>Please advise how you consider the scheme achieves the noise policy aims of the NPSE and para 5.11.9 of NPS for Energy (EN-1).</p> <ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life; • mitigate and minimise adverse impacts on health and quality of life; and • where possible, contribute to the improvement of health and quality of life.
	Response	
NV.1.38	The Applicant	<p>Two Village Bypass</p> <p>In the Community Impact Report [APP-156] Table 5.6 appears to list different properties that would be adversely affected and the terminology used is not entirely consistent to the terms used in Vol 6 Ch 4 Table 4.21 [APP-415] please clarify and confirm which terminology correctly reflects the effects assessed within the ES and which properties are considered to be adversely affected.</p>
	Response	
NV.1.39	The Applicant	<p>Two Village Bypass</p> <p>In light of the fact the road you are proposing is an associated scheme to the main NSIP proposal and would not be forthcoming without the NSIP, is it reasonable to assess effects only in respect of the noise from the traffic associated with the NSIP development?</p>

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ExQ1	Question to:	Question:
	Response	
NV.1.40	The Applicant	<p>Two Village Bypass</p> <p>How would the noise from the traffic associated with the development be differentiated from other traffic noise?</p>
	Response	
NV.1.41	The Applicant	<p>Two Village Bypass</p> <p>In assessing the benefits where they occur from diverting existing traffic from current routes, should this be disregarded in the balance of assessment of harms versus benefits, if the consequential harm that arises elsewhere is not to be taken into account?</p>
	Response	
NV.1.42	The Applicant	<p>Two Village Bypass</p> <p>In identifying Farnham Hall as a receptor, several RRs confirm this is a series of properties. ([RR-109, RR-110, RR-112, RR-113, RR-114, RR-115, RR-116, RR-117])</p> <p>(i) Please advise of the addresses and number of properties in this location and describe how each might be affected.</p> <p>(ii) In understanding the effects in this location; as the properties would be at different distances and orientated in different directions how has the specific affect been assessed?</p> <p>(iii) Can the details of the effects for each as currently set out be regarded as conservative?</p> <p>(iv) As there are several properties which are potentially significantly adversely affected, should this weigh more heavily against the scheme in considering the planning balance?</p>
	Response	
NV.1.43	The Applicant	<p>Two Village Bypass</p> <p>Paragraph 4.5.4 [APP-415] indicates that one of the primary mitigations is having the road in a cutting. This does not appear to be an accurate description when viewing the</p>

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ExQ1	Question to:	Question:
		<p>plans included which suggest a good portion of the proposed road is either at grade or elevated above current ground levels.</p> <p>(i) What mitigation is proposed to be delivered for those sections of road not in cutting? (ii) In undertaking the noise assessment what information for proposed levels has been used to inform the assessment?</p>
	Response	
NV.1.44	The Applicant	<p>Two Village Bypass</p> <p>(i) What acoustic benefit is achieved for the section of the road in cutting? (ii) Where is this set out within the ES? (iii) Has the Noise Assessment been based on specific plan and as a consequence the relative height of the receptor to the noise source? (iv) Assuming a plan was used, is it in the list of approved plans within the DCO?</p>
	Response	
NV.1.45	The Applicant	<p>Two Village Bypass</p> <p>In light of the above has an acoustic barrier been considered for those sections of road either at grade or elevated above ground, or either side of the proposed bridge? In the event this has not been considered in light of the acknowledged adverse effects, please clarify why this has not been considered or it has been ruled out.</p>
	Response	
NV.1.46	The Applicant	<p>Two Village Bypass</p> <p>(i) The ES [APP-415] identifies that during the first year of operation 2034 significant adverse effects would remain at Hill Farm, Pond Barn Cottages, Farnham Hall, Farnham Hall Farmhouse and Walk Barn Farm. This significant adverse effect would appear from Table 4.23 to remain following the implementation of the Noise Mitigation Scheme. Please confirm this understanding is correct. (ii) This being the case there would appear to remain a significant adverse effect in the long term. Is this understanding correct?</p>

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ExQ1	Question to:	Question:
		(iii) Please explain how this is considered to accord with the NPS EN1 and NPSE approach which aims to avoid such occurrences. (iv) Receptor 13 would appear to have been chosen as a representative location for properties in this vicinity – how many properties might be significantly adversely affected in this location?
	Response	
NV.1.47	The Applicant	Two Village Bypass [APP-415] para 4.6.14 should this reference be to Appendix 11H? please clarify the position.
	Response	
NV.1.48	The Applicant	Two Village Bypass/Sizewell Link Road No mention of the potential for quieter road surfacing has been suggested, or additional acoustic barriers as referred to above. Please explain whether this has been assessed to improve the environment for receptors indicated to be adversely affected by traffic using the road particularly in light of the advice in the NPS EN1 that noise insulation is a valid form of mitigation “ only when all other forms of noise mitigation have been exhausted”(our emphasis). Or explain why this has been discounted and where this is explained within the ES?
	Response	
NV.1.49	The Applicant, ESC, SCC	Two Village Bypass In light of the recognised significant adverse effects that would arise from the use of the two village bypass during operation, can this be regarded as sustainable development?
	Response	SCC considers that it could be sustainable development, provided that acceptable measures are put in place, such as those mentioned in the LIR [REP1-049] at para 16.68 and in Annex M (examination library reference pending).

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ExQ1	Question to:	Question:
		<p>The NPPF sets out (in paragraph 8) three objectives of sustainable development: economic, social and environmental. It notes that these are interdependent and need to be pursued in mutually supportive ways, and (in paragraph 8) that they are not criteria against which every decision can or should be judged. Notwithstanding the latter, we provide here an overview of the balance of these three strands against the adverse noise.</p> <p><u>Economic objective</u></p> <p>The Two Villages Bypass will reduce delays to traffic using the A12 and in the future support local growth in the district, as indicated by the Applicant's traffic modelling at Table 8C.15 to Table 8C.21 of the Transport Assessment Addendum Appendices 8B-9B [AS-269], which shows a reduction in journey times on Routes 2 (no SLR), A2 and A3, which all include the Two Village Bypass in the operational scenario. Historic work undertaken by SCC that supported the SCC's SEGWay scheme also indicated the benefits in travel times associated with a bypass.</p> <p><u>Social Objective</u></p> <p>Removing the majority of road traffic from the centres of Stratford St Andrew and Farnham the Two Village Bypass will have a significant positive impact on local residents and listed buildings. Set against this is the lesser but still important impact to residents close to the new alignment and the impact on users of rights of way.</p> <p><u>Environmental Objective</u></p> <p>Removal of traffic will have significant benefits with respect to reducing NOx levels in the Stratford St Andrew AQMA. However, this is balanced against the significant negative impact on the environment, particularly in the River Alde valley with loss of green space, habitat, noise, vibration and visual impact.</p> <p><u>Noise impacts</u></p> <p>SCC notes that, as a result of the Two Village Bypass, a substantial number of properties along the existing A12 in Farnham and Stratford St Andrew benefit from considerably less noise than currently.</p> <p>Adverse noise effects have been identified by the Applicant to impact properties in these and other villages, as demonstrated in Volume 6, Chapter 4, Table 4.18 (Predicted Operational Noise). SCC believes it is imperative that that all efforts are taken to mitigate</p>

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ExQ1	Question to:	Question:
		adverse effects above LOAEL and to avoid significant adverse effects above SOAEL, as set out in the NPS EN-1. This means mitigating noise at source through the implementation of quiet road surfacing, road noise barriers and landscaping as a first option before noise insulation is offered to residents. Discussions are ongoing on this between the Applicant and SCC and progress is expected, but this remains a key concern.
NV.1.50	The Applicant	<p>Two Village Bypass</p> <p>(i) Could the TVB be designed to achieve a noise level at night during operation as recommended by the WHO NNG of 40dB Lnight?</p> <p>(ii) What mitigation would this require?</p> <p>(iii) Has this been considered?</p> <p>(iv) Please advise where this assessment can be found?</p>
	Response	
NV.1.51	The Applicant	<p>Sizewell Link Road</p> <p>(i) The ES identifies that during the first year of operation 2034 significant adverse effects would remain at Fordley Hall, Trust Farm, Theberton Grange, Oak House and Hawthorn Cottages. This significant adverse effect would appear from Table 4.23 of [APP-451] to remain following the implementation of the Noise Mitigation Scheme. Please confirm this understanding is correct.</p> <p>(ii) This being the case there would appear to remain a significant adverse effect in the long term. Is this understanding correct?</p> <p>(iii) Please explain how this is considered to accord with the NPS EN1 and NPSE approach which aims to avoid such occurrences.</p>
	Response	
NV.1.52	The Applicant	<p>Sizewell Link Road</p> <p>Preparation phase – significant adverse effects are identified at Fir Tree Farm, Rosetta, Dovehouse Farm, Church Farm, Rookery Farm and Keepers Cottage.</p>

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ExQ1	Question to:	Question:
		Please explain how these effects would be mitigated to comply with NPS EN1 and NPSE policy.
	Response	
NV.1.53	Marlesford Parish Council	Southern Park and Ride Please advise which noise receptors you consider should have been included in the assessment which have not been.
	Response	
NV.1.54	ESC	Yoxford Roundabout Are the Council satisfied with the findings in respect of this part of the scheme and that the mitigation proposed to avoid the SOAEL being exceeded at Sunnypatch, The Old Barn, Rookery Cottages and Hopton Yard would achieve appropriate levels of mitigation to avoid harm to health and comply with the requirements of the NPS EN1 and NPSE.
	Response	
NV.1.55	ESC	Yoxford Roundabout Delivery of screening and final working methodology is yet to be finalised. Are the Council satisfied that the method of mitigation is appropriately secured?
	Response	
NV.1.56	The Applicant	Community Impact Report Community Impact Report [APP-156] at para 2.6.68 suggests "noise barriers have been designed": (i) Could you point out where the specification of these barriers is and what acoustic benefit they have been designed to achieve. (ii) How would this standard be secured through the DCO?
	Response	

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ExQ1	Question to:	Question:
NV.1.57	The Applicant	<p>Community Impact Report</p> <p>Community Impact Report [APP-156] Table 3.5 describes several areas.</p> <p>(i) Are the areas identified in the table shown on a single map/plan? Please advise if this is the case where this can be found. e.g. Darsham, Willow Marsh Lane etc., Users of public footpaths, local residents – between Rookery Park, Town Farm Lane</p> <p>(ii) Please identify on a plan the areas to which you refer and identify the residential properties you have identified would be affected and advise whether the adverse effects on these properties would be regarded as significant.</p> <p>(iii) Please advise where the details for these effects are set out in the ES.</p>
	Response	
NV.1.58	The Applicant	<p>Rail Noise</p> <p>Para 4.6.41 Vol 9 Ch 4 [APP-545] appears to contradict para 4.6.40 and noise levels set out in Table 4.26 – Is it the case the SOAEL will be exceeded in these locations?</p>
	Response	
NV.1.59	The Applicant, ESC	<p>Night Time Noise</p> <p>(i) On the basis that a value of 40dB L_{night} represents a level where adverse effects begin to occur in locations with a low background noise level at night on what basis has a level of 60dB been assessed to represent only a low impact?</p> <p>(ii) How has this figure been arrived at?</p> <p>(iii) Can this be reasonably argued to avoid adverse health effects when the WHO guidance recognises that adverse health effects are identified at night when levels exceed 40dB L_{night}-outside.</p>
	Response	
NV.1.60	ESC	Health Effects of Noise

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ExQ1	Question to:	Question:
		<p>(i) Do the Council agree that the method of assessment and standard against which effects should be measured is appropriate and would ensure adverse health effects are minimised?</p> <p>(ii) In the RR at para 1.8 you indicate that the SOAEL and LOAEL levels are not fully supported by either national guidance or best practice. In which circumstances/ locations do you consider the levels set are not appropriate? Please explain your reasoning.</p>
	Response	
NV.1.61	ESC	<p>Operational Noise</p> <p>(i) Please clarify the ongoing concerns about the assessment of operational noise and the source data.</p> <p>(ii) What further evidence do you seek?</p>
	Response	
NV.1.62	The Applicant	<p>Operational Noise</p> <p>ESC has expressed concern that some receptors could be the subject of ongoing adverse noise effects during the operation of the plant.</p> <p>(i) Do you agree to ongoing monitoring and subsequent mitigation as suggested?</p> <p>(ii) How could this be secured?</p>
	Response	
NV.1.63	The Applicant, ESC Part (iii) and (iv) only)	<p>Noise Mitigation Scheme (NMS)</p> <p>Please explain how this scheme [APP-210] would operate to protect living standards for residents such that they were not significantly affected.</p> <p>(i) How would the mitigation offered protect gardens?</p> <p>(ii) How would the noise environment within properties be protected to an acceptable degree when windows were open?</p> <p>(iii) Do the Council consider the mitigation scheme as drafted sufficiently clear and enforceable such that receptors would be adequately protected?</p> <p>(iv) Do the Council consider this would be better secured through the DCO or S106?</p>

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ExQ1	Question to:	Question:
	Response	
NV.1.64	The Applicant	<p>NMS</p> <p>(i) How would it be ensured that those receptors that could be subject to noise in excess of the SOAEL had mitigation in place in advance of this occurring such that this level of harm would not materialise?</p> <p>(ii) How is this to be secured?</p> <p>(iii) Would the development be prevented from occurring in advance of the mitigation being in place?</p>
	Response	
NV.1.65	The Applicant	<p>Rail Noise Mitigation Scheme (RNMS)</p> <p>(The draft RNMS [AS 258] as refers in different paragraphs to glazing and insulation, please clarify what would be offered to residents in the event that mitigation was appropriate.</p>
	Response	
NV.1.66	The Applicant	<p>Rail Noise Mitigation</p> <p>If the current SOAEL and mitigation measures are accepted, the Sleep Disturbance Assessment [AS-257] suggests between 5-10 properties would qualify for mitigation. Why is there such a variation?</p>
	Response	
NV.1.67	ESC	<p>Rail Noise Mitigation Strategy</p> <p>The Applicant proposes a Rail Noise Mitigation Strategy [AS-258] in consultation with Network Rail and the rail freight operator. Are you satisfied this gives sufficient control over noise to safeguard health and quality of life?</p>
	Response	

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ExQ1	Question to:	Question:
NV.1.68	The Applicant, ESC, PHE	<p>Rail Noise</p> <p>In the event that having the SOAEL at a higher level than the significant adverse effect level identified from the ES Assessment was not considered to be justified, do the 100-110 properties identified as being potentially subject to such noise levels need to be subject to noise mitigation for the scheme to avoid adverse health effects and be compliant with NPSE and NPS EN1 policy?</p>
	Response	
NV.1.69	The Applicant	<p>Rail Noise</p> <p>The Noise Mitigation Scheme in Appendix 11H[APP-210] refers to 69dB $L_{Aeq, 16hrs}$ and 58dB $L_{Aeq, 8hrs}$ as the threshold to trigger mitigation this would appear to differ from the figures in the Sleep Disturbance Assessment [AS-257] which uses L_{AFMAX} as the measure, please advise how the two measures correlate so that the method for assessment and the trigger level are fully understood.</p>
	Response	
NV.1.70	Applicant	<p>Groundborne Noise</p> <p>Table 4.34 of [APP-545] confirms that after mitigation Residual Effects remain from groundborne noise for all receptors in Woodbridge, Melton, Campsea Ashe and Saxmundham within 5m of the operational tracks. How many properties does this effect?</p>
	Response	
NV.1.71	Applicant	<p>Groundborne Noise</p> <p>Table 4.34 of [APP-545] confirms that all receptors beyond the locations listed in the previous question within 10m of the operational tracks on the East Suffolk line would be subject to a major adverse effect. How many properties would this effect?</p>
	Response	
NV.1.72	Applicant	<p>Groundborne Noise</p>

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ExQ1	Question to:	Question:
		Please explain why in Table 4.24 of [APP-545] properties within 50m of the tracks may have the additional protection of vibration isolating track support systems but this is not offered by way of mitigation for properties a similar distance from the main line.
NV.1.73	The Applicant	<p>Rail Operational Groundborne Noise</p> <p>The assessment indicates that between 40-50 receptors along the East Suffolk main line would exceed the L_{Amax} SOAEL, but further assessments still need to be carried out.</p> <p>(i) What further measures could be provided to ensure the SOAEL did not arise?</p> <p>(ii) How would these be secured?</p>
NV.1.74	The Applicant, ESC (Part (iii) only)	<p>Mitigation Assessment</p> <p>[APP 545] para 4.7.5</p> <p>(i) How will the assessment be made where a balance needs to be struck between acoustic benefit and visual harm?</p> <p>(ii) Who would be the decision maker?</p> <p>(iii) Do you agree this is an appropriate method of assessing this planning balance?</p>
NV.1.75	The Applicant ESC (part iv)	<p>Precedents from previous DCO and legal cases</p> <p>Reference is made to two previous projects (Thames Tideway Tunnel and Heathrow) in order to justify setting a SOAEL at a different level from the level that might be regarded as having a significant adverse effect.</p> <p>(i) Please explain how the two cases referred to are similar to this DCO such that this approach could reasonably be justified in this case.</p> <p>(ii) Please provide copies of the decisions and point out from each the explanation and justification provided in those cases.</p> <p>(iii) The Cranford Case would not appear to be a NSIP Case but a S78 appeal against the specific requirements of the 'Cranford Agreement'. Please explain how you consider those circumstances comparable to the current scheme.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(iv) Do the Council agree that setting the SOAEL at a different level from that regarded as significant in the ES is justified?
	Response	
NV.1.76	The Applicant	<p>Vibration effects on Heritage Assets</p> <p>(i) A number of RRs including [RR 512, 627, 822, 1138] have expressed concern that either construction activities or increased HGV traffic could damage listed buildings by way of vibration. Please respond to these concerns.</p> <p>(ii) Would any preconstruction surveys be undertaken, or monitoring be proposed to assess any effects?</p>
	Response	
NV.1.77	The Applicant	<p>Early Years</p> <p>B1122 Action Group [RR-0124] express concern that the level of traffic generated during the early years creates an unreasonable burden on the local community in terms of traffic, noise and air quality. Please address this particular concern and explain how the effects during early years could be considered reasonable in light of the recognised need to mitigate for similar levels of traffic later.</p>
	Response	
NV.1.78	ESC	<p>Working Hours</p> <p>Can the Council please explain more fully what is meant by 'in particular the usual permitted working hours for construction' as referenced in paragraph 2.267 of the RR</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
NV.1.79	The Applicant	<p>Working Hours</p> <p>Is there a single document which clearly sets out the proposed working times for the main development site and the associated development sites? If not, could one be provided and incorporated into the Code of Construction Practice (CoCP) so the times agreed are clearly secured and capable of being enforced?</p>
	Response	
NV.1.80	The Applicant, ESC	<p>Residential Amenity</p> <p>In the respective chapters of the ES there are various locations which recognise that noise levels would exceed the SOAEL or be above the LOAEL.</p> <p>In each location the internal environment of residential receptors has been sought to be protected by mitigation when the appropriate threshold is exceeded.</p> <p>(i) In the locations where the SOAEL is exceeded in a residential garden how can this be said to meet the aims of the Noise Policy Statement for England in avoiding significant adverse impacts on health and quality of life from environmental ...noise?</p> <p>(ii) In light of the length of the construction period for the main development site what noise level would be regarded as appropriate and what mitigation is offered to protect residential gardens to ensure this level is not breached?</p>
	Response	
NV.1.81	ESC, SCC, Natural England, MMO	<p>Conveyor on BLF</p> <p>The Applicant has introduced reference to a conveyor system for the BLF. Do you consider the assessment of this in respect of noise is adequate?</p>
	Response	<p>ESC is the responsible body for non-highways noise and vibration matters.</p> <p>It is our understanding that this was the subject of recent discussions between the Applicant and ESC. The Applicant has provided additional information which clarifies how the BLF was assessed. ESC is now satisfied that noise associated with construction and use of the BLF were adequately assessed.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
NV.1.82	The Applicant	<p>Conveyor on BLF</p> <p>(i) Please explain what system of conveyor you have assessed and where this is set out within the ES.</p> <p>(ii) How would the provision and operation of this system be secured through the DCO?</p>
	Response	
NV.1.83	The Applicant	<p>Conveyor on BLF</p> <p>The additional information indicates that the conveyor would be enclosed.</p> <p>(i) Please provide a visualisation of such a form of enclosure.</p> <p>(ii) Has an assessment been made of the degree of noise benefit this may provide?</p> <p>(iii) How do you intend to secure this through the DCO?</p>
	Response	
NV.1.84	The Applicant	<p>BLF</p> <p>[APP-190] paragraph 6.2.98 indicates that the beach landing facility had been discounted and could not be progressed. This appears to be further emphasised in [APP 175] paragraph 4.3.66.</p> <p>Please explain what has changed that would now lead to a different conclusion from that which was previously made.</p>
	Response	
NV.1.85	The Applicant	<p>BLF</p> <p>Please provide details of where the piling assessment for the BLF is set out, and what mitigation is proposed to minimise any adverse noise or vibration effects on the users of the beach or on marine mammals.</p>
	Response	
NV.1.86	Natural England, MMO	<p>Noise Effects on Marine Mammals</p> <p>(i) Do you agree that the Applicant's assessment of noise effects from the additional piling on porpoise and other marine mammals can be regarded as not significant?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Are you satisfied with the mitigation proposed and how this would be secured through the DCO? (iii) Do you consider the monitoring throughout the construction period would provide adequate safeguards?
	Response	
NV.1.87	The Applicant	Additional Freight by Rail It is suggested that by adding freight trains would have no additional effect in terms of noise and vibration for receptors. While it is reasonably understood that each event would be similar, how is this position justified when it is recognised elsewhere that part of the assessment is influenced by the number of events?
	Response	
NV.1.88	The Applicant	Additional Freight by Rail (i) Until such time as a rail timetable is known, how can the degree of effect on individual receptors be fully understood? (ii) In the event that the timetable grouped train journeys together would this not have a materially different effect to them being spread apart?
	Response	
NV.1.89	The Applicant, Network Rail	Additional Freight by Rail A number of the responses received look to have no rail activities on a given night of the week over the weekend: (i) Is this likely to be achieved? (ii) How would it be secured?
	Response	
NV.1.90	The Applicant, Network Rail	Additional Freight by Rail Please explain what effect if any this might have on passenger services on the Ipswich to Lowestoft line.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
NV.1.91	The Applicant, Network Rail	<p>Level Crossing Sirens</p> <p>(i) Will all level crossings on the route require sirens to meet the appropriate safety standards?</p> <p>(ii) If this is not the case, please explain the differing standards and what would be expected to be provided at each level crossing.</p>
	Response	
NV.1.92	The Applicant, ESC (part (ii) and (iii))	<p>Rail Noise Assessment</p> <p>In light of the comments from Saxmundham Town Council,</p> <p>(i) please advise on whether additional properties at Beech Road, Holly Way and Oak Close have been assessed in terms of any noise affects.</p> <p>(ii) Are there any other recently built or planned developments along the rail route which the ExA should be aware of?</p> <p>(iii) Has a list of such agreed developments been provided to the Applicant?</p>
	Response	
NV.1.93	The Applicant, (ESC part (ii) only)	<p>Night-time Rail Noise</p> <p>Campsea Ashe Parish Council, Woodbridge Town Council and ESC all express concern that the assessment of effects from the night-time rail operation as proposed has not been adequately assessed or those effects on residents properly mitigated.</p> <p>(i) Please respond to the concerns and set out how the assessment has been undertaken and how the mitigation offered would work in practice.</p> <p>(ii) Do the Council agree with these concerns?</p>
	Response	
NV.1.94	The Applicant, Network Rail	<p>Night-time Rail Noise</p> <p>(i) Please explain the limiting factors for daytime deliveries.</p> <p>(ii) In understanding what these are, what alternatives have been considered that could overcome these limitations?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(iii) How has the assessment of effects from night-time noise been assessed against these alternatives?
	Response	
NV.1.95	The Applicant, Natural England (part (ii) only)	<p>Night-time noise</p> <p>The RSPB indicate that the assessment of effects from night-time noise on bats and other sensitive creatures has not been adequately assessed and consider additional noise modelling would need to be carried out.</p> <p>(i) Please respond to this concern.</p> <p>(ii) Do you agree with the concerns expressed by the RSPB</p>
	Response	
NV.1.96	The Applicant, Network Rail	<p>Ipswich to Lowestoft Main Line</p> <p>(i) Please explain the current method of line construction for the main line between Ipswich and Saxmundham.</p> <p>(ii) Please confirm whether the joints between the sections of the track are located in a way as to minimise noise effects on receptors.</p> <p>(iii) It is understood from the assessment that the welds of joints for the Saxmundham to Leiston branch line are proposed to be undertaken in a certain way to minimise noise effects – please confirm whether this approach has been undertaken on the main line and if this is not the case please advise what the differences would be for receptors on the main line as opposed to those on the branch line.</p>
	Response	
NV.1.97	ESC	<p>Code of Construction Practice (CoCP)</p> <p>Table 3.2 of the CoCP sets a series of noise thresholds for the works at the main development site.</p> <p>(i) Do you consider these thresholds appropriate?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Are you content with the monitoring as proposed to oversee that these levels are achieved?
	Response	
NV.1.98	The Applicant, ESC, SCC	CoCP Advance Notice of works is specified as a method of mitigation for receptors. (i) What period of advance notice is expected to be provided? (ii) Has this been agreed and or secured as a commitment?
	Response	(i) Section 3.1.20 of the CoCP states that there would be a 1-week notice period for “noisy and disruptive” works. SCC considers that 1 week should be the minimum notice period and that the required notice period should depend on the location, extent, and duration of the works. It is also unclear how “noisy and disruptive” works are defined. However, SCC recognises that the CoCP will be expanded and refined going forward and that this will provide an opportunity to discuss proposals for advanced notice in relation to specific receptors. (ii) SCC would welcome a commitment from the Applicant to do this.
NV.1.99	The Applicant, Pro Corda School Trust	Pro Corda School What progress has been made with securing a S106 in respect of the Pro Corda School?
	Response	
NV.1.100	The Applicant	Whitearch Residential Park [RR-1265] expresses concern regarding night time noise from trains. This would appear to be a residential park based on ‘park homes’ where construction would not appear to be traditional bricks and mortar. Please advise if this would affect the capacity to offer mitigation if this was regarded as appropriate.
	Response	
R.1 Radiological considerations		
R.1.0	The Applicant	It is understood that the NPS EN6 makes clear where other regimes are in place to control processes, emissions and discharges this should not be duplicated through the planning

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		process. Nevertheless, in the light of the status of EN1 and EN6 the ExA expects clear responses, even in the event that in doing so it is made clear under what licensing regime the necessary control would be in place to cover the question identified.
	Response	
R.1.1	The Applicant, ONR	<p>Low Level Waste (LLW)</p> <p>(i) It is recognised that the current LLW Repository has a lifespan less than that of the proposed development. What provision is in place on site or elsewhere to safely deal with this waste over the lifetime of the plant?</p> <p>(ii) It is advised that "It is assumed that ultimately new disposal facilities will be provided by the NDA" (para 7.7.20)[APP-192] Have letters of assurance or similar been received from the NDA?</p> <p>(iii) Has one been sought? Please provide copies for the Examination as appropriate.</p>
	Response	
R.1.2	The Applicant, ONR	<p>Waste Acceptance Criteria</p> <p>Para 7.7.27 [APP-192] refers to WAC – this does not appear in the Glossary of Terms.</p> <p>(i) Please confirm that this means 'Waste Acceptance Criteria' - or if not what it does relate to.</p> <p>(ii) It is understood that the UK has not formally adopted these criteria for dealing with High Level Waste or for spent fuel – does this have any implications in respect of the information provided?</p>
	Response	
R.1.3	The Applicant ONR	<p>Intermediate Level Waste (ILW)</p> <p>Please give the latest update in respect of the letter of compliance process referred to in para 7.7.43 [APP-192]</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
R.1.4	The Applicant (EA, ONR iv only)	<p>Intermediate Level Waste (ILW)</p> <p>(i) What capacity for the onsite storage of ILW has been assessed within the ES? The documents appear to make reference to two periods for the prospective operation of the plant 60 years [Table 7.8 Vol 2 Ch 7 APP-192] and upto 76 years [para 22.6.244 of APP 317]</p> <p>(ii) Do the parameters include capacity for the extended lifespan of the power stations and any contingency?</p> <p>(iii) Currently it is not clear as 2.5 Main Development Site Main Platform Proposed General Arrangement (Operational) Plans for Approval [APP-017] indicates this is for approval later. Please clarify the situation</p> <p>(iv) The plans do not provide detailed drawings of the Interim Spent Fuel Store or Intermediate Level Waste Store, how is it intended that the details of these would be progressed and approved in the event the DCO were to be granted?</p>
	Response	
R.1.5	The Applicant	<p>Intermediate Level Waste (ILW)</p> <p>Table 7.8 of Vol 2 Chapter 7 sets out the quantities of ILW expected to be generated per annum and for the 60 year lifetime of the plant.</p> <p>(i) What quantities of the waste falls into the 'decay storage' category?</p> <p>(ii) As this will need to be stored while the level of radioactivity reduces over time, prior to becoming low level waste, what capacity is required within the proposed interim storage facility?</p> <p>(iii) In light of the preceding question what are the implications for the extension of the operating life of the plant?</p>
	Response	
R.1.6	The Applicant	<p>Waste Storage</p> <p>Para 7.7.70 [APP-192] refers to 60 metres of vault length required for each reactor. Should this be a volume? If not please explain the measurement.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
R.1.7	The Applicant	<p>Spent Fuel</p> <p>There appears to be an error in the calculation at para 7.7.73. [APP-192] 60 years divided by 18 months = 40 planned outages. 90 spent fuel assemblies are proposed to be removed on each occasion from each reactor. $90 \times 40 = 3,600$ not 3,400 as set out.</p> <p>(i) Has the paragraph correctly set out the estimated number of assemblies to be removed? If so please explain how this has been calculated.</p> <p>(ii) In the event there is an error:</p> <ul style="list-style-type: none"> a) Please explain whether the interim store as designed for 7378 assemblies has sufficient capacity + contingency + the additional 16 years of operation referred to previously; b) if not, how will the additional capacity be catered for? c) If an increase is necessary, can this be accommodated within the building parameters as shown? <p>Explain whether the correct figures have been used in undertaking the ES?</p>
	Response	
R.1.8	The Applicant	<p>Spent Fuel</p> <p>Para 7.7.74 [APP-192] does not appear to include the likely additional number of spent fuel assemblies you have assessed as a contingency. In addition, neither calculation includes the possible extension of the life of the plant for a further 16 years as referenced in other documents within the ES (para 22.6.244 of APP-317).</p> <p>In considering your response please take account of your answer to R.1.4 above to fully explain the capacity required for storage and the total inventory you would expect at the end of generation.</p>
	Response	
R.1.9	The Applicant	Spent Fuel

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Does any of the above have any knock on effects to the other calculations made within the documentation? If so please explain what effects this would have and whether this has been addressed within the ES.
	Response	
R.1.10	The Applicant, ONR	<p>Spent Fuel</p> <p>(i) Please confirm that the current proposal does not include the encapsulation facility referred to at para 7.7.95.</p> <p>(ii) Assuming this to be correct, are you able at this stage to confirm there would be sufficient space within the DCO site to accommodate such a facility?</p> <p>(iii) Do the ONR agree that there would be sufficient space?</p>
	Response	
R.1.11	The Applicant, ONR, EA	<p>Length of Plant Life</p> <p>Much of the documentation refers to the power stations operating for between 60-76years. The DCO would however if granted not be time limited, consent would in effect be in place for two nuclear power stations in perpetuity.</p> <p>Does this have any implications for the advice you provide to the ExA or of the assessments that have been undertaken?</p>
	Response	
R.1.12	ONR	<p>Design Acceptance Confirmation (DAC)</p> <p>The Applicant's DAC would appear to expire on 13 December 2022.</p> <p>(i) Please explain how this regulatory system works and whether a further DAC would be required as the station would not be operational at this date.</p> <p>(ii) Are there any further implications if work has not commenced on site by this date?</p> <p>(iii) Would you anticipate any reason why a further DAC would not be issued should a further application need to be made?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(Iv) Are there any other implications the ExA should be aware of in respect of the limited time of the current DAC?
	Response	
R.1.13	J Chanay [RR-509]	Please explain what you mean by the terms 'gross asymmetry' and 'no defensible justification on avoidable preference for SZC' in your representation so that your concerns can be fully understood.
	Response	
R.1.14	The Applicant, ONR, EA, MMO	<p>Sea Defences</p> <p>There is concern identified by a number of RRs e.g.(RR 0038) regarding the ongoing maintenance of the sea defences beyond the lifetime of the operation of the plant when it is reasonable to assume ILW, Spent Fuel and LLW may well continue to be stored on site.</p> <p>(i) What is proposed to be in place to ensure the integrity of the sea defences in the longer term?</p> <p>(ii) How should the integrity of the defences be monitored through the lifetime of the plant?</p> <p>(iii) How is this to be secured through the DCO process?</p>
	Response	
R.1.15	ONR, EA, MMO	<p>Sea Defences</p> <p>In the event the power station operated beyond 60 years as referenced in a number of the ES documents what implications if any would this have?</p>
	Response	
R.1.16	ONR, Emergency Services, ESC, SCC	Emergency Plans

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Are you satisfied with the Emergency Plans that are set out and how they correlate with the existing nuclear sites at Sizewell A and B?
	Response	Ongoing work with the Applicant to agree this from SCC's perspective.
R.1.17	ONR, EA	<p>Transboundary Effects</p> <p>A number of European governments and third parties have expressed concern about trans boundary effects particularly in the event of an accident beyond the design parameters of the power station e.g. see RR 802, RR 265, RR 155.</p> <p>(i) Are you satisfied this is adequately dealt with through the licensing regime?</p> <p>(ii) Does this assessment include the ancillary buildings such as the ISFS, and ILW storage?</p>
	Response	
R.1.18	ONR, EA	<p>Spent Fuel Store/ILW Store</p> <p>No details are provided to indicate at what depth the spent fuel or ILW would be stored. Are you satisfied the licensing arrangements would ensure appropriate and safe storage of these elements in the event of a flood event?</p>
	Response	
R.1.19	The Applicant	<p>Pressurised Water Reactor</p> <p>Para 25.5.7 of [APP-340] refers to 'pressurised waste reactors' should this be pressurised water reactors? Please provide clarification</p>
	Response	
R.1.20	The Applicant, ONR, EA, PHE	<p>Spent Fuel Store/ ILW Store</p> <p>(i) Does Appendix 25B when assessing radiological effects from the site include an assessment of effects from the ISFS and ongoing storage of spent fuel and ILW or is it just the operation of the power station?</p> <p>(ii) It would not appear to be explicit in the assessment. This would appear to be particularly important as paragraph 25.6.20 of [APP 340] indicates 'direct radiation from Sizewell C is therefore largely attributable to the Interim Spent Fuel and Intermediate</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>Level Waste storage facilities on site.' Please clarify the position and advise what has been assessed under the ES.</p> <p>(iii) In light of the lack of detailed design for these facilities at this stage please explain how this assessment has been undertaken</p>
	Response	
R.1.21	ONR	<p>Semi Urban Criterion</p> <p>(i) Has your advice been sort in respect of the relationship of the site to the local population?</p> <p>(ii) Are you satisfied that the proposals do not result in a radiological hazard being sited in an area which exceed the semi-urban criterion?</p>
	Response	
R.1.22	ESC, ONR	<p>Semi Urban Criterion</p> <p>(i) Has additional residential development been undertaken within the area which influences the assessment of the semi urban criterion since the sustainability assessment was undertaken?</p> <p>(ii) Are there any future planned developments that might influence this assessment?</p>
	Response	
R.1.23	EA, ONR	<p>Sustainability Assessment</p> <p>(i) The NPS relies on an understanding of the science around climate change and the effect on sea levels from 2009, has the understanding of the effects of climate change and effect on sea levels changed since the sustainability assessment was carried out?</p> <p>(ii) If the knowledge has developed what implications does this have?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
R.1.24	ONR, The Applicant	<p>Plant Life</p> <p>The ES suggests the reactors may have their life extended to operate for up to 76 years. (i) As ILW and spent fuel would need to be stored on site beyond this time, what is the current best estimate of the date for the site to continue to store such radioactive materials?</p>
	Response	
R.1.25	EA, ONR	<p>Plant Life</p> <p>The power stations and ongoing storage of ILW and spent fuel is likely to be on site beyond 2100 which was the date the NPS refers to as the date which had modelled climate change effects. What date can now be confidently forecast for such an assessment?</p>
	Response	
R.1.26	The Applicant	<p>NPS Status</p> <p>In the event the site will continue to be used beyond 2100 what are your views of the status of the NPS in this respect and the weight that can be attributed to it?</p>
	Response	
R.1.27	EA	<p>EA Permits/Licences</p> <p>Please advise on the latest position in respect of the assessment of the application for the permit under the Radiological Substances Permit Regulations and any other permits being sought from the Environment Agency in respect of this scheme.</p> <p>Do you consider there to be any impediment to the granting of any licenses for the site?</p>
	Response	
R.1.28	ONR	<p>ONR Permits/Licences</p> <p>Please advise on the latest position in respect of the Applicant's position in respect of the Funded Decommissioning Programme (FDP) and the position in respect of any Licences needed to be obtained from you.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Do you consider there to be any impediment to the granting of any licenses for the site?
	Response	
R.1.29	ONR, ESC, EA, The Applicant	<p>Public Health</p> <p>PHE have indicated a series of shortcomings in their RR with regard to both radiological and air quality issues – please respond to each of the points that they have raised in so far as it relates to your responsibilities and explain whether you consider these issues could be overcome.</p> <p>In the event you consider the issues can be resolved please explain how the matters would be resolved and under which regime appropriate mitigation would be secured and operation monitored.</p>
	Response	
R.1.30	ONR, The Applicant	<p>Relationship to Current Operations at Sizewell</p> <p>Please respond to the points raised by Magnox Ltd (RR-991) and Pinsent Masons (RR-992) and in particular the concern regarding the assertion that “the Sizewell C Nuclear Generating Station can be constructed and operated in accordance with the Applicant's application proposals in a manner which adequately ensures the safe, secure and environmentally sound decommissioning of the Sizewell A Nuclear Site.”</p>
	Response	
R.1.31	The Applicant	<p>Planning Act</p> <p>Please respond to the matters raised in [RR 509] in relation to the proposed radioactive waste storage facilities and whether they fall within section 14 of the Planning Act 2008.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1 Draft Development Consent Order (DCO)		
DCO.1.0	The Applicant	Art 2. Definition of "commence" and the exclusions from it. The EM para 3.6. states that "the Environmental Statement does not indicate that these works would be likely to have significant environmental effects". Could this be expressed positively as "The ES indicates that these works are not likely to have significant effects"? Is there a statement in the ES that the excluded works are not likely to have significant effects.
	Response	
DCO.1.1	The Applicant	Art 2. Definition of "commence" and the exclusions from it. Given that e.g. the Sizewell B Relocation Works will involve decontamination, is this exception from the definition of "commence" appropriate?
	Response	
DCO.1.2	The Applicant, the Host Authorities	Art 2. Definition of "commence" and the exclusions from it. (i) Are the exclusions justified for all of the Proposed Development? (ii) Might it be appropriate to exclude later phases and to limit the exclusions to the earliest phases of the Proposed Development? In both (i) and (ii) please explain concisely why.
	Response	As the Applicant explains in the EM, the excluded operations could be carried out without the need to wait for certain requirements to be discharged. The exclusions (save for two) are preceded in other recently made energy DCOs. The two unprecedented ones are (d) removal of hedgerows, trees and shrubs; and (j) erection of temporary buildings and structures (except the park and ride facilities and freight management facility). The Applicant refers to precedent in the (unmade) Wylfa Order. Advice Note 15 (para 21) mentions cases where the definition/exclusions have been removed because the Secretary of State considered them to be inappropriate, particularly

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>where such advance works were themselves likely to have significant environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains.</p> <p>The Applicant justifies the exclusions on the basis that the excluded operations will take place before detailed design is completed, that Advice Note 15 is complied with (because there will be no significant environmental effects) and that there will be control via the CoCP.</p> <p>(i) SCC considers that the precedented exclusions are acceptable but in relation to paragraphs (d) and (j) considers that the Applicant should justify why they are necessary. In particular a height limit should be considered for those temporary buildings which are exempted (as in Wylfa, where there was a two-storey limit). "Temporary" buildings could be in place for a number of years, and SCC considers it inappropriate for them to be included within scope, at least without some limitation on size.</p> <p>(ii) SCC has no view in particular on the phasing question.</p>
DCO.1.3	The Applicant, the Host Authorities	<p>Art 2 definition of "harbour" and the harbour provisions in general in the DCO. This refers to a harbour "to be constructed" by the undertaker. However, the harbour does not appear to comprise any construction (Works 2A – 2L are water intakes, outfalls and tunnels). Are there legal powers to designate a harbour, harbour authority and related matters without physical construction works to create the harbour?</p>
	Response	<p>SCC considers it is possible to designate an area as a statutory harbour without any harbour works being constructed.</p> <p>Work No 1A(bb) (the TBLF) has now been added in the deemed marine licence and the permanent BLF is also listed as work 1A(m) in Schedule 1 to the Order.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.4	The Applicant, the Host Authorities	<p>Art 2 definitions of "harbour" and "Order limits".</p> <p>The harbour limits described in Art 51 and shown on the Works Plans (e.g.Key Plan 3) extend beyond the Order Limits. The ExA notes that the dDCO gives powers to do other things outside the Order limits. Please will the Applicant explain:</p> <p>(i) what is the rationale for where the line of the Order limits is drawn; and</p> <p>(ii) whether it is permissible and how for the order to apply outside the Order limits?</p> <p>(iii) confirm that the ES assesses the extent of any proposed works if they are outside the RLB.</p>
	Response	SCC has no comment on this matter.
DCO.1.5	The Applicant	<p>Art 2 – definition of land.</p> <p>Is the reference to land covered by water intended to include (a) sea bed and (b) Crown interests in such "land"? If so, does this create any compulsory acquisition issues?</p>
	Response	
DCO.1.6	The Applicant, the Host Authorities	<p>Art 2 – definition of "local planning authority".</p> <p>This defines the phrase to mean East Suffolk Council and its successors in title. Successors in title is a phrase more normally used in relation to land interests (title) than statutory functions. Please will the Applicant and Host Authorities consider whether the phrase "successors to its functions as local planning authority as defined in the Town and Country Planning Act 1990" would be more appropriate? The ExA consider this is probably what is intended given that the functions of the local planning authority specified in the DCO are largely of a development control nature.</p> <p>However, might it not be simpler simply to adopt the definition in the TCPA 1990 (s.1 is the relevant section, combined with s.336). That way, any local government reorganisation or reallocation of planning functions will be taken through to the operation of the DCO automatically rather than relying on an interpretation of who is meant by the Secretary of State as the successor to the "title" or functions of ESC, which are wider than</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>planning. The ExA is aware of the Inspectorate's guidance note's preference for naming authorities.</p> <p>If the intention of the definition is to ensure that the planning matters allocated to the local planning authority by the DCO are allocated to the district council rather than to the county (which is normally limited to minerals and waste planning) then the use of the TCPA definition could be refined to exclude the county council.</p>
	Response	<p>ExA is correct to point out that "successors in title" is inappropriate. It should be deleted without replacement. If ESC were to be succeeded as LPA by another body (e.g. as a result of further local government reorganisation, or by the establishment of a development corporation) the legislation under which that happened can be expected to ensure that planning control powers are transferred over.</p> <p>The latest version of the DCO shows that the term "local planning authority" appears to be used in only 3 substantive provisions of the order: articles 5 and 76 and Schedule 24, paragraph 6. In every other case where it was previously used, it has now been altered to a specific reference to either SCC or ESC. SCC is content with that approach.</p> <p>SCC is content that the LPA should be ESC in the 3 remaining cases mentioned above and is therefore content with the current definition of local planning authority as being ESC but without "successors in title" or other similar embellishment</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.7	The Applicant, the Host Authorities	<p>Art 2 – definition of “maintain” and Art 6 – power to maintain.</p> <p>The definition includes “alter, remove or reconstruct”. On its face, that would include decommissioning and the construction of a new power station. The ExA doubts this is what is intended and notes that there is intended to be a limit by reference to new or materially different environmental effects. However, lesser reconstructions may pass that test but nonetheless be development which ought to be regulated by planning control?</p> <p>(i) Might the following definition be adequate: “maintain” includes inspect, repair, adjust, alter, clear, refurbish or improve, and any derivative of “maintain” is to be construed accordingly”, with the addition of the prohibition relating to maintenance causing environmental effects?</p> <p>(ii) If the Host Authorities consider that the current definition is too wide, would they please give examples of development it permits but which the Host Authority considers should be subject to planning control? Would they please also consider whether the ExA’s suggestion above would deal with their concern and give reasons?</p> <p>(iii) If the Applicant disagrees with the ExA’s suggestion, please will it, in answering the question, explain clearly the intent of the breadth of the definition and reflect on whether it ought to be reduced?</p> <p>(iv) See also the ExA’s questions on Sch 2 para 1 (tailpieces in the context of EIA). Taking that also into account, how does the Applicant expect that the prohibition relating to maintenance causing environmental effects would work in practice and be enforced? How would the local planning know in advance of an item of maintenance that materially new / different effects would be caused by the maintenance? What action would they be able to take? Or is the intention and practice simply going to be that maintenance which breaches the prohibition would be without approval, a breach of the DCO and therefore a criminal offence?</p> <p>Please will the Host Authorities also consider question (iv) and respond?</p>
	Response	<p>(i) It is for the Applicant to say whether the ExA’s proposed alternative definition is adequate. SCC would comment that it is not common practice for “remove” and “reconstruct” to be in the definition in made power DCOs (though it is commonplace in road schemes, which of course do not usually include buildings). SCC considers they should be removed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) SCC has seen ESC’s response and concurs with it. SCC consider in particular that any new or reconstructed buildings should be within planning control (in addition to development which would result in new or different significant environmental effects).</p> <p>(iv) In practice, SCC would expect (if it were the relevant authority) to be consulted by the Applicant if any “maintenance” had the potential to result in new or materially different environmental effects. SCC’s response would not be determinative on the matter of course, but it might guide the Applicant. As the question supposes, the Applicant would be at risk of prosecution in borderline cases.</p>
DCO.1.8	The Applicant	<p>Art 2 “marine works” definition.</p> <p>Please will the Applicant list what development and works are included in the phrase “and any other works below mean high water springs authorised by this Order”.</p>
	Response	
DCO.1.9	The Applicant, the Host Authorities, MMO	<p>Art 2, definition of “mean high water springs”.</p> <p>Does the time period need to be specified?</p> <p>Although SCC considers no time period need be specified. In harbour revision orders, for example, it is common for the following definition to be used:</p> <p>“level of high water” means the level of mean high-water springs;</p> <p>Though it is acknowledged that the definition used by the Applicant has been used in recent off-shore wind farm DCOs</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.10	The Applicant, National Grid	<p>Art 2, definition of National Grid.</p> <p>This definition encompasses real estate ownership (“successors in title”), personal estate ownership (“assigns”), agents (“any other person exercising its powers”), and functions such as statutory functions, but not limited to those (“any other person exercising its powers or performing the same functions”).</p> <p>The three categories will not necessarily all be kept together (as the drafting recognises) and the references in the dDCO to National Grid may therefore devolve onto more than one entity. For example land might be sold by National Grid Electricity Transmission plc (NGET plc) to X and its transmission functions be transferred to a different body. Are both to have the rights, duties, powers and privileges of NGET? Will it always be intended and acceptable that rights or duties, powers and privileges of (NGET plc) under the DCO can be held by more than one entity at the same time and that different aspects of the business of NGET plc may be held by different entities?</p> <p>At first sight it appears to the ExA that this is undesirable and that it would be better to distinguish between property rights on the one hand and statutory functions on the other. Are there other types of functions?</p> <p>Please will the Applicant and National Grid each explain what aspects of the involvement of National Grid Electricity Transmission plc are intended to be covered and explain either why the current drafting is appropriate or what changes should be made?</p> <p>Their attention is also drawn to Art 9(7) which allows transfer to amongst other “National Grid or its statutory successor”. The reference to statutory successor both makes the point raised above about the range of aspects of the business of NGET and appears to be otiose if the definition remains as drafted.</p>
	Response	
DCO.1.11	The Applicant	Art 2 – order land.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Please will the Applicant confirm that the Land Plans and the Book of Reference refer to the same land, neither more nor less? If there are differences, please explain what they are, including by reference to a plan.
	Response	
DCO.1.12	The Applicant	Art 2 – definition of Secretary of State. Why is this needed? It is contrary to the Inspectorate’s advice and to normal statutory drafting practice. The Applicant will be aware that the business of government is not infrequently allocated to different or new departments from time to time and that some departments are abolished altogether when their functions are moved to others.
	Response	
DCO.1.13	ESC	Definition of Sizewell B relocated facilities permission. Please will ESC confirm that this is the correct description, date and reference number?
	Response	
DCO.1.14	The Applicant	Art 2 – definition of Sizewell B relocation works, “Work No. ID”. Please will the Applicant correct the typographical error. Presumably it should read “Work No. 1D”.
	Response	
DCO.1.15	The Applicant	Article 2 - definition of special direction, says “Special directions to vessels” is article 65 but the correct article appears to be 67. Please will the Applicant correct in the next draft?
	Response	
DCO.1.16	The Applicant	Art 2 - Definition of “SZC construction works” – “associated with” appears to go wider than the actual construction of Works 1A – 1D. Please will the Applicant indicate where it ends and consider amending the definition so as to apply only to the works of constructing those Works.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.17	The Applicant, Host Authorities, EA	<p>Art 2 – definition of watercourse.</p> <p>This is as follows: “includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain: and”</p> <p>(i) It appears to include private storm water drains, private foul drains and private sewers. Whether this appropriate will depend amongst other factors on the use made of the word “watercourse” in the rest of the DCO. Are the Applicant and Host Authorities satisfied that the definition is appropriate in all those circumstances? If not, please explain why and suggest any amendments to the drafting.</p> <p>(ii) Please will the Applicant consider whether the word “and” is correct at the end of the definition and make any necessary change in the next version of the DCO?</p>
	Response	It appears the term is only used in article 23 (discharge of water) and condition 25 of the marine licence. SCC has no comments on its use in either.
DCO.1.18	The Applicant, Host Authorities	<p>Art 2(5) – references to statutory bodies.</p> <p>This reads as follows: “References to any statutory body includes that body’s successor bodies from time to time that have jurisdiction over the authorised development”. Why are bodies who do not have jurisdiction over the development excluded from the reference. Are all the references in the DCO to statutory bodies only to such bodies with jurisdiction over the development?</p>
	Response	<p>It is not clear what “having jurisdiction over the authorised development” means, and if this paragraph is to be retained, then SCC does not consider the words are helpful.</p> <p>It is questionable whether the provision is required at all, because as mentioned in an earlier reply, where a statutory body is succeeded by another body, it usually happens by a statutory process which ensures the functions are inherited by the new body. But SCC acknowledges the paragraph has been included in other power DCOs.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.19	The Applicant	<p>Art 2(7): "A reference in the Schedules to a "relevant site" is a reference to the site of that name shown in the Works Plans, Rights of Way Plans and Land Plans".</p> <p>(i) Please could the Applicant explain what is meant by this interpretation rule? There is no site named "relevant site".</p> <p>(ii) The ExA infers that Art 5(7) is directing the reader to find the location of the sites listed in the schedules under a column headed "relevant site" by finding the sites referred to on the Works Plans Rights of Way Plans and Land Plans. Is that right? However, beginning only with the Main Development Site ("MDS"), which plans and which notation in the legend define it? Whilst sheets 3-10 of the Works Plans are titled "Main development site and rail works plans" where is the reader told what is the MDS? The ExA has not carried out a similar enquiry with regard to the other sites shown in columns headed "relevant site".</p> <p>(iii) In addition, please could the Applicant provide a list of the relevant sites and explain how to find them?</p> <p>(iii) The phrase "relevant site" also appears in the requirements, Schedule (Sch) 2, R 24. Is the same approach intended? It does not appear so from the context.</p>
DCO.1.20	The Applicant	<p>Art 2. "main development site".</p> <p>(i) The definition is "the land within which Work No.1 may be constructed as shown on the Works Plans". However, Works Plans sheets 1-10 and Key plans 3 and 4 are titled "Main development site and rail works plans". In addition, Sheet 5 shows works which are neither Work No.1 nor rail works. The shading for Work No 1 and Work No. 4A are not always obviously distinct unless they are side by side. The legend to Key plan 4 says the dark shading is "order work areas", whereas on 1-5 and 10 it is 1A and in 8 although there is shading it does not get definition in the legend. The position is not entirely clear, at least not at first sight. Please will the Applicant supply a new plan showing only the area of Work No.1 if that is indeed the intended meaning. It would be helpful to refer to that plan in the definition.</p> <p>Doc 7.2 makes reference to these main site development plans at para 2.2.1 "Whilst the Sizewell C Project does not meet the thresholds defined in the Planning Act 2008 for highway and railway NSIPS, the equivalent information is included on the relevant plans in</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>Book 2 Plans: Main Development Site Plans (Doc Ref. 2.5)</i>". Please will the Applicant list exactly which plans it considers to be the Main Development Site Plans, and which are the plans with the "equivalent information" to meet the criteria in Reg 6(2) APFP?</p>
DCO.1.21	The Applicant	<p>Art 4(1) – vertical limits of deviation.</p> <p>This permits unfettered vertical deviations, subject to the Requirements and provisions in Art 11 relating to streets. Art 4(2) limits vertical deviation to 1 metre for Work 4C (Saxmundham – Leiston branch line) and Works 11 and 12 (Two village bypass and the Sizewell Link Road).</p> <p>The ExA see that the Requirements contain some references to Parameter Plans. But to take requirement 11 as an example, it is not immediately clear that Work Nos. 1A (a) to (e) are subject to the Parameter Plans (though any variations from the Approved Plans and the design principles in Ch 5 of the Main Development Site Design and Access Statement must accord with the Main Development Site Operational Siting and Height Parameters and two of the three Main Development Site, Operational Parameter Plans). (to be found at SZC Book 2, 2.5, [APP-018]).</p> <p>Similarly, a somewhat close reading of the Requirements is necessary to see which Parameter Plans have been applied to which Work, whether they are applied to the right Works, to ascertain whether the whole of the Proposed Development is limited by the Parameters Plans and whether or not all the Parameters Plans have been applied.</p> <p>As the ExA reads the Requirements and the rest of the DCO there appears to be no general overriding rule that the development must not exceed the limits in the Parameter Plans. A clear straightforward limitation in the DCO preventing the Proposed Development from exceeding the Parameter Plans (which the ExA assumes describe the limits of what was assessed on normal Rochdale principles) would be helpful.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please will the Applicant insert such a provision in the next draft of the DCO or alternatively explain why it would be inappropriate?</p> <p>(ii) Please will the Applicant also provide a reconciliation of the Parameter Plans in the DCO with the project assessed in the ES?</p> <p>Please will the Applicant specify and explain the power for Art 4 – it is not referred to in the EM?</p>
	Response	Although not directed at SCC, SCC has seen the response of ESC on this question and concurs with it.
DCO.1.22	The Applicant, the Host Authorities	Sizewell B relocated facilities permission Art 5(1)(b). Is limiting the exception to prior breaches appropriate? For example, are there any ongoing restoration or maintenance conditions in the Sizewell B relocated facilities permission which should continue to be enforceable?
	Response	SCC has seen the response of ESC on this question and concurs with it.
DCO.1.23	The Applicant, the Host Authorities	Art 5(3). Is this inserted simply for the avoidance of doubt or is there a specific concern that Art 5 restricts any other powers in the DCO?
	Response	SCC will await the response of the Applicant on this question but assumes the paragraph was inserted for the avoidance of doubt.
DCO.1.24	The Host Authorities	Art 5(5). Will the Host Authorities indicate if they are content with Art 5(5) and the list of conditions and corresponding requirements deemed to be satisfied set out in Sch 8
	Response	SCC has seen the response of ESC on this question and defers to it.
DCO.1.25	The Applicant, the Host Authorities	Art 5(6). What happens if the undertaker and the local planning authority do not agree?
	Response	SCC considers that Article 82 (arbitration) would apply, as it would be a “difference under any provision of this Order”.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.26	The Applicant, the Host Authorities	<p>Art 9(6).</p> <p>The EM states (para 4.25) "As the undertaker will be entering into a section 106 agreement with local planning authorities, this provision is necessary to ensure that the transferee complies with all obligations etc. that have been imposed on the undertaker, as well as ensuring that the undertaker is released from liability upon transfer (given that it would no longer be involved in the authorised development). This approach is standard under section 106 agreements".</p> <p>(i) Whilst confirmation that planning obligations are to bind the transferee / lessee is welcome, why would the planning obligations under s.106 TCPA not bind the transferee under s.106(3)? Or is this paragraph addressing transfer / lease of the benefit of the DCO without transfer / lease of land?</p> <p>(ii) Should transfer / lease of benefit without transfer / lease of land be permitted?</p> <p>(iii) If so, is it proper to allow the transferor to escape from its obligations in the s.106 agreement?</p> <p>(iv) Is it appropriate in the case of any transfer or lease on this project to allow the original covenantor to escape from its obligations under s.106?</p>
	Response	<p>SCC understands that the Applicant is putting forward an alternative proposition as regards the section 106 agreement which may affect these questions. However, SCC's responses are:</p> <p>(i) SCC agrees that it is essential that any section 106 obligations will be binding on transferees and lessees under this article. However, the mechanism to secure this outcome is a matter of ongoing discussion with the Applicant. Paragraph 5(2) of Schedule 24 to the Order has the effect of saying that the Applicant and any transferee will be deemed to have interests in the Order land so any s106 agreement will bind them. SCC reserves its position on that proposition until it has considered the alternative fully, but whatever the outcome, the DCO must make it clear that transferees and lessees must be bound by a s106 or equivalent. Whatever the outcome, the s106 (or equivalent) must ensure transferees / lessees are bound by the s106 or alternative arrangements are put in place to ensure that the commitments are enforceable.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> (ii) SCC reserves its position on this question until it has considered the new proposals mentioned above in detail but its initial view is that the default position would need to be that obligations should be contained in a s106 and bind the land in the usual way (iii) SCC's initial view is that the s106 obligations should remain enforceable against only those with interests in the land (iv) SCC's view is that if the Applicant is to "escape" its obligations, as the ExA puts it, then it must be made crystal clear in the DCO and the agreement that SCC should be able to enforce the provisions of the agreement as if it were a "normal" s106 agreement.
DCO.1.27	The Applicant, the Host Authorities	<p>Art 9.</p> <p>(i) 9(1) Is it appropriate to transfer the CA powers in this DCO? The Applicant is required to demonstrate adequate resources to pay compensation. A transferee may not have the same resources and the article does not expressly require that they are shown to exist.</p> <p>(ii) 9(1)(b) Should the CA powers be lettable? What would be the lessee's title to land compulsorily acquired and to whom would such land be transferred on CA? Does CA by a lessee raise any difficulties?</p> <p>(iii) 9(1) and (2) What would be the criteria for the SoS to decide whether or not to consent?</p> <p>(iv) Art 9(4). Is it appropriate for decisions of the Secretary of State on what is largely a regulatory issue to be subject to arbitration?</p> <p>(v) Art 9(6)(a). It is clear that the alienation provisions of Art 9 allow alienation of part of the land or part of the benefits. It would appear that Art 9(6)(a) attempts to limit the burdens transferred to those "imposed by virtue of the provisions to which the benefit relates". However, it is unusual for burdens to be divided up across the land or benefits. And burdens may be imposed on the whole development or project. Please will the Applicant amend the article so as to ensure that burdens, whether they relate to the whole benefit of the order or only the benefit transferred, bind the transferee or lessee as the case may be?</p> <p>(vi) Art 9(6). Para (b) – how can "benefits" be enforced "against" the undertaker (original or otherwise). What is the Applicant's intention by this provision?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(vii) Art 9(6). If the intent is to release the transferring undertaker from liability, is it really appropriate to release the undertaker where only a lease is created? The lessor undertaker should surely remain liable and take whatever indemnities are appropriate from the lessee. What would the position be at the end of the lease, whether it runs its full term (and the term is not known at this point in time) or is terminated for breach?</p> <p>(viii) Art 9(6)(c). It is good to make it clear that development consent obligations are intended to bind the transferee / lessee. Please will the Applicant state whether there are any concerns that they would not do so? Is this paragraph seeking to cut down the provisions of s.106 TCPA 1990 which make obligations bind persons deriving title?</p> <p>What would be the position if Art 9(8) is not complied with? Please will the Applicant amend the article so as to make it clear that in such a case the transfer or lease would be invalid?</p>
DCO.1.28	The Host Authorities	<p>(i) SCC acknowledges that it is not unusual for DCOs to allow CA powers to be transferred. The Secretary of State would need to consent to the transfer and would no doubt satisfy him/herself that the transferee/lessee would have sufficient funding</p> <p>(ii) As above. Ultimately this would be a matter for the Secretary of State.</p> <p>(iii) This would be for the Secretary of State to decide.</p> <p>(iv) Again, this is for the Secretary of State, but SCC are not aware of any precedent to say that the Secretary of State's decision is subject to arbitration. SCC also note that article 9(2) would impose a time limit on the Secretary of State to give consent. Again this will be a matter for the Secretary of State but SCC is not aware of a recent precedent.</p> <p>(v) to (vii) These are questions for the Applicant.</p> <p>Art 10(1). This provides a defence to statutory nuisances relating to dust (and other effluvia), light and noise. Are the Host Authorities satisfied that the controls on these nuisances in the DCO justify the inclusion of this defence?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	SCC defer to ESC on this question as it is the enforcement authority under the Environmental Protection Act.
DCO.1.29	The Applicant	Art 10(2). The ExA suggests that the words "will not apply" are changed to "does not apply" so as to meet statutory drafting advice.
	Response	
DCO.1.30	The Applicant, SCC	Part 3 (Arts 11 – 23) generally. Please will the Applicant and SCC explain how the adoption of new roads is addressed.
	Response	<p>Although this may be for the Applicant to explain, SCC's understanding of the position in summary is as follows:</p> <ol style="list-style-type: none"> 1) Article 20(1) provides that any "street" to be constructed under the Order must be completed to the reasonable satisfaction of the highway authority. 2) Art 20(1) says new "streets" are to be maintained for 12 months by the Applicant, then at the highway authority's expense 3) "Street" is defined in article 2 and includes (amongst other things) the whole or any part of any highway or road 4) Scheduled Works to be constructed under this provision include, for instance, the Two Village Bypass and the Sizewell Link Road 5) It is, of course, acceptable for a statute to create a new highway, but it is not usually done in DCOs by saying "X road is designated as a highway from X date" 6) The DCO could be clearer as regards the descriptions of the Two village bypass (Work 11B) and Sizewell Link Road (Work 12B); for instance, by amending slightly the description of each as follows – <p style="text-align: center;">"A highway, being a bypass..."</p> <p>In respect of 2) above, the Council considers the Applicant's maintenance period is far too short. 24 months, or to the end of the construction period (whichever is longer) would be</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>appropriate. This timescale would be based on the usual guarantee periods for highways surfacing materials.</p> <p>SCC's responses are without prejudice to its contention that the SLR should be a temporary road.</p>
DCO.1.31	The Applicant	<p>Arts 12(a) and 23(3).</p> <p>The former permits the breaking up and opening of (amongst other things) sewers and drains. The latter prohibits the creation of openings into sewers and drains except in accordance with (amongst other things) approved plans. How do they inter-relate and work together. Is the first subject to the second?</p>
	Response	
DCO.1.32	The Applicant	<p>Art 14.</p> <p>(i) Please will the Applicant explain what is meant by the word "possession" of land in Art 14(5)(a)?</p> <p>(ii) EM – para 5.33. Please will the Applicant explain more clearly how this provision is within the powers of the PA2008 and specifically what it is saying and its reasoning with regard to the power in Sch 5, para 17 ("stopping up highways"). The ExA notes that the definition of "street" in Art 2, to which their attention is drawn, is wide and includes what might be thought to be private spaces, such as passages, squares and courts "and any land laid out as a way whether or not it is ... a footpath or not". Is it the Applicants' case that these are within Sch 5 para 17 of the PA2008? Not all "streets" are, in law, highways.</p> <p>This question is also relevant to Art 17.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
DCO.1.33	The Applicant	Art 18 Use of private roads for construction. The Applicant in its EM para 5.56 relies on s.120(3) as the power for this provision. Does it also consider Sch 5 para 2 applies, which allows interference with rights over land?
	Response	
DCO.1.34	The Applicant, SCC	Art 22(5)(b). In line with the ExA's earlier comments on identifying authorities by reference to function rather than name, the ExA invites the Applicant and SCC to consider whether it would be better to specify the capacity (e.g. highway authority if that is the case) in which this power is to be exercised.
	Response	In section 32 of the Road Traffic Regulation Act 1984, only the County Council can authorise the use of any part of a road in its area as a parking place. (See also section 36(3) of the 1984 Act). SCC would have no objection to the paragraph saying, for example, "(b) Suffolk County Council (in its capacity as a local authority for the purposes of section 32 of the 1984 Act) as an order under that section of that Act..." but does not consider it necessary.
DCO.1.35	The Applicant	Art 23(5). The EM says this is a departure from DCOs it does not specify. The ExA assumes that the Applicant is referring to those at Silvertown, Wrexham, Triton Knoll and Wylfa (draft) referred to in para 6.6. The justification for 23(5) given is that "this exemption is necessary to ensure that the undertaker can undertake the necessary works to give effect to article 3 of the Order

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		(Development consent, etc. granted by Order) even where such works may damage or interfere with watercourses.". How is this unique to the Proposed Development? This justification would appear to apply to all DCOs. Please can the Applicant explain if this is indeed their view, and if that is so, why the provision is necessary in this case. Or are other DCOs lacking?
	Response	
DCO.1.36	The Applicant	Art 23. (i) Please will the Applicant confirm that nothing in Art 23 contravenes s.150 of PA 2008? (ii) Is it appropriate to impose deemed approval provisions on private individuals? If it is, should that be on condition that they are warned that silence may become consent, and warned shortly before the deemed approval period expires? (iii) At what point in time is a s.23 notice received?
	Response	
DCO.1.37	The Applicant	Art 24(2)(a). Please will the Applicant explain what is meant by "in the vicinity"? Is there a limit? What is intended to be the consenting position where a building is listed or in a conservation area? Please bear in mind that this power might be exercised some 15 years hence.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.38	DfT, BPA, Chamber of Shipping, UKMPG, Trinity House, Maritime and Coastguard Agency, MoJ	<p>Part 6 – Harbour powers.</p> <p>Please consider and comment on Part 6 of the dDCO (comprising Arts 46 – 75) which creates a harbour (without walls) in the area of Greater Sizewell Bay adjacent to the Proposed Development. The ExA is interested in hearing your views in particular on the application of the Harbours, Docks and Piers Clauses Act 1847 with amendments (see Art 46), but that is not intended to limit any comments you wish to make.</p> <p>The MoJ is requested to comment on the offences and penalties created by Part 6. Please will the MoJ address specifically whether the fact that Part 6 incorporates the standard “boilerplate” for Harbour Orders addresses concerns?</p>
	Response	
DCO.1.39	The Applicant	<p>Part 6.</p> <p>Please explain the mischiefs which the creation of a harbour is intended to address and its purpose.</p>
	Response	
DCO.1.40	The Applicant	<p>Part 6.</p> <p>Please supply a copy and explanation of any similar provisions, harbour order or other creation made in relation to Sizewell A and B (or either of them) to address the same issues as Part 6. If there are none, how was the mischief Part 6 is designed to address dealt with in those cases?</p>
	Response	
DCO.1.41	The Applicant	<p>Art 46(2) to (8).</p>
	Response	<p>The wording “must have effect” is unusual. Would simply “has effect” be more appropriate?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.42	The Applicant, MMO	<p>Art 46(1).</p> <p>(i) This incorporates s.63 of the Harbours Docks and Piers Clauses Act 1847 which prohibits vessels from lying near the entrance of harbour or dock without permission "as soon as the harbour or dock shall be so far completed as to admit vessels to enter therein". How is it envisaged that this operates for a harbour without walls, the entire boundary of which is its entrance, and what is its purpose? Is it practical from either the point of view of the undertaker or from the masters of vessels? Also from what point in time is the harbour "so far completed as to admit vessels to enter therein" in this case?</p> <p>(ii) It also incorporates s.74 of the same Act which makes vessel owners responsible for damage done to the harbour etc and works connected with it by any "vessel or float of timber". Is this justifiable and practical for a harbour which is not itself protected by walls or any other barrier? It would appear that the owner of drifting timber or a drifting vessel from absolutely anywhere would be liable, notwithstanding that damage to this harbour would not have been foreseeable from the place where the timber or vessel broke free or was cast adrift.</p> <p>(iii) It also incorporates s.84 of the same Act. Should the incorporation expressly limit the offence to summary jurisdiction in order to meet s.120 and Sch 5 para 32B of the PA2008?</p>
	Response	
DCO.1.43	DfT, The Applicant	<p>Art 50.</p> <p>In relation to this article the MMO has commented, "<i>In relation to Article 50 'Application of Pilotage Act 1987' to become a Competent Harbour Authority (CHA), the MMO notes that a CHA is in relation to Pilotage and is not the same as a Statutory Harbour Authority (SHA). The MMO does not process the creation of CHAs; the method to become one is under separate legislation from the Harbours Act 1964. DfT would be the body responsible for creating CHAs. Therefore, the MMO advise that PINS should discuss this with DfT</i>" [RR-0744]." Please will the DfT advise? Please will the Applicant and DfT submit a statement of common ground if possible recording areas of agreement and disagreement on this issue.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
DCO.1.44	The Applicant	Art 51(2). Why would there be a discrepancy between Sch 19 and the works plans?
	Response	
DCO.1.45	The Applicant, MMO	Art 62. (i) This begins with an A which appears to be a typographical error. (ii) Why is Art 62(1) needed? What mischief is it designed to overcome? Or is it simply setting out the circumstances in which the rest of Art 62 takes effect? Please will the Applicant clarify the drafting. (iii) Is the reference to "grant" intended to include the grant of a freehold? (iv) Is the grant of a lease or freehold under Art 62(1) which includes provisions referred to in Art 62(2) intended to or capable of relieve the undertaker of the duties and functions delegated and the duties, responsibilities and consequences of their exercise? If so, how is that justified? (v) Is the intent to put the lessee / grantee in the same position as the undertaker in the exercise of those functions, both positive and negative, both criminal and civil obligations and consequences?
	Response	
DCO.1.46	The Applicant, MMO	Art 64(9). This provides for byelaws to be available at the harbour master's office. Should they not also be available online?
	Response	
DCO.1.47	MMO	The ExA notes the MMO's concerns expressed in its RR, particularly at para 1.1.4, and its offer of further advice. Will the MMO please give its fullest advice in its written representation and follow through any responses, comments and so on to these ExQs on the Harbour Powers.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.48	The Applicant, MMO	Part 6 (other than Art 75). Please will the Applicant and the MMO include in their Statement of Common Ground the provisions in Part 6 setting out clearly the areas of agreement and of disagreement.
	Response	
DCO.1.49	The Applicant	<p>Art 77.</p> <p>This applies to agreements for leases of all or part of the Proposed Development and to agreements for its construction, maintenance, use or operation, so far as such an agreement relates to the terms on which land is to be provided. It provides (Art 77(2)) that no enactment or rule of law in relation to the rights and obligations of the landlord or tenant is to prejudice the operation of the agreement.</p> <p>(i) Is the intention that it should apply to the lease granted by the agreement for lease? It seems to the ExA that this is probably the case, but it would be helpful if this could be clarified and then the drafting adjusted if necessary.</p> <p>(ii) Is the intention to disapply tenant protections such as the Landlord & Tenant Act 1954?</p> <p>(iii) Is, for example, s.146 of the Law of Property Act 1925 also disappplied, which protects tenants facing forfeiture by giving them time to remedy the breach before the lease is terminated?</p> <p>(iv) The ExA are not experts in landlord and tenant law. The examples given are merely those which spring to mind. But are not all the rights and obligations of landlords and tenants the creation of rules of law or enactments? Does not this provision remove all such laws in which case how are the rights and obligations of the parties regulated?</p> <p>(v) The ExA is obviously concerned and the Secretary of State will wish to be assured that if the DCO is granted, the Proposed Development will actually go ahead. At present the ExA is concerned that Art 77 will adversely affect the ability of the undertaker to obtain tenants and funding.</p> <p>The ExA notes that the DCO for Hinkley Point C does not appear among the list of precedents for this Article in the EM and presumably did not contain an equivalent. Will the Applicants please reflect on this Article? What mischief is it designed to address? If the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Applicant wishes to persist with it, please will the Applicant submit to the Examination very clear legal advice that Art 77 does not affect the fundability of the Proposed Development, the ability to let it, and the ability to construct, maintain, use and operate it. In short, that Art 77 does not prejudice the full implementation of the project on reasonable terms.</p> <p>The EM, para 9.6, states that the power to make Art 77 is s.120(5)(a) PA2008. However, that only applies to statutory provisions. Art 77 disapplies rules of law as well. If the Applicant is persisting with Art 77 please will it explain what power it suggests the Secretary of State adopts for this?</p>
	Response	
DCO.1.50	The Applicant, The Host Authorities	<p>Art 79.</p> <p>This allows felling and other tree surgery to any tree or shrub "near any part of the [Proposed] Development". How far is near? Could a maximum distance be added?</p>
	Response	<p>SCC has seen the response of ESC, and concurs with it, but would also add that if the ExA were minded to recommend some flexibility to the Applicant then article 79(1) could begin:</p> <p>"The undertaker may fell or lop any tree or shrub within or overhanging land within the Order limits,"</p> <p>This wording is precedented, for example, in article 35 of the A63 Castle Street Improvement Hull Order 2020</p>
DCO.1.51	The Applicant	<p>Art 80(3).</p> <p>Why would certified documents, which are to be submitted after the making of the DCO (see Art 80(1)), refer to draft versions of the DCO? Should those documents not be updated to refer to the DCO as made?</p>
	Response	
DCO.1.52	The Applicant	Art 81.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		At what point in time are documents deemed to have been served (or received, depending on the wording of the article under which the document is sent).
	Response	
DCO.1.53	The Applicant	Art 82(2). Is it appropriate for decisions of the Secretary of State to be subject to arbitration? The Hornsea Three DCO includes an explicit provision that decisions of the Secretary of State and MMO are not to be subject to arbitration (see Art 37(2)).
	Response	
DCO.1.54	Response	Art 83 and Sch 23 – procedure for approvals, consents and appeals. (i) The ExA invites comments in general on Sch 23 from the Host Authorities who will be the recipients of most applications and appeals to which Sch 23 will apply. (ii) Parties to which the deemed consent provisions in the Articles of the dDCO apply are also invited to comment on Sch 23, and their attention is drawn to the EM para 9.25 and following. (iii) In para 1(2) of Sch 23, there are two different time periods for discharge of requirements depending on whether consultation is necessary. The shorter period, 5 weeks, is shorter than the period specified in the model Sch at Appendix 1 of the Inspectorate’s Advice Note 15. Whilst the ExA note the Applicant’s more generous 8 week period in consultation cases, what is the justification for taking a week off the standard period? (iv) Fees. The ExA notes that there is no drafting at present and that the Applicant hopes to cover these with a performance or s.106 agreement. Until such time as that is concluded satisfactorily, the ExA would prefer to see drafting on fees in the dDCO. Please will the Applicant insert in the next draft of the dDCO the wording to be found at Sch 2 Part 2 para 3 of the Northampton Gateway DCO as made, (2019/1358). The ExA is not, by requiring this, expressing any view as to the desirability or fairness of those provisions. Please will the Applicant explain why para 3(11) of Sch 23 which reads: “the appointed person must have regard to Communities and Local Government Circular 03/2009 or any circular or guidance which may from time to time replace it” refers to Circular 03/2009 rather than “the Planning Practice Guidance published by the Department for Communities

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		and Local Government on 6 th March 2014 or any circular or guidance which may from time to time replace it" which is the wording in Appendix 1 of AN15?
	Response	SCC has seen the replies of ESC on questions (i) to (iv) and concurs with them all.
DCO.1.55	The Applicant	Art 85. Has the Applicant obtained all necessary consents from the Crown to carry out the Proposed Development?
	Response	
DCO.1.56	The Applicant (I) – (v) The Applicant and the Host Authorities (vi)	Sch 1. (i) Please will the Applicant supply a list of which parts of the Proposed Development ("authorised development" as defined in the dDCO) are associated development? (ii) Please will the Applicant clarify how it is lawful to include the temporary accommodation campus (Work No 3) given that PA2008 s.115(2)(b) says that associated development may not consist of or include the construction of one or more dwellings. (iii) The ExA notes that Doc 7.2 states at para 2.2.1: "Whilst the Sizewell C Project does not meet the thresholds defined in the Planning Act 2008 for highway and railway NSIPS, the equivalent information is included on the relevant plans in Book 2 Plans: Main Development Site Plans (Doc Ref. 2.5)". (iv) Please will the Applicant clarify how it is that Works 4A, 4B, 4C and 4D (individually or together in whatever combination) which include the construction of a 4.5 km railway line which at first sight are within s.14(1)(k) and s.25(1) are not a separate NSIP or NSIPs. In doing so please address each of the tests in PA2008 s.25.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(v) Please will the Applicant also clarify in the same way how it is that Works 11A and 11B do not constitute an NSIP or NSIPs? In doing so please address each of the tests in PA2008 s.22.</p> <p>(vi) Please will the Applicant and Host Authorities comment on whether, in the event that they do constitute a separate NSIP or NSIPs, the result is that the criteria and policies for such NSIPs should be applied and whether there are any other consequences for the Examination and the SoS's decision?</p>
	Response	<p>SCC considers there should be no consequences for the Examination i.e. it has been happy to proceed with the application as submitted and that position would not be changed by (say) elements of the scheme comprising separate NSIPs. SCC would certainly not want the Applicant to have to start again with another element of the scheme. It has no interest in delay.</p> <p>With regard to the position on the NPS, it seems to SCC that if part of the scheme is a rail NSIP, then the SoS would have to determine the Order (or part of it) in accordance with the relevant NPS, which would be the National Networks NPS. In order to consider the rail scheme an NSIP it could be necessary for the SoS to determine whether the rail scheme meets a national need by way of a S35 direction.</p>
DCO.1.57	The Applicant	<p>Sch 1 Part 1.</p> <p>Work No. 1A, para (h) states that the work includes "buildings, structures and plant within the 'ancillary structures', including (but not limited to)—...". Please will the Applicant show what controls there are on the extent of these and how the full range has been subject to environmental assessment or that there are limits so as to ensure they do not trigger the need for such assessment.</p>
	Response	
DCO.1.58	The Applicant	<p>The Applicant's response [AS-006] to the first procedural decision [PD-005] Annex A, para A6 is noted. Please will the Applicant explain fully and clearly how the "structures and plant" and "associated structures and plant" which appear in Work No.1A(f) and (g) respectively after the word "including" are described in Chapter 7 and thus have been</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		subject to assessment in the other chapters of the ES assessing the main site. The alternative would appear to be to remove those words from the DCO.
	Response	
DCO.1.59	The Applicant	Work No. 1A (w), temporary and permanent accesses [PD-005] and [AS-006]. The ExA notes the Applicant's replies to [PD-005] in [AS-006] paras 4.7
	Response	
DCO.1.60	The Applicant	There are various ES documents which refer to the Combined Heat and Power Plant (CHP) for the temporary accommodation as being retained during the operation of the plant. Please explain how this has been assessed through the ES and how it would be delivered through the DCO which lists it under Work No 3 'Temporary Accommodation' and ensures upon completion of construction its removal under R16. [4]
	Response	
DCO.1.61	The Applicant, ESC, MMO, Natural England	Sch 1 Part 1. Work No 2. The routes of the tunnels are not shown. Please will the Applicant explain why. Please also confirm that whether shown or not, they will not extend outside the Order Limits or the limits to the Works comprised in Work No. 2 shown on the Works Plans. Work numbers 2B and 2D shown on the works plans indicate the separation between the cooling water intakes for units 1 and 2. Can the applicant explain the separation distances between them, which presumably accounts for tunnelling for unit 1 (work no. 2A) being 200m shorter than the corresponding water intake for unit 2 (work no. 2C)?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Whilst the intake locations are set out on the works plans, the limits of deviation for the bored tunnels themselves are unlimited within the harbour area as shown on the works plans. This also applies to work no. 2E, 2G, 2I and 2K, which extend between work no 1A and terminate at work 2F, 2H, 2J and 2L respectively Can the applicant confirm what assumptions have been made regarding their alignment within the ES and HRA, and why more defined limits of deviation cannot be set out on the works plans.</p> <p>ESC, MMO and Natural England may also wish to comment on this.</p>
	Response	
DCO.1.62	The Applicant, MMO, Environment Agency	<p>Sch 1 Part 1, Work No. 2B.</p> <p>This includes the phrase "capital dredging". The ExA's understanding of this is that it means "dredging to a depth not previously dredged, or to a depth not dredged within the last 10 years" (https://www.gov.uk/guidance/dredging). Is that the meaning which the Applicant intends and is it an accepted definition? Would it be helpful to include this in the definitions? If not, why not? And what alternative wording does the Applicant propose?</p>
	Response	
DCO.1.63	The Applicant	<p>Sch 1 Part 1. Work No 4.</p> <p>Please will the Applicant explain why Work 4A stops at Work 1A when Work 4B goes inside 4A? See e.g. Works Plans, sheets 7 and 8.</p>
	Response	
DCO.1.64	The Applicant	<p>Sch 1 Part 1. Work No 4.</p> <p>Please will the Applicant supply a clearly labelled drawing showing where these works are in relation to other features, especially the level crossings in Work No. 4C, at a scale of 1:25,000. If this could be done on the latest Ordnance Survey sheet that would be convenient.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.65	The Applicant	Sch 1 Part 1, Work No. 8. This is in square brackets. Please will the Applicant point the ExA to the provision in the application documents which sets out whether or not this provision is to be included in the final DCO?
	Response	
DCO.1.66	The Applicant, SCC	Sch 1 Part 1, Work No. 9, para (b). Is reinstatement of the A12 alignment in some 60 years time the appropriate course? Or does "operational use" refer to use of the Northern park and ride? If the latter, some clarificatory wording would seem sensible.
	Response	SCC considers it would be helpful if para (b) clarified what "operational use" refers to in the next version of the DCO.
DCO.1.67	The Applicant	Sch 1 Part 1, Work No. 12D. Should the sentence which begins "the location of the below works ..." be moved to the end of 12D and read "The location of the above works ...", or to the opening of the description of Work No. 12?
	Response	
DCO.1.68	The Applicant	Sch 1 Part 2, Other Associated Development. Please explain how this is limited by the Parameter Plans.
	Response	
DCO.1.69	The Applicant, ESC	Sch 1 Part 2, Other Associated Development. The Works in Sch 1 Part 2 may be carried out during both the construction period and the operational period which is some 60 years. They apply also to maintenance. Many of them are works which would normally require planning consent. For example para (b) would allow new drainage systems; (c) allows stacks and chimneys; (i) allows new amenity buildings; (i) also allows "associated structures and plant; and (i) also allows associated post-operation phase work" without stating with what they are to be associated (the post-operation phase is presumably some 60-70 years hence and includes the decommissioning

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>phase); (k) allows extensive alterations to highways; (n) includes habitat creation; (o) includes works for the protection of land or structures; and (p) allows "such other works as may be necessary or expedient" for construction, operation and maintenance (with a reference to environmental effects).</p> <p>(i) Is it justifiable to have such extensive powers in relation to the operation and maintenance of the Proposed Development? (ii) Is the location of the works limited to the Order Limits? (iii) What will be the constraints in the DCO if made on the development they permit? (iv) The EM para 10.4 says they are "minor works". Where is such a limit set out in the dDCO? (v) Please will the Applicant supply a reconciliation of the works described in Sch 1 Pt 2 with the development assessed in the ES?</p>
	Response	
DCO.1.70	The Applicant	<p>Sch 1 – works which include parking.</p> <p>Please see questions 8-12 of Annex A to the First Procedural Decision [PD-005] and subsequent responses and observations. The ExA is of the view that the difficulties it has experienced in locating (or not) these facilities within the ES, leading to the exchanges following Annex A to [PD-005], demonstrates the need for a list in the DCO of all the parking facilities, with their Work No., location, a name, number of spaces to be provided for different modes of transport and the triggers by when they are to be operational, as suggested in [PD-009]. A Requirement would secure compliance with the capacity and triggers. Such a trigger could be phase related. Unless this has already been included in the current draft DCO, please will the Applicant amend the DCO accordingly in the next version.</p>
	Response	
DCO.1.71	The Applicant	<p>Sch 2 (Requirements).</p> <p>This does not have its related article number in the heading. Please will the Applicant correct this in the next draft?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.72	The Applicant	Sch 2 para 1(2). Should the reference to Art 76 be to Art 80?
	Response	
DCO.1.73	The Applicant, ESC	Schedule 2 para 1(3). This paragraph is relevant to approvals of details or documents under a requirement <i>"where compliance with a document contains the wording "unless otherwise agreed" by the discharging authority"</i> . The approval is not to be given unless the changes or deviations have been demonstrated to the discharging authority not to give rise to <i>"any materially new or materially different environmental effects to those assessed in the environmental information"</i> . Environmental assessment is a process which assesses not effects but projects to see what significant effects the project is likely to have. (i) Why is comparison with assessed effects relevant? Those effects will include things found to have various degrees of significance, which may then have been mitigated by for example secondary or tertiary mitigation. (ii) Should the assessment instead be against the position at the time of seeking the "unless otherwise agreed" - the baseline may have changed by then. If there is to be a comparison with the current assessment, or the assessment after mitigation, what is the appropriate documentation against which the comparison should be made and how is it to be identified and accessed? (iii) How is the decision on effects to be taken? Could the "subsequent application" approach in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 be applied by the DCO to the approvals addressed by para 1(3) of Sch 2 and provide a suitable procedure? The ExA notes that the subsequent approvals process incorporates a screening process so as to weed out matters not needing EIA.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.74	The Applicant, ESC	<p>Sch 2 Art 1(4). This exempts external projections such as plant rooms and telecommunications infrastructure from the Parameter Plans. Such items can be sizeable. (i) Please will the Applicant explain what constraints and regulation will exist on their design, size and location in the DCO or s.106 agreement? (ii) How have they been environmentally assessed? (iii) Please will ESC also consider this and indicate what constraints or regulation they consider is in the DCO or s.106 and indicate whether they are content with that, or propose different controls?</p>
	Response	
DCO.1.75	The Applicant, ESC	<p>Art 1(5). Is not the default meaning for the phrase "commencement of development" rather counterintuitive? Please will the Applicant consider reverting to the position that the phrase means commencement of any part of the Proposed Development? This would be consistent with the definition of "commence" in Art 2 of the dDCO. Please will ESC also consider and comment?</p>
	Response	<p>Although this question is not directed at SCC, SCC considers the ExA's suggestion is sensible.</p>
DCO.1.76	The Applicant, ESC	<p>R2 and (in Revision 1) R3 both refer to "removal and reinstatement" of the authorised development. Whilst this is so as to regulate such matters, what is "removal and reinstatement" this intended to cover?</p>
	Response	
DCO.1.77	The Applicant, ESC	<p>R2 introduces the obligation to comply with the Code of Construction Practice (CoCP). What happens on the current wording in the event of inconsistency between the CoCP and the DCO? Is it necessary to state anything on that? It should also be borne in mind that the ES relies on the CoCP in its conclusions on significance of effects.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.78	The Applicant, ESC	<p>R4.</p> <p>(i) Please will the Applicant collate where the ES sets out the need and content of ecological monitoring which is referred to in this requirement? Please will it also explain how R4 complies with the need for EIA prior to decision in the light of <u>R v. Cornwall CC ex p Hardy</u> Env L R 25; [2001] JPL 786?</p> <p>(ii) Why is the terrestrial ecology monitoring plan confined to the works listed on R4? Should it not be required for all the Works?</p>
	Response	
DCO.1.79	ESC	<p>R6, site clearance.</p> <p>Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents?</p>
	Response	
DCO.1.80	The Applicant, ESC	<p>R7.</p> <p>(i) How is the proper implementation of the water levels management plan to be enforced?</p> <p>(ii) R7 concerns the Water Monitoring and Response Strategy but in 7(3) it is called the Site Water Mitigation and Response Strategy, which would appear to be incorrect Please will the Applicant consider, respond and amend as necessary.</p>
	Response	
DCO.1.81	ESC	<p>R8, temporary buildings.</p> <p>Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
DCO.1.82	The Applicant, ESC	R10. What obligation is there to operate the regulation of vehicular access specified in this requirement?
	Response	
DCO.1.83	The Applicant, ESC	R11. (i) Should not the reference be to "Sizewell B relocation works" rather than "Sizewell B relocated facilities"? (ii) Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	
DCO.1.84	ESC	R12. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	
DCO.1.85	ESC	R13. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.86	ESC	R14. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the chapter no.s correct?
	Response	
DCO.1.87	The Applicant, ESC	(i) It seems to the ExA that the implementation of the landscape and ecology works could be avoided simply by failing to submit the landscape scheme. Should not the prohibition on commencing the landscape works be changed to a prohibition on commencing the authorised development? (ii) Is this the Requirement referred to at para 7.1.2 of the oLEMP [APP-588]?
	Response	Although this question is not directed at SCC it comments as follows (i) SCC considers that it should be a prohibition on commencing the authorised development. (ii) SCC consider that the answer to this question is no. Para 7.1.2 says – An Ecological Steering Group will be established prior to the main development site landscape works commencing in order to advise on the management measures that would be specified within the LEMP. This is secured by a requirement in Schedule 2 of the Draft DCO (Doc Ref. 3.1) relating to the detailed landscape scheme. It should be expected that this group will merge into the Operational Management Group after completion of the landscape works.
DCO.1.88	The Applicant ESC	R14. (i) Please will the Applicant explain what obligation there is to maintain the landscape and ecological works arrived at via R14(1)(i) – (vii)? Should there not be an obligation to comply not only by carrying out the landscape works but also to maintain them in accordance with the landscape and ecology management plan?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Should not the words "and ecology" be inserted between "landscape" and "works" in R14(2)?
	Response	
DCO.1.89	ESC	R15. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the section no.s correct? R15 – Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the section no.s correct?
	Response	
DCO.1.90	ESC	R17. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?
	Response	
DCO.1.91	ESC, The Applicant	R18. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct? Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and set them out in this requirement in the next version of the dDCO?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>This question is not directed at SCC, however, there are important issues related to the crossing of the rail line by highways. While the discharge of requirements will be by ESC, after consultation with SCC, the Council is concerned that the initial plans should be suitable.</p> <p>Dwg 100017 Rev 2 – there is a security footbridge located east of Abbey Road Level Crossing – what is the height (6m+?) and what are the impacts?</p> <p>DWG SZC-SZ0204-XX-000-DRW-100133 Rev 2 and 100183 Rev 2 both show the diverted right of way to the southwest of Buckleswood Road to be tightly constrained by security fencing. This will not enhance the amenity value of the route and may impede maintenance activities.</p> <p>SZC-SZ0701-XX-00-DRW-100185 Rev 2 implies drainage west of Abbey Road is not retained nor replaced after the Green Rail Route is removed.</p> <p>SZC-SZ0204-XX-000-DRW-100133 Rev 2 does not show the line of the existing Footpath 003 nor does SZC-SZ0701-XX-00-DRW-100185 Rev 2 show its reinstatement.</p> <p>The drawings do not contain details of the level crossings on Abbey Road and Buckleswood Road. While much of this can be agreed in during detailed design the Applicant should evidence that the red line boundary contains sufficient land to provide the required visibility for each crossing, including vegetation clearance or trimming as necessary. At this stage it is sufficient in the Councils view to indicate the type of barrier to be installed at each crossing and that on Station Road. It is presumed that the existing hand operated gates will be upgraded to automated barriers (works 4C).</p> <p>Schedule 7 does not include reference to the works on the Leiston Branch nor the East Suffolk Line although Requirement 18 (1) refers to Works No. 4 (Rail works) so the presumption is that this includes the Leiston Branch Improvements (Works No. 4C). In the Council’s view the relevant drawings should be contained within Schedule 7 to clarify this matter.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Construction of the Leiston Branch Line forms part of the Off-site Associated Developments and is controlled by Part C of the Code of Construction Practice. SCC would request it is consulted during discharge of this management plan to ensure the authority can advise on matters under its jurisdiction such as Archaeology and Transport. Of particular interest to the Council will be the access arrangement for the level crossing improvements, construction compounds and details of traffic associated with the works.</p>
DCO.1.92	ESC	<p>R19. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?</p>
	Response	
DCO.1.93	ESC, The Applicant	<p>R19. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?</p> <p>Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and the relevant plans / details in Sch 6 and set them out in this requirement in the next version of the dDCO?</p>
	Response	
DCO.1.94	ESC	<p>R20. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.95	ESC	R21. Please will ESC say whether or not they consider the documents referred to in this requirement to be the correct documents?
	Response	
DCO.1.96	ESC	R22. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct? Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and the relevant plans / details in Sch 7 and set them out in this requirement in the next version of the dDCO?
	Response	This question is listed for completion by ESC but relates to highway provision and the requirement is for discharge by the County Council. As Highways Authority, SCC is working with the Applicant, in consultation with ESC, to reach agreement that the relevant plans have been set out in Schedule 7 and the agreed details are reflected in revisions to these plans. Work is continuing on this
DCO.1.97	The Applicant, ESC	R24. How will ESC be able to know that and verify that the SZC construction works have finished?
	Response	
DCO.1.98	The Applicant	R25. Please will the Applicant explain how R25 complies with the need for EIA prior to decision in the light of <u>R v. Cornwall CC ex p Hardy</u> Env L R 25; [2001] JPL 786?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.99	The Applicant	<p>R25.</p> <p>(i) Please will the Applicant clarify the following: R25(1) requires a noise mitigation <u>strategy</u>; (2) then requires the strategy capable of avoiding exceedances “through a noise mitigation <u>scheme</u>”. Should that be “strategy” or is the intent that the strategy in (1) is a type of “scheme”? Or is there some other intent and explanation?</p> <p>(ii) R25(3) then says the approved strategy referred to in (2) must be implemented. Should that not be the strategy approved under (1)?</p>
	Response	
DCO.1.100	The Applicant, SCC	<p>Sch 19.</p> <p>Article 2 in the definition of harbour limits says “Schedule 19 (Limits of harbour)” whereas the Schedule is actually named “Limits of the harbour”. Please would the Applicant consider making them consistent in the next draft of the DCO?</p>
	Response	<p>SCC agrees the same words should be used in each instance.</p> <p>SCC notes that art. 51(1) refers to “Schedule 19 (Limits of harbour”) and so the reference in this provision will also need to be the same as that chosen for Art.2 and Schedule 19.</p>
DCO.1.101	The Applicant, MMO	<p>Sch 20 – deemed Marine Licence (“DML”) – definition of “authorised development”.</p> <p>Why is this needed? There is a definition already in Art 2. What is to be the position if there is a conflict between the two definitions? Surely the convention that by including the matter the draftsman will have intended there to be meaning (and therefore a difference) will come into play. The DML uses other terms from the remainder of the DCO without redefining them, such as Work No. 1A(m). And it includes other terms, such as “commence” giving them a different meaning. Also, the definition of “environmental information” in the DCO and the DML is different and it is not clear if this is for good reason.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.102	The Applicant, MMO	<p>Sch 20 Para 1. Definition of "maintain".</p> <p>This originally required maintenance activities to have been subject to the assessment in the environmental information and in Revision 3 [AS-143] has the proviso that the work do not give rise to unassessed effects.</p> <p>(i) Should it be made clear that the mitigation required by the ES and that applied elsewhere in this DCO must be complied with?</p> <p>(ii) Is it right to apply this to the whole of the "authorised development" as defined in the DCO given that this is in a deemed marine licence?</p> <p>(iii) The same question the ExA raises on Art 2 of the dDCO in relation to "maintain" also applies here.</p>
	Response	
DCO.1.103	The Applicant, MMO	<p>Sch 20 Para 1, definition of "undertaker".</p> <p>The name given here for the company is different from the name in the definitions of the DCO. Please align the two.</p>
	Response	
DCO.1.104	The Applicant, MMO	<p>Sch 20 Para 1, definitions of Work No. 1A(m) and other works.</p> <p>Is there not an element of circularity or repetition here? Para 1 tells us that Work No. 1A(m) means the Beach Landing Facility. The ExA has searched for this phrase elsewhere in the DCO. It appears only in Sch 1, Part 1, the list of works where we are told that Work No 1A(m) is "Beach landing facility, including associated structures and plant;". Beach Landing Facility is a more helpful and practical phrase than Work No.1(M), but (i) the phrase is only used in paragraph headings to the deemed marine licence and (ii) should not the definition be the other way around: "Beach Landing Facility" means Work No</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		1A(m)”? This may be a small drafting point. If there is more to it than that, please will the Applicant and MMO explain.
	Response	
DCO.1.105	The Applicant, MMO	Sch 20, Para 2 – change of the MMO address and email address can be notified in writing. How does this operate for members of the public who may wish to raise issues or alert the MMO to a state of affairs?
	Response	
DCO.1.106	The Applicant, MMO	Sch 20 Para 3 – transfers of the DML. This appears to allow transfers which do not fall within Art 9 of the DCO to take place, in other words for the DML to be separated from the DCO. Is it not the intention to ensure that only the transfer of both together should be possible?
	Response	
DCO.1.107	The Applicant, MMO	Sch 20 Para 4. This is the heart of the licence and para 4(1) licences any licensable marine activities under s.66(1) of the MCAAct 2009 which form part of the authorised development which are not already exempt under a s.74 provision. The attention of the Applicant and MMO is drawn at this point to the definition of “authorised development” in Art 2 of the DCO and to the definition on para 1 of Sch 20 which is apparently to the same effect. What is the purpose of Para 4(2)? It is not stated whether it expands or limits the authorisation given by para 4(1). Please will the Applicant and MMO consider, explain and amend the drafting as necessary.
	Response	
DCO.1.108	The Applicant, MMO	Sch 20 Para 5(e). This allows replacement of structures. Should it be limited to like for like or otherwise limited? If not, how will environmental assessment aspects be met?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.109	The Applicant, MMO	Sch 20 Para 6. This refers to "sub-paragraphs (4)(a) to (4)(m)". Of which para please?
	Response	
DCO.1.110	MMO, ONR	Sch 20 Para 8. This states that certain failures by the licence holder "may render this licence invalid". This would appear to be a draconian penalty or remedy where essential elements of a nuclear power station are concerned, a remedy which cannot in reality be used when it is borne in mind that the licensed activities include maintenance and replacement of for example the cooling water intakes, outfalls and tunnels. It is obviously important that the DML is observed and that effective sanctions exist. Is invalidity a legal consequence which follows from certain failures by the licence holder? Please will the MMO explain what other remedies are available to it short of revocation whether it considers them to be adequate on the assumption that the licence could not in reality be revoked. Should there be some consultation or liaison between the MMO and ONR if invalidity or revocation were to be contemplated? These questions are addressed primarily to the MMO, and also to the ONR, but the Applicant should feel free to contribute.
	Response	
DCO.1.111	MMO, ONR, The Applicant	Sch 20 Para 11. This requires prior approvals from the MMO for each licensed activity and prohibits commencement until that approval has been issued. There are similar and allied provisions in paras 12, 13, 14, 15, 16, 17, 18, 19 and 20. This may be appropriate during the construction phase. How is it intended to work during operation (again, the repair and maintenance of the structures are licensed activities) and should there not be exceptions for urgent or emergency works? Is the defence in s.86 of the MCAAct 2009 adequate?
	Response	
DCO.1.112	The Applicant, MMO	Sch 20 Part 3 – para 29 – "rock material from a recognised source". What is meant by "recognised source"? As drafted this lacks clarity and precision.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.113	MMO, The Applicant	Sch 20 Para 41. This regulates commencement of work on the Soft Coastal Defence Feature. Is that not above MHWS and thus outside the jurisdiction of the MMO? The ExA raises the same question in relation to the Hard Coastal Defence Feature.
	Response	
DCO.1.114	MMO, The Applicant	Sch 20 Para 43 prohibits the delivery of rock armour "until the relevant details have been submitted to and approved by the MMO". What mischief is this designed to prevent and what are "relevant details"? (a) – (f) presumably give some indication but the list is inclusive not exclusive. Is the issue quality and chemistry of the rock armour, or the delivery details or some other concern?
	Response	
DCO.1.115	The Applicant	Sch 20 Para 45. Small typo "untilo".
	Response	
DCO.1.116	The Applicant, MMO, EA	Sch 20 Para 50. Does this not overlap and duplicate the Environment Agency's controls, and if not, should it not rather be a requirement
	Response	
DCO.1.117	The Applicant, MMO	Sch 20, Part 4. Please will the Applicant supply plans showing these Works areas? Is there not a case, in the interests of practicality of use, for referring to deposited plans (which would in case of conflict be subordinate to the co-ordinates in Part 4) which can then be also be placed on the MMO website?
	Response	
DCO.1.118	The Applicant	Sch 20, the DML, general.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		For comparison purposes, please will the Applicant provide a document setting out the provisions in the Hinkley C DCO which are equivalent to Sch 20? The ExA notes there was not a separate DML in the DCO for that NSIP. Please specify the requirements or other provisions in the Hinkley C DCO and the destination in Sch 20.
	Response	
DCO.1.119	The Applicant, MMO	Sch 20. Please will the Applicant and the MMO provide a Statement of Common Ground on the provisions in Sch 20 and Art 75 setting out clearly the areas of agreement and of disagreement, and explaining the reasoning for their positions.
	Response	
DCO.1.120	The Applicant	Sch 20. The Explanatory Memorandum [APP-060] does not contain any commentary or full explanation of the provisions of Sch 20. Please will the Applicant submit a full explanation of this schedule, either as a separate document, or (preferably) as a re-issue of the EM.
	Response	
DCO.1.121	MMO	The MMO's relevant representation does not use the examination library references. Please will the MMO submit a revised RR-0744 with the references alone added and ensure their use in future submissions to the examination.
	Response	
DCO.1.122	The Applicant, ESC	Sch 23 – procedure for approvals, consents and appeals. Will the Applicant and ESC please provide a SoCG stating: (i)The names of the discharging authorities and all other persons whose approval, consent or appeal procedure is to be subject to Sch 23 (ii)The functions of those persons subject to Sch 23 (iii) what differences there are between the procedure for approvals, consents and appeals and the procedure set out in Appendix 1 of AN15, accompanied by a trackchanges version showing the differences

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(iv) what parts of Sch 23 are not agreed between the Applicant and ESC (v) The case of the Applicant and ESC in relation to any parts not agreed The reason and purpose of any difference from Appendix 1 of AN15 whether or not the provision is agreed
	Response	
DCO.1.123	The Applicant	Sch 23. Will the Applicant please supply a SoCG with each IP which or who is also (a) a discharging authority or (b) an other person whose approval, consent or appeal procedure is to be subject to Sch 23 (in addition to ESC under the previous question) stating (i) Whether or not that IP agrees with the description of their function in point (ii) of the previous question and if not setting out that person's preferred description and why. (ii) The position in relation to points (iv) and (v) so far as that person's functions are subject to Sch 23 (iii) The reason and purpose of any difference from Appendix 1 of AN15 relating to that person's functions whether or not the provision is agreed (iv) What aspects are not agreed between them.
	Response	
DCO.1.124	MMO	Sch 23. The ExA notes that the MMO in its RR-0744 has concerns about Sch 23 and seeks instead that disputes over approvals pursuant to the DML should be dealt with by way of judicial review (para 2.1.12 and following). The norm in the case of regulatory approvals is for there to be an appeal process on the merits before a right to review on the law is available. Whilst the PA2008 does not contain such a process for approvals pursuant to requirements it is now common for a process along the lines of Sch 23 to be included in DCOs. Should not the comparison be with the appeal system under s.73 of the MMCAAct 2009 suitably adapted for approvals pursuant to conditions of a DML, rather than judicial review? Will the MMO please outline the process which applies to disputes over submissions for approvals under a DML?

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
	Response	
DCO.1.125	The Applicant, ESC	Sch 24, para 3. Will the Applicant please explain what is the effect of this paragraph which relates to Community Infrastructure Levy? Will ESC give its understanding and indicate if it accepts this provision?
	Response	
DCO.1.126	The Applicant, ESC	Sch 24, para 5. Please will the Applicant explain the effect of para 5(2)? Surely the question of whether or not the Applicant is a person interested in the Order land is one to be determined on the facts, and not deemed. Please will the Applicant explain why it is not a person interested in the land if that is the case? The s.106 agreement must bind the land and all persons deriving title from the original covenantor. The Applicant and Host Authorities should note the questions below on s.106 agreements.
	Response	
DCO.1.127	The Applicant	Sch 24 as a whole. Please would the Applicant explain fully the purpose and effect of the modifications and exclusions set out in Sch 24, and give the statutory power for making them? The EM does not contain much explanation on this Schedule.
	Response	
DCO.1.128	ESC, the Applicant	At para 2.316 of [RR-0342] ESC state that they "would prefer a Natural Environment Fund that encompasses all areas of concern including impact on the AONB. A Natural Environment Fund would be able to address issues and provide mitigation outside of the AONB boundary should it be required which is preferable to the more restrictive boundary of the AONB". Please will ESC and the Applicant comment on what areas of concern are appropriate and whether and how this would meet the legal tests for valid planning obligations. Are the policy tests also met?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.129	SCC, the Applicant	<p>At para 8 of [RR-1175] SCC set out a list of funds they submit should be considered. Are they accepted by the Applicant and where are they secured?</p> <p>Please will SCC and the Applicant comment on which funds are appropriate and whether and how this would meet the legal tests for valid planning obligations. Are the policy tests also met?</p>
	Response	<p>The agreement of the mitigation funding remains a matter of discussion between the parties. SCC has sought to apply the legal tests so that they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Although SCC remains flexible in its approach to securing the funding it considers this is best achieved through the s106 agreement with the Applicant.</p>
DCO.1.130	The Applicant	<p>On Works Plan 7 (which is in [APP-011]) works are to be carried out to the existing railway near Buckles Wood Road. They are part of Work No. 4C and inside the Order Boundary. But it is not shown on SZC-EW0103 -XX-000-DRW-100102 (in [APP-016] - Rail Plans For Approval, and [AS-121] which supersedes it), as being within the "Development Site Boundary" despite the red line showing the "Development Site Boundary".</p> <p>Please will the Applicant clarify what is the status of the land and works along the railway between Works No. 4A and 4C. Is it within or without the Order Limits? What works are being carried out?</p> <p>Is the plan listed in the dDCO and if not, should it be?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.131	The Applicant	Please will the Applicant clarify SZC Bk 2 2.5 which is titled Rail Plans for Approval. However the individual plans are titled Main Development Site Temporary Construction Area. They do appear to relate only to rail works.
	Response	
DCO.1.132	The Applicant	Material Changes. Please will the Applicant clarify why the 15 additional parking spaces at Kenton Hills Car Park (Work No. 1A (cc) in Doc 3.1B are omitted. What is the extent of the remaining improvement works, where are they described and limited in the DCO and where are they assessed in the ES?
	Response	
<p>DCO – the questions which follow relate to the Third Draft DCO [AS-143] and focus on the changes between the original – [APP-059] and the third draft. The previous questions in this section on the DCO should be answered in the light of the changes and take changes into account. They should explain how changes affect the answer.</p>		
DCO.1.133	The Applicant	Please will the Applicant confirm that the Explanatory Memorandum Revision 2 [AS-147] relates to Third Draft DCO [AS-143] (or otherwise).
	Response	
DCO.1.134	The Applicant	Please will the Applicant confirm that the Third Draft DCO [AS-143] includes the changes it seeks to accommodate its change request.
	Response	
DCO.1.135	The Applicant	<p>The Explanatory Memorandum makes reference a number of times to the draft Wylfa DCO. That order was not made as the application was withdrawn in late 2020. Following withdrawal, the ExA’s report to the SofS was published by the Planning Inspectorate.</p> <p>The Sizewell C ExA makes neither endorsement nor criticism of any of the comments of the Wylfa ExA on the DCO in that case. However, please will the Applicant take into account any comments made by the Wylfa ExA when preparing the next drafts of the DCO and the Explanatory Memorandum and explain why it proposes or rejects them. Please also state whether references to the Wylfa DCO which are already in the Explanatory Memorandum are consistent with the comments by the Wylfa ExA.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.136	The Applicant	Has the Third Draft incorporated the changes the Applicant made in the light of the procedural decisions made by the ExA prior to the close of the Preliminary Meeting?
	Response	
DCO.1.137	The Applicant	Interpretation, Art 2: "marine works". There is a misprint in this definition. The ExA suspects that 1(bb) should be 1A(bb).
	Response	
DCO.1.138	The Applicant	Art 2 – "marine works". Please explain why work 1A(o) – the HCDF – has been removed from the definition of marine works.
	Response	
DCO.1.139	The Applicant	<i>The Explanatory Memorandum refers at para 2.8 to Work No 18 (works at Pakenham). Whilst the ExA at first thought that there was no Work No 18 in the Third Draft, on further reading it sees that Work No.18 is sandwiched between Works 7 and 8, presumably on the ground that Works 6-8 are grouped together as Fen meadows and marsh harrier habitat.</i> <i>Notwithstanding that, this is likely to cause confusion to many for years to come if the DCO is granted.</i> <i>Is there not a more intuitive way to deal with this?</i> <i>Please could the Applicant reflect on this and respond.</i>
	Response	
DCO.1.140	The Applicant	Art 2 – references to Works 1D and 1E. it is evident that the intention is that these are in the alternative.

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please will the Applicant explain the criteria and method for deciding which is to apply and guide the ExA to all the parts of the DCO which are used for the decision. Please will the Applicant do the same for Sizewell B relocated facilities permission 1 and Sizewell B relocated facilities permission 2.
	Response	
DCO.1.141	The Applicant, ESC	Art 2 "Sizewell B relocated facilities permission 2". Please will the Applicant and ESC report on the current position with the application for the Sizewell B relocated facilities permission 2, and the anticipated forward programme that is reasonably expected within the timeframes of the examination?
	Response	
DCO.1.142	The Applicant	Art 5 and para 4.7 of the Explanatory Memorandum. The latter states that "If the undertaker has commenced Work No. 1E, it may not thereafter carry out works under Work No.1D (article 5(3))". (i) Where does this appear in Art 5? The article appears to hinge on whether notice is served as to which Work is being implemented. (ii) What is the reason for the preventing Work No 1E(d) if Work 1D(d) or (e) have been implemented? (In passing, the term "implemented" is new at this point and is undefined. Whilst it is a common and useful term, is not "commenced" preferable in Art 5(3)?) (iii) The intention seems to be that Work 1E is preferred; please confirm that understanding. (iv) How practically will it be known that Work 1D or 1E has been commenced?
	Response	
DCO.1.143	ESC, the Applicant	Art 10. Please will ESC comment on the appropriateness of adding the Main Development Site Design and Access Statement and the Associated Development Design Principles to the

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		defences to statutory nuisance in this Article. In particular, are they sufficiently precise documents for this purpose?
DCO.1.144	SCC, the Applicant	<p>Art 14(1)(b) and 14(3) and Sch 10 Part 3.</p> <p>The Explanatory Memorandum states that this new provision allows for the status of streets from highways open to all traffic to highways for pedestrians only. They are referred to as NMUs in Sch 10 Part 3.</p> <p>(i) Please will SCC give its view on this?</p> <p>(ii) Does NMU mean "non-motorised users"?</p> <p>(iii) Where and when has this provision been previously publicised and consulted on?</p> <p>(iv) Please point the ExA to the responses to consultation on this proposal?</p> <p>(v) What policies apply to such a restriction being included in the DCO?</p> <p>(vi) What legal tests must be met for such a restriction to be included in the DCO?</p> <p>(vii) Art 14(3)(a) does not appear to make sense as currently drafted. What is intended? Is there a missing "and" between "the street authority" and "is open for use"? Or is something else intended?</p> <p>(viii) what protections are there for those who currently use the highways in question as highways for all traffic other than pedestrians / NMUs, especially owners of land which abuts either side of the highways?</p> <p>(ix) should protections similar to those which apply to changes under the other parts of Sch 10 be applied, and if so would they be adequate?</p> <p>(x) with the inclusion of an extra paragraph in Art 14 some of the cross-references need to be adjusted, for example in what is now para (5) the reference to para (5) should become a reference to para (6). There is a mirror of this issue in what is now para (6).</p> <p>(xi) Please will the Applicant provide specific confirmation of the power for the new provisions in Art 14 and Sch 10.</p> <p>(xii) Is the aim of this provision better achieved by traffic regulation orders?</p>
	Response	Where existing highways which are open to all users are truncated by new roads, such as the SLR, SCC expects facilities to be provided to allow all non-motorised users the ability

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>to allow them to safely cross the new road and re-join the previous alignment along the most direct but safest route.</p> <p>The County Council has been critical of the inconsistent method used by the Applicant for defining and labelling of the public highway in the Schedules and the Rights of Way Plans (AS113, AS114). This has been raised with the Applicant through the PRow SoCG meetings. It gives rise to inconsistent highway statuses for stopped up roads such as on the Sizewell Link Road where at Littlemoor Road, in Sch 10, the stopped up ends of this road are substituted by 'highways (NMUs)', but are connected across the link road as 'new highway (footpath) whilst Sch 11 defines this central section as 'footpath and cyclepath'.</p> <ul style="list-style-type: none">(i) The use of NMU was introduced in the changes submissions DCO AS - 143 and the Rights of Way & Access Plans AS 113 & 114. SCC's position is that as far as possible right should be retained for pedestrians, cyclists, equestrians and where necessary limited vehicles use by landowners or residents.(ii) For the applicant to confirm, but SCC understand that NMU means non-motorised users and that could include pedestrian, cyclists, horse rider, carriage driver and mobility vehicles.(iii) For the applicant(iv) For the applicant(v) For the applicant(vi) For the applicant(vii) The legal tests are those stated in the relevant legislation with the addition that SCC as the LHA will need to agree with these measures (as EDF are assuming the powers as the highway authority when making these orders) The LHA would expect to see vehicular access retained for landowners unless there it is unsafe for other road users to do so.(viii) For the applicant(ix) For the applicant(x) For the applicant(xi) For the applicant(xii) The LHA would accept the use of traffic regulation orders to prohibit specific uses of the highway or as temporary measures on condition that it is a consultee. The exception would be areas where through diversion of routes areas of public highway are no longer necessary where stopping up i.e. removal of highway

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>rights would be preferable The relevant powers are:</p> <ul style="list-style-type: none"> • Permanent extinguishment of public highway: Highways Act (1980) s116. Requires authorisation from Magistrates court and consultation. Initiated by Highway Authority. If EDF take on these powers need protection for LHA as LHA • Permanent traffic regulations (speed limits, restrictions on access): Road Traffic Regulation Act (1984) s1 or s82, s83 or s84 (speed limits). Made by Local Highway Authority. Consultation at least to the level undertaken by the LHA will be required. If EDF take on these powers need protection for LHA as LHA • Temporary removal of highway rights): Road Traffic Regulation Act (1984) s1 or s88 (speed limits). Made by Local Highway Authority. Consultation at least to the level undertaken by the LHA will be required. If EDF take on this powers need protection for LHA as LHA. As duration of orders needs careful consideration as s15. • Creation of highway: Highways Act (1980) s37, s38 or s278. Adoption by LHA discretionary for s38. • Rights of Way – TBC • Note: Some powers duplicated by Town and County Planning Act
DCO.1.145	The Applicant	<p>Art 16(1). "Order limits" has been changed to "permanent limits". Is this intentional? If so, please explain what is meant by "permanent limits".</p> <p>The same phrase occurs in Art 37(1)(a)(ii). Please will the Applicant address it there as well.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
DCO.1.146	The Applicant, SCC	<p>Art 17 – temporary stopping up of streets and private means of access.</p> <p>Please will the Applicant and highway authority consider whether “temporary stopping up” is the correct approach. Is not “stopping up” the extinguishment of public rights? Once the rights are extinguished the land ceases to be highway and the land that formally formed the highway (depending on the definition either about 1.5 to 2 ‘spit’ depths) reverts to the owner of the subsoil. Thus the Highway Authority who usually maintains public highway would cease to have any interest in the land (unless they were also the landowner)? Highway Authorities are not necessarily the owner of the subsoil. Landowners dedicate the surface of the land for highway purposes but usually do not give up their ownership of the land underneath. In the absence of evidence to the contrary the subsoil will belong to the landowners on either side, up to the median line. That being the case the Applicant would need to ensure all the land under any stopped up highway was under their control in order to do any work in that land and also to be certain the landowner would rededicate the land again as highway once they had finished, the work.</p> <p>This point was raised at the Southampton to London Pipeline NSIP examination. Highways England agreed with it and stated they would be seeking to change the approach on their own DCOs.</p> <p>Would the Applicant please consider this issue and propose revised drafting or explain why the current drafting is still appropriate.</p>
	Response	SCC supports the approach used in the Southampton to London Pipeline DCO 2020 for the change of text to ‘Streets or PRoW to be temporarily closed, altered, diverted or restricted’
DCO.1.147	The Applicant, MMO	<p>Art 64(4).</p> <p>What is the justification for choosing 28 days rather than the original one month for notice of application for confirmation of byelaws.</p>
	Response	
DCO.1.148	The Applicant, MMO	Art 73 – use of BLFs.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		As the temporary BLF is not intended to be used after construction, its use for maintenance and decommissioning is surely unwarranted. If so, please will the Applicant propose amendment to this article.
	Response	
DCO.1.149	The Applicant, MMO	Art 75A – appeals in relation to deemed marine licence. There needs to be explanation of this addition in the Explanatory Memorandum. It would be helpful if that explanation could also be set out in the response to this question. Please will the MMO set out its view on this Article and Sch 20A
	Response	
DCO.1.150	The Applicant, MMO	Art 82(6) no arbitration of consents or approvals by the MMO. Please will the MMO say if it approves this wording.
	Response	
DCO.1.151	The Applicant, MMO	Art 86 – marine enforcement authority. Please will the Applicant explain and give the statutory references for the mischief this Article and the amendment since the first draft DCO is addressing. Please will the MMO also comment and say if it approves the wording in the third draft..
	Response	
DCO.1.152	The Applicant	Sch 1 Pt 1- Work No. 5. This now includes “one 3G pitch”. Should this not be defined?
	Response	
DCO.1.153	The Applicant	Sch 1 Pt 1 Work No. 18. Please see question above on the Explanatory Memorandum
	Response	
DCO.1.154	The Applicant, SCC	Sch 2, R3 – archaeology.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Please will the Applicant explain the reason for the changes? Please will SCC indicate if they are content with the new wording and if not explain what they seek and why.
	Response	SCC has suggested new wording for an archaeological requirement at LIR Annex J [REP1-055].
DCO.1.155	The Applicant	Sch 2 – Requirements, generally. A number of capitalised terms have been introduced but the ExA has been unable to find corresponding definitions. Examples include Peat Written Scheme of Investigation, Statutory Nature Conservation Body and RSPB. Please will the Applicant review Sch 2 and the DCO as a whole and submit a list of terms which are not but should be defined, together with the proposed definitions. It would be helpful if the list could also show where the terms are first used in the dDCO.
	Response	
DCO.1.156	The Applicant , SCC, ESC	In a number of Reqs, terms such as “local planning authority” have been changed to the name of a council (such as in that case East Suffolk Council). Examples are R 2, 3, 4 and 5. Given that local government reorganisation occurs from time to time and that functions may move from one authority to another, is it not better to refer to the function (such as highway authority) rather than use the current name of the body?
	Response	It is helpful to use the current name of the body for clarity, but perhaps the function can be added.
DCO.1.157	The Applicant	R 14B(1) – Wet woodland. Is it necessary to refer to clearance as being pursuant to Work No.1A? Surely no clearance within the Sizewell Marshes pursuant to the DCO should be commenced prior to approval of the wet woodland strategy.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.158	The Applicant, SCC	R 6A – is “general” accord with the Public Rights of Way Strategy appropriate? Why not “in accordance”?
	Response	SCC support ‘in accordance’ rather than ‘general accordance’
DCO.1.159	The Applicant, ESC, Natural England	R 14A. The ES refers to financial contribution should the fen meadow recreation not succeed. Please will the Applicant point the ExA to where that is to be found.
	Response	
DCO.1.160	MMO, the Applicant	Sch 20 and Sch 20A – the deemed marine licence and the appeals procedure. Please will the MMO provide its comments on the changes to Sch 20 since the original submission and on new Sch 20A. Please will the Applicant provide a note on the reasons for the changes, or point the ExA to where the reasons may be found in the Applicant’s submissions thus far.
	Response	
DCO.1.161	MMO, the Applicant	Sch 20, Pt 1, para 2(3). Should there not be an “(2) Unless otherwise advised in writing by the MMO ... ” introduction to this sub-para? Otherwise, a change to the web address or new system would appear to require a variation of the DCO. This question applies to other instances of addresses and telephone numbers in the deemed licence, e.g. Sch 20, Pt 3 para 9
	Response	
DCO.1.162	MMO, the Applicant	Sch 20, Pt 2 para 4(2)(c)(ii). Does this make sense? What is “by pass (movement alongshore)”?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.163	MMO, the Applicant	Sch 20, Pt 2, para 7A. This contemplates transfer of the deemed marine licence to an entity which is not the Undertaker. Would it not be preferable for and Art 8 (or should the reference be to Art 9?) transfer to transfer also the deemed marine licence?
	Response	
DCO.1.164	MMO, the Applicant	Sch 20, Pt 2, para 7A. Are the remedies in s.72 of the Marine and Coastal Access Act 2009 likely to be used in practice? Are modifications, strengthenings or other sanctions and remedies necessary in the case of a nuclear power station?
	Response	
DCO.1.165	MMO, the Applicant	Sch 20, Pt 2, para 7B. Should the amendments to plans etc in this Art be subject to the usual EIA limitation?
	Response	
DCO.1.166	MMO, the Applicant	Sch 20, Pt 3, para 10. What is meant by "(a) a planned timetable for each activity <i>as outlined in Part 2</i> ". The reference to Part 2 appears to be Part 2 of a different document.
	Response	
DCO.1.167	MMO, the Applicant	Sch 20, Pt 3 para 17. Application for approval of a Coastal Processes Monitoring and Mitigation Plan. By sub-para (f) this application "must include (f) confidence that the proposed mitigation will be effective". (i) Should it not rather be demonstrating confidence? In addition, what level of confidence, how is misplaced confidence avoided? (ii) Should there be a statement of the purpose for which the mitigation is to be "effective"? (iii) Whatever the answer to (ii), please explain what is the purpose of this mitigation.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
DCO.1.168	MMO, the Applicant	Sch 20, Pt 3 para 39. This has been deleted. What process is now proposed for UXO clearance? Please will the MMO state whether or not it agrees with that process.
	Response	
DCO.1.169	ESC, SCC, the Applicant	Sch 23, unless dealt with in the SoCGs on Sch 23 required above, will ESC and SCC please comment on the changes to Sch 23 between the original dDCO and Revision 3 [AS-143]. If such matters are dealt with in those SoCGs please will ESC, SCC and the Applicant state as much in their reply to this ExQ.
	Response	<p>Background</p> <ol style="list-style-type: none"> 1. As a general point, Appendix 1 of Advice Note 15 sets out standard wording for provisions dealing with the procedure for discharge of certain approvals. The note says that where an applicant seeks for any amendment(s) to be made to the drafting of the standard wording provided in this appendix, it should be justified in full in the draft Explanatory Memorandum. 2. The Applicant explains its approach in the EM in the text relating to article 83, which introduces Schedule 23. 3. This response is without prejudice to the Council’s contention that the time limits which the Applicant has used and which are shorter than in Advice Note 15 are inappropriate and should reflect the Advice Note. The Council has already explained the following to the applicant in respect of time limits – <ol style="list-style-type: none"> i. Paragraph 2(2): 7 working days is too short. Advice Note 15 refers to 10 business days. Replace 7 working days with 10 business days. ii. Paragraph 2(3): 3 working days is too short and appears unprecedented. Replace 3 working days with 10 business days. iii. Paragraph 3(2)(d) and (e): replace the references to “10 working days” with “20 business days” per Advice Note 15.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>iv. Paragraph 3(5): replace the reference to "10 working days" with "20 business days" per Advice Note 15.</p> <p>4. In addition, the Council has also flagged up the following points –</p> <ul style="list-style-type: none">i. Paragraph 1(b): this appears unnecessary because per paragraph 1(4), ESC must consult SCC and vice versa. So, paragraph 1(b) can be deleted.ii. Paragraph 3(2)(a): replace the first reference to "the appeal documentation" (which is not needed).iii. Paragraph 3(2)(b): include a definition of "requirement consultee" per the definition in Advice Note 15.iv. Paragraph 4(2)(a) of in Advice Note 15 has not been carried over into Schedule 23. The Council has asked the applicant to explain the omission.v. Paragraph 3(6): the Council has asked the applicant to delete "(6) Outcome of appeals", which is not needed (unless it is to be included as a heading).vi. Paragraph 3(13): the Council has asked the applicant to change the reference to "sub-paragraph (8)" to "sub-paragraph (14)". <p>5. The Council also considers the provisions for the payment of fees to the discharging authorities (per paragraph 3 of Advice Note 15) should be included in the draft DCO.</p> <p>Changes to Schedule 23 between the original dDCO and Revision 3</p> <p>6. The Council makes the following comments on these changes –</p> <ul style="list-style-type: none">i. The first change made in revision 3 is the addition of sub-paragraphs 1(3) and (4). Sub-paragraph (3) requires a discharging authority to have regard to the comments received from the bodies which it is required to consult. Although the principles relating to statutory consultation include a requirement to have regard to the responses of consultees anyway, the Council is neutral on this change. Sub-paragraph (4) requires SCC and EDC to consult each other whenever they are the discharging authority for requirements. The Council supports this change.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> ii. It is not clear what the purpose of the change to sub-paragraph 2(4). Apart from doing so by giving notification, there doesn't appear to be another way of requesting further information under paragraph 2. iii. The change to sub-paragraph 3(2)(c) is highly unlikely to be accepted by the Secretary of State but obviously that is a matter for the Secretary of State. iv. The change to sub-paragraph 3(2)(d) does not concern the Council but it is unnecessary. v. If the change to sub-paragraph 3(2)(e) is to be accepted, "the first day" should be replaced by "the first business day" (and the definition of "the first business day" included in Advice Note 15 should be included in Schedule 23). vi. The amendment to sub-paragraph 3(7) is unnecessary. vii. The introduction of a time limit for judicial review in sub-paragraph 3(10) is contrary to advice note 15, is unnecessary and should be reversed.
<p>FR.1 Flood risk, ground water, surface water</p>		
FR.1.0	The Applicant	<p>Main Platform – Temporary Coastal Defences</p> <p>Paragraph 7.1.12 of [AS-018] states a temporary reinforced coastal flood defence will be built to form the haul road. Paragraph 4.2.6 of [AS-157] confirms that a temporary sheet pile wall of 7.3m AOD is now also proposed. There is little detail on the process of constructing these temporary works, including removing existing sea defences, placing temporary defences and constructing the permanent defences. Additionally, there is little detail on the timing of the various elements of sea defence works. Figures 2.2.20 to 2.2.23 [AS-190] provide some detail. Provide more detail on the sea defence construction programme and plans showing how they will develop in relation to construction phases.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.1	Environment Agency	<p>Main Platform – Temporary Coastal Defence</p> <p>The EA’s RR [RR-0373] raised concerns regarding the Applicant’s intention to remove the existing coastal flood defences before the new coastal flood defences had been constructed. As part of the Applicant’s material change, installation of a temporary sheet pile wall (with a crest set at a minimum level of 7.3m AOD) is now proposed around the construction area, prior to the removal of the existing defences.</p> <p>Could the EA comment on the extent to which the temporary sheet pile wall addresses its concerns in this regard, considering the revised overtopping assessment presented in the MDS FRA Addendum [AS-157] and accompanying Appendix E [AS-170]?</p>
	Response	
FR.1.2	The Applicant	<p>Main Platform – Adaptive Sea Defence</p> <p>Paragraph 3.1.9 of [AS-157] states that the designed crest level of the sea defences with landscaping will be 14.6m AOD. The defence would have an adaptive design with the potential to raise the crest up to 16.4m AOD in the future if required to address sea level rise and change in wave conditions due to climate change. Explain in relation to the requirements in the draft DCO how the following would take place:</p> <ul style="list-style-type: none"> (i) Monitoring to understand the need for any adaptive sea defence works; (ii) How such monitoring would be secured within the DCO; and (iii) How the adaptive sea defence works would be secured and delivered in the DCO.
	Response	
FR.1.3	The Applicant	<p>Main Platform – Adaptive Sea Defence</p> <p>The Environment Agency [RR-0373] and other IP’s ask for more detail on the design and construction of the Hard Coastal Defence Feature (HCDF). Paragraphs 4.2.13 to 4.2.17 and Plates 4.3 and 4.4 of [AS-157] provide some information on the HCDF. However, the detailed design and construction of the HCDF has still not been set out. Provide a detailed description of the design and construction of the HCDF including how any subsequent adaptive element will be provided.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
FR.1.4	The Applicant	<p>Main Platform- Internal Flooding</p> <p>Paragraph 7.2.27 [AS-018] sets out a worst case internal flooding scenario of around 70 - 170mm of water for up to three hours during the extreme tidal cycle. Managing such a low probability event through a temporary shut-down of operations is considered adequate by the Applicant. Explain:</p> <p>(i) How such an event would affect operation, and</p> <p>(ii) Any implications for the storage of radioactive material on site.</p>
	Response	
FR.1.5	The Applicant	<p>Main Platform – Construction Groundwater Management</p> <p>Paragraph 7.5.7 [AS-018] explains the groundwater management approach for the main development platform. It includes the provision for a low permeability cut-off wall. Explain:</p> <p>(i) The construction process for the proposed cut-off wall; and</p> <p>(ii) How groundwater will be managed whilst the cut-off wall is being constructed.</p>
	Response	
FR.1.6	The Applicant	<p>Main Platform – Cut off Wall Extent</p> <p>Provide a plan showing the extent of the cut-off wall and also sections of the main development platform showing the cut-off wall extent and also any deep excavations for underground structures proposed within the area enclosed by the cut-off wall or adjacent to it.</p>
	Response	
FR.1.7	The Applicant	<p>Groundwater Overtopping of Cut off Wall</p> <p>Paragraph 7.5.19 of [AS-018] explains that the final top level of the cut-off wall is not yet confirmed so groundwater levels over-topping the cut-off wall could pose a risk to underground structures. Explain how the design and construction process will mitigate such a risk.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
FR.1.8	The Applicant	<p>Water Monitoring and Response Strategy [AS-236]</p> <p>Appendix 2.14A relates to both surface water and groundwater, whereas Requirement 7 of the draft DCO relates to groundwater. Explain how:</p> <ul style="list-style-type: none"> (i) Surface water regime monitoring is secured within the draft DCO; and (ii) Any necessary responses or remedial action will be secured and delivered within the draft DCO.
	Response	
FR.1.9	East Suffolk Council, East Suffolk Internal Drainage Board, Environment Agency, Suffolk County Council	<p>Water Monitoring and Response Strategy [AS-236]</p> <p>Provide comment of the coverage and suitability of the proposed strategy and the process to secure any required mitigation</p>
	Response	Other stakeholders are leading on this workstream. SCC will feed into this workstream further as and when further details pertaining to the Main Development Site's construction surface water drainage strategy are provided. If the proposed surface water drainage strategy has the potential to alter the existing environment to which it feeds into, SCC will work the Applicant and other stakeholders to alter the surface water drainage strategy with a view to keeping any environmental changes within trigger levels. This may require further work by the Applicant but is yet to be discussed due to the lack of available detail on the surface water drainage strategy.
FR.1.10	The Applicant	<p>Breach Modelling</p> <p>Paragraph 11.2.6 of [AS-018] refers to results shown in Table 8.2. It is not readily apparent how the figures quoted in the paragraph relate to Table 8.2. Clarify this analysis.</p>
	Response	
FR.1.11	The Applicant	Main Development Site FRA Addendum [AS-157]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Paragraph 2.2.1 This paragraph suggests reviews and updates have been undertaken in response to both the EA and other key stakeholders. Other key stakeholder engagement is not outlined in Appendix A or B. Outline any other key stakeholders' engagement and how this has also affected the review and update.
FR.1.12	Environment Agency	Main Development Site FRA Addendum [AS-157] Are you satisfied that the modelling undertaken on the effects of the revised design of the HCDF provides a robust assessment of the safety of people during construction and operation of the Proposed Development?
	Response	
FR.1.13	The Applicant	Main Development Site FRA Addendum [AS-157] Table 2.1, 200 year return period, 2140 epoch Explain why different Climate Change criteria is used for this particular prediction?
	Response	
FR.1.14	Environment Agency	Main Development Site FRA Addendum [AS-157] The EA [RR-0373] highlighted that the Proposed Development would result in an increase in hazard rating category for 4 residential properties and increased fluvial flood risk to 5/6 non-residential properties, as set out in the MDS FRA [APP-093, updated by AS-018]. The EA advised that compensatory flood storage measures (or other appropriate measures) should be investigated to mitigate fluvial flood risk to residential and non-residential properties. The Applicant has made design changes intended to mitigate fluvial flood risk and undertaken further assessment work, as presented in the MDS FRA Addendum [AS-157]. To what extent does this address the EA's concerns in this regard?
	Response	
FR.1.15	The Applicant	Main Development Site FRA Addendum [AS-157] Paragraph 3.3.18, Is this saying that there is no property at this postcode or that it would not be flooded?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
FR.1.16	The Applicant	<p>Main Development Site FRA Addendum [AS-157]</p> <p>Paragraph 3.3.27 has the doorstep height of any affected residential properties been checked to ascertain whether even a small increase in flood depth could create a significant flooding issue?</p>
	Response	
FR.1.17	The Applicant, Environment Agency, Suffolk County Council	<p>Main Development Site FRA Addendum [AS-157]</p> <p>Fen Meadow Mitigation Habitat</p> <p>Paragraph 5.1.20 At what point will the ExA be able to understand whether the proposed mitigation sites are suitable?</p>
	Response	<p>SCC would defer to Natural England and the Environment Agency on the technical issues of how the hydrological characteristics of the site relate to its suitability for ecological mitigation. However, in our LIR [REP1-049] at paras. 8.31-8.36 we discuss the difficulty of creating fen meadow mitigation sites. SCC remains concerned about the viability of these mitigation proposals and awaits details demonstrating their feasibility.</p>
FR.1.18	Environment Agency, Suffolk County Council	<p>Main Development Site FRA Addendum [AS-157]</p> <p>Surface Water Drainage</p> <p>Paragraph 5.1.46, What is your view of the suitability of the proposals at this stage of the development?</p>
	Response	<p>[AS-157] primarily focuses on coastal and fluvial flood risk. The Environment Agency leads on these topics.</p> <p>[AS-157] does however include the temporary outfall. Whilst SCC acknowledge the need for a temporary outfall prior to CDO construction, the parameters for use of this temporary outfall must be clearly identified. What areas will it serve? Will it be an emergency overflow, or an outfall used for more common rainfall events?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Further comment on the suitability of the sites proposed surface water drainage strategy is provided in response to FR.1.74.
FR.1.19	The Applicant	<p>Main Development Site FRA Addendum [AS-157] Flood Risk Activity Permits</p> <p>The MDS FRA Addendum explains that a Flood Risk Activity Permit (FRAP) would be required in relation to the proposed fen meadow habitat compensation areas. The Applicant states that since the design of the scheme is ongoing, the application for the FRAP will be prepared and submitted to the EA "...at an appropriate stage of the Project". The EA's RR also indicates that works to remove existing flood defences are likely to require a permit. The ExA notes the contents of PINS Advice Note 11: Working with public bodies in the infrastructure planning process (Annex D) in this regard, which states that if the DCO and permit application(s) are not appropriately coordinated, there is a risk that the EA will be unable to comment on detailed technical matters raised by the Inspectors during the examination of the DCO. In view of these matters, can the Applicant confirm how many FRAP applications would be required and provide any firm commitment on the likely timescales for submission of these application(s) to the EA? The Other Consents, Licenses and Agreements document [APP-153] should also be updated, as required.</p>
	Response	
FR.1.20	The Applicant	<p>Two Village Bypass FRA</p> <p>Paragraph 7.2.17 [APP-119] and paragraph 2.1.5 [AS-171] state that talks are ongoing with the relevant landowner with respect to increased flood depth, hazard and velocity in an affected area. Provide an update on the current status of negotiation with the relevant landowner.</p>
	Response	
FR.1.21	East Suffolk Internal Drainage Board, Environment Agency, Suffolk County Council	<p>Sizewell Link Road FRA [APP-136]</p> <p>It is explained [APP-136] that two of the proposed watercourse crossings have not been hydraulically modelled (SW4 and SW7). The Applicant confirms there would be no impact from SW4. For SW7, the Applicant sets out its proposed approach to addressing the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		current lack of information regarding the existing culvert and lack of modelling, at detailed design stage. Please comment on the Applicant's approach in this regard.
	Response	Further modelling work for the Sizewell Link Road (including SW4 & SW7) is being undertaken by the Applicant, in discussion with SCC and the Environment Agency. This work is ongoing.
FR.1.22	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] The Environment Agency [RR-0373] state that the Fen Meadow compensation area water body areas have been incorrectly identified and that the correct water body areas should be screened in and assessed. Respond to their concerns.
	Response	
FR.1.23	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.156 does not mention the pressure on groundwater bodies that would be created depending on the final solution for site water supply. The assessment should include impact on groundwater bodies depending on the possible impact of the water supply solution proposed. Explain how this is addressed and provide references to particular sections of the WFD Compliance Assessment report.
	Response	
FR.1.24	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.1.160 does not mention the implications for surface water levels and consequently river water bodies of the requirement for demand for water in both construction and operation of the proposal. Depending on the water supply solution, should this not be a consideration in the assessment?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.25	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.2.196 Explain where the decommissioning area is and the distance to the mentioned site boundary.
	Response	
FR.1.26	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.4.8 first bullet point. Explain how the presence of the power station platform and the cut of wall could also result in indirect effects on the Suffolk coastal water body.
	Response	
FR.1.27	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.4.26. Given the detailed plume information was unavailable at the time of scoping, what are the implications for the effects assessed and at what stage will the detailed plume information be available so that the effects can be properly considered?
	Response	
FR.1.28	Environment Agency	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.38 "For the purpose of this WFD Compliance Assessment, only biological elements of relevance to WFD (fish, invertebrates and aquatic flora) are outlined below." Is this an acceptable approach?
	Response	
FR.1.29	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.46 Figure 2.8 is not in APP-629, signpost or provide.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
FR.1.30	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.60 Figure 2.9 is not in APP-629, signpost or provide
	Response	
FR.1.31	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.98 Explain the significance of the exceedance of the Environmental Quality Standard for levels of zinc in the Suffolk coastal marine water body.
	Response	
FR.1.32	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.106 Explain the significance of the Centre for Environment, Fisheries and Aquaculture Science (Cefas) Action levels with respect to this assessment.
	Response	
FR.1.33	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.153 Explain why the current baseline conditions are considered appropriate for the whole construction period that could be as long as 12 years.
	Response	
FR.1.34	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.156 Explain the implications of Defra's "Water Abstraction Plan" to this assessment.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.35	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.196 states “all foul waters generated during construction would be collected in a self-contained chemical system and tankered off site for disposal”. The Outline Drainage Strategy [APP-181] sets out in paragraph 3.6.5 “Disposal to sea following treatment has been selected, as the receiving waters are less sensitive, and dilution of the treated effluent is much greater than for a watercourse.” Explain the apparent discrepancy in these two statements.</p>
	Response	
FR.1.36	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.248 Explain:</p> <p>(i) The term “synthetic baseline”; and</p> <p>(ii) Where in Chapter 19 of Volume 2 of the ES the data relating to Leiston Beck referred to, can be found.</p>
	Response	
FR.1.37	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.3.335 state whether the stated concentrations have any implications for the compliance assessment or not.</p>
	Response	
FR.1.38	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.336 provide references to the relevant paragraphs above.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.39	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.346 Is it correct to assume that the reactors will be commissioned in succession not as this seems to imply only one reactor will be commissioned?
	Response	
FR.1.40	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.363 Given the site is in most documents is stated to have an operational life of 60 years and it is stated in Paragraph 2.5.153 of this section to be operational until approximately 2100, explain the discrepancy in operational life stated here of 2130.
	Response	
FR.1.41	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Table 2.45 Explain why the bottom part of the Table abandons the column headings in the top part.
	Response	
FR.1.42	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.537 Does this include staff for an outage and if not, what effect does the additional staff during an outage have?
	Response	
FR.1.43	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.553 What are the implications for the WFDCA of an exceedance of the absolute 23°C threshold mentioned?
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.44	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.649 What is the implications for the WFDCA of the predicted exceedance of the EQS?
	Response	
FR.1.45	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.651 refers to Biological Oxygen Demand not exceeding the EQS but what is the conclusion for the rest of physico-chemistry?
	Response	
FR.1.46	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Page 265 O4 Suffolk Explain the implications for the WFDCA is there is an impact on hydromorphological parameters created by the hard coastal defence.
	Response	
FR.1.47	The Applicant	Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Page 265 O5 Suffolk. Provide paragraph reference numbers to where considerations, stated in the last sentence, of other adjacent water bodies is set out.
	Response	
FR.1.48	The Applicant, Relevant Authorities	Flood Risk Emergency Plan (FREP) Appendix F [AS-170] The Suffolk Resilience Forum comments in Appendix A of the FREP: (i) Do they relate to this version of the FREP? (ii) If not, have they been consulted on this version; and (iii) Provide any additional comments they may have made.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Response by Emergency Planning: (i) Yes, the comments relate to this version of the FREP. (ii) Not applicable. (iii) There are no further comments to be made at this stage.
FR.1.49	Environment Agency	Main Development Site (MDS) - Flood Risk Emergency Plan (FREP) Appendix F [AS-170] The Applicant has now provided a FREP. Could the EA confirm: (i) Whether this plan addresses its concerns regarding safety during any fluvial, coastal and tidal breach flood events, as outlined on pages 24 and 28 of its RR [RR-0373]? (ii) Any other outstanding matters of concern with respect to the FREP.
	Response	
FR.1.50	The Applicant	(MDS) Flood Risk Emergency Plan (FREP) Appendix F [AS-170] (i) How would adherence with the measures set out in the FREP be secured through the DCO? (ii) Whilst the MDS FREP contains reference to the permanent SSSI crossing, it is unclear from this document how the Applicant intends to manage the risk of fluvial flooding to the temporary SSSI crossing and people using it. In view of the EA's comments on page 27 of its RR [RR-0373], can the Applicant provide clarity on this point and make any necessary updates to the FREP?
	Response	
FR.1.51	The Applicant	Outline Drainage Strategy (ODS) [APP-181]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Paragraph 3.4.4 the Temporary Sewage Plant location is not indicated on Plate 3.4. This plate and subsequent plates are clearly extracted from larger plans that have a number of areas, facilities and buildings shown and annotated. Provide:</p> <ul style="list-style-type: none"> (i) Full annotation on all relevant plates in the ODS; and (ii) A set of the full plans that show more detailed layouts of the temporary construction areas.
FR.1.52	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Paragraph 3.4.13 Explain:</p> <ul style="list-style-type: none"> (i) How surface water runoff from the main construction area will be conveyed both to Water Management Zone (WMZ) 1 and WMZ2; (ii) Identify which attenuating features in WMZ1 need to be sized accordingly and how that analysis will be undertaken. (iii) Page 29 of the EA's RR [RR-0373] outlined concerns relating to the Applicant's proposals for Water Management Zone 1. The Applicant sets out how it intends to address these comments in paragraphs 5.1.3 – 5.1.7 of the MDS FRA Addendum [AS-157], confirming that a temporary outfall from the main platform area out to the sea is now proposed (prior to construction of the permanent Combined Drainage Outfall). Management of flood risk during construction of the earth bund for Water Management Zone 1 has also been discussed within the MDS FREP (Appendix F [AS-170]) (as part of the 'temporary construction area'). To what extent does this address the EA's concerns in this regard?
FR.1.53	The Applicant	<p>Main Development Site FRA Addendum [AS-157]- Temporary Outfall</p> <p>Provide an updated Outline Drainage Strategy that includes the role of the temporary outfall</p>
FR.1.54	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Paragraph 3.4.57 Explain, with reference to the Schedule of Other Consents, Licences and Agreements document [APP-153], how permission would be obtained for discharge of treated storm water to the foreshore in extreme storm conditions.
	Response	
FR.1.55	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Tables 3.1 and 3.2, Row 7 Discharge to Combined Sewer discounted due to no known combined sewers. Could the Combined Drainage Outfall (CDO), once constructed not be considered in the event of flooding?
	Response	
FR.1.56	The Applicant	Outline Drainage Strategy (ODS) [APP-181] After WMZ2 all subsequent text about WMZs have errors in referencing the correct plate number. These are WMZ3 paragraphs 3.4.28 and 3.4.36, WMZ6 paragraphs 3.4.37 and 3.4.43, WMZ4 paragraph 3.4.45, WMZ5 paragraphs 3.4.50 and 3.4.53, WMZs 7, 8 and 9 paragraphs 3.4.55 and 3.4.59, WMZ10 paragraph 3.4.65 and LEEIE paragraph 3.4.80. Correct this referencing.
	Response	
FR.1.57	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Table 3.4 Row 5 – Discharge to watercourse. “Surface water may be discharged into the surrounding watercourses following appropriate measures to account for the volume of surface water and the presence of silt and contaminant load.” All the other Group 1 WMZs state that water will be discharged “indirectly into surrounding watercourses” Explain: (i) Is direct discharge intended in WMZ6; and (ii) Describe the appropriate measures referred to in this context.
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
FR.1.58	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] Plate 3.17.</p> <p>(i) It is assumed that the red dotted line on this plate is the CDO. Confirm this assumption and explain the operation of the CDO including identifying any elements on the plate that relate to such operation; and</p> <p>(ii) In Paragraph 3.4.59 explain which other techniques are shown on Plate 3.17 (3.16 sic).</p>
	Response	
FR.1.59	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] Paragraph 3.4.61 states that the CDO will be discontinued once cold commissioning is completed. Explain whether this also means that the CDO will be removed at this point and if not, when will it be removed?</p>
	Response	
FR.1.60	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] Paragraph 3.4.64. Explain which tunnel the access shaft connects to is it the CDO or cooling water tunnel?</p>
	Response	
FR.1.61	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] Table 3.7 Row 6 There is little description of the capacity and suitability of surface water drainage system referred to. Explain how its suitability has been assessed.</p>
	Response	
FR.1.62	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] Paragraph 3.4.82. Explain why underground geocellular storage is suitable for parts of the LEEIE and also how the necessary maintenance regime will be undertaken in the areas suggested for its use.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
FR.1.63	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Paragraph 3.5.10. Has the groundwater model been used to model the potential impact of the cut off wall so that after its construction the ongoing monitoring could be used to examine any significant adverse impacts not originally modelled?</p>
	Response	
FR.1.64	Environment Agency and other Relevant Authorities	<p>Appendix 19F – Monitoring and Response Strategy [APP-309]</p> <p>Provide comment on the Monitoring and Response strategy set out in this document.</p>
	Response	
FR.1.65	The Applicant	<p>Main Development Site FRA Addendum [AS-157]- Water Resource Storage Area</p> <p>Paragraph 5.1.21 states that “The water would be used for construction activities and would not have direct links to the outline drainage strategy methods as it is for water storage.” This area is now proposed to be in WMZ5, how will the non-potable water be collected if not by some form of drainage system. Explain how this collection system and distribution system will operate and also why this has not been included in the ODS.</p>
	Response	
FR.1.66	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Figure 2A.6. The proposed foul water network has been indicated on a plan of the existing area. Provide a fully annotated plan shown on a base layer showing indicative layouts of the Main and Temporary Construction Areas. By way of example of base layer most of the plates used in the ODS have a base layer that would mean the proposed foul drainage system could be related to temporary works proposed.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
FR.1.67	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Paragraphs 3.6.13 to 3.6.14 describe a number of options for foul water drainage at the LEEIE. Has work to secure a feasible option progressed? and if so, explain the option that will be pursued.
	Response	
FR.1.68	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Foul water drainage of associated development sites could, if all more suitable alternatives prove not to be feasible, rely on tankering to works. Has suitable treatment works capacity been identified should this be required?
	Response	
FR.1.69	The Applicant	Outline Drainage Strategy (ODS) [APP-181] East Suffolk Council [RR-0343] express concern that the ODS does not at this stage demonstrate that appropriate sustainable drainage systems can be implemented at all sites. Comment on the level of certainty that can be attributed to the total implementation of sustainable drainage solutions for the Proposed Development.
	Response	
FR.1.70	The Applicant	Outline Drainage Strategy (ODS) [APP-181] East Suffolk Council [RR-0343] have queried whether suitable pollution control techniques will be implemented as part of the drainage solutions at the Associated Development sites. Explain how any runoff pollution will be dealt with as part of the sustainable drainage solution for those works.
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.71	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Suffolk County Council [RR-1174] paragraph 125 state they have “not yet seen evidence that any of the surface water drainage infrastructure proposed to serve the Main Development Site, the Land East of Eastlands Industrial Estate and Associated Developments can be facilitated within the proposed red line boundaries to a satisfactory standard.” Comment on whether the drainage design strategy being developed can provide the necessary reassurance to SCC.</p>
	Response	
FR.1.72	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>The East Suffolk Internal Drainage Board (ESIBD) [RR-0345] raise an issue concerning the importance of Minsmere Sluice in relation to surface water drainage. Their concern is that Minsmere Sluice is reaching the end of its useful life and changes to water level and discharge volumes as a result of the development will accelerate the change to a pumping station that could have significant implications for surface water management. Has this concern been considered as part of the surface water management regime of the development?</p>
	Response	
FR.1.73	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>ESIDB [RR-0345] have expressed concerns that changes to coastal processes as a result of the HCDF element of the Proposed Development could hamper discharge to the sea from Minsmere. Explain how this has been considered?</p>
	Response	
FR.1.74	Environment Agency, Suffolk County Council,	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Provide any comments you have on the coverage and content of the ODS at this stage.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	East Suffolk Council, East Suffolk Internal Drainage Board	
	Response	<p>Main Development Site (MDS)</p> <p>[APP-181] provides some details on the Main Development Site (MDS) construction surface water drainage strategy. Whilst indicative Water Management Zones (WMZs) have been identified, insufficient detail has been provided regarding how surface water will be managed in each WMZ.</p> <p>For example, [APP-181], paragraph 3.3.9, details the proposed method of surface water disposal for each WMZ. However, where infiltration is proposed, this is not directly supported by the results of infiltration testing, and where infiltration is not proposed, justification has not been provided for this deviation from the surface water disposal hierarchy, set out in the Executive Summary of [APP-181].</p> <p>In addition to the above point, once more detail is provided, consideration must be given to how the proposed surface water drainage strategy may impact the surrounding environment, not just in terms of flood risk, but also biodiversity. This will include detailed discussions with other stakeholders. This is a point for consideration during the DCO as any restriction on discharge rates from the site will influence the space required for attenuation in order to deliver satisfactory mitigation.</p> <p>The above covers MDS during construction, SCC would also highlight that no details have been provided detailing how surface water will be managed during the operation of the proposed development. Whilst part of the site will be subject to a nuclear safety case and will therefore require a different approach, other areas must be demonstrated to comply with national and local policy, guidance and best practice.</p> <p>Main Development Site (MDS) & Associated Development Sites (ADS)</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>To date, no supporting information has been provided to demonstrate that proposed attenuation features are sized sufficiently to manage the required attenuation volumes (which also have not been quantified).</p> <p>No details have been provided to demonstrate that the proposed surface water strategies provide sufficient surface water treatment. The methodology for assessing surface water hazard & mitigation is not identified in [APP-181].</p> <p>The use of SuDS to manage and treat surface water must be prioritised. Not having sufficient space for SuDS is not suitable justification. Sufficient space for SuDS should be identified and protected prior to other site uses being identified.</p>
<p>HW.1 Health and wellbeing</p>		
<p>HW.1.0</p>	<p>ESC, SCC, CCG, Sizewell Health Working Group</p>	<p>Methodology</p> <p>(i) Do you agree that the methodology and scope for assessment of effects from the proposed development as set out in [APP 346] is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community?</p> <p>(ii) Do the Councils agree with the methodology in determining the degree of intimidation from traffic and in particular from HGVs?</p> <p>(iii) Do you consider the findings of this part of the ES have been adequately justified?</p>
	<p>Response</p>	<p>(i) SCC considers that the methodology and scope of [APP 346] does not result in the provision of a comprehensive overview of health and wellbeing impacts, as</p> <ul style="list-style-type: none"> a) While cross-referring to other DCO documents with regard to other determinants (e.g. transport, access to health services), it does not provide a clear overview of the health and wellbeing impacts of a number of these determinants; b) it omits a number of determinants of health and wellbeing, including construction impacts on natural environment and detrimental impacts on its enjoyment, adverse impacts on amenity and recreation, and the perception of community safety; and c) it does not fully consider all of these determinants in combination with regard to their impact on the affected communities and their health and wellbeing;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>d) The methodology set out in Environment Statement (ES) Chapter 10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] is not yet fully agreed due to outstanding queries.</p> <p>(ii) As set out in the LIR [REP1-049], SCC agrees with the Applicant that construction traffic has adverse impacts in terms of accidents and road safety; access and accessibility; community severance; and pedestrian fear and intimidation, as set out in para 18.6.17 of [APP 346]. The LIR sets out locations where mitigation is required to reduce these impacts. However, SCC considers there will be an important residual impact on local communities affecting the wider health and wellbeing of its residents. We consider that the assessment in [APP 346] is somewhat narrow, as these road traffic impacts are likely to have an impact on mental health and reduce the attractiveness to e.g. walk and cycle in the area which has an impact on amenity, mental health and physical health. With regards to the specific assessment of Fear and Intimidation, the methodology of assessment in relation to Fear and Intimidation, as set out in ES Chapter 10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and in ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181], is still to be agreed, on issues such as the sensitivity of links and the representative hour at some locations (e.g. surrounding schools, nurseries).</p> <p>SCC considers the magnitude of impact for Fear and Intimidation as reasonable in terms of total traffic and HDV classification (based on The Guidelines for the Environmental Assessment of Road Traffic), however:</p> <p>a) the criteria mentions speed which is not considered in the assessment</p> <p>b) Total vehicle flows used in the Fear and Intimidation section of the ES Addendum [AS-181] assessment are not currently correct, especially near Marlesford, and these are, we understand, being updated by the Applicant's consultant within a separate Technical Note to be provided.</p> <p>(iii) SCC considers that the effects during the construction phase have been too narrowly defined and/or too narrowly considered in terms of in-combination impacts across the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>project: The summary in Table 28.9 in [APP 346] indicates that the main factors that have been considered during the construction phase relate to noise and air quality (as well as road accidents, health care impacts and socio-economic factors). The assessment indicates the noise and air quality impacts on health and wellbeing as being minor adverse or negligible adverse. This does not seem to take account the wider health and wellbeing impacts of the increase of traffic on mental health, as result of stress and anxiety, and physical health as healthy lifestyles may be affected as a result of reduced amenity.</p> <p>No consideration seems to have been given to health and wellbeing impacts from e.g. perceived and real community safety concerns, housing impacts, reduced enjoyment of the natural environment and amenity and recreation.</p> <p>The LIR sets out in its Quality of life and wellbeing chapter (chapter 30) a more comprehensive overview of expected impacts on quality of life and wellbeing. It also includes an overview of impacts and proposed mitigation measures on e.g. highway related impacts and health impacts.</p> <p>In summary, SCC disagree that impact on quality of life, health and wellbeing are not significant. We consider there to be residual adverse impact on quality of life and wellbeing, particularly when considering the combined impacts across the project, which will also affect the health of our communities. In addition to further embedded mitigation in the various subject areas (as set out in the LIR), SCC considers there to be a residual impact on quality of life, health and wellbeing. This needs to be reflected in scope and scale of the proposed Community Fund.</p>
HW.1.1	<p>The Applicant</p>	<p>Uniform Approach</p> <p>Please respond to East Suffolk Councils concern [RR-0342] that by adopting an approach which uniformly applies across the whole area that particular groups might have been missed and therefore this might underplay the degree of effect in certain circumstances.</p>
	<p>Response</p>	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
HW.1.2	The Applicant, SCC, ESC part (ii)	<p>Severance</p> <p>Concern has been expressed by a number of RRs including (RR-0758, RR-1008) with regard to the degree of severance that could occur for their local community either through physical barriers – e.g. Sizewell Link Road, or through volume of additional traffic.</p> <p>(i) Please advise how you consider the proposal minimises these affects for each community and how the scheme has taken into account consideration for more vulnerable groups.</p> <p>(ii) Do the Councils consider the assessment of severance has justified the approach taken, or do you consider there are more adverse effects than have been reported?</p> <p>(iii) In answering please comment on the suitability of the methodology used and be specific in respect of the locations where there remain concerns should this be the case.</p>
	Response	<p>i) SCC does not consider that the Applicant’s proposals sufficiently minimise the impact of severance on communities, and considers that there are number of locations that require, or in some instances may require, mitigation. SCC also notes that the Applicant’s methodology is not yet fully agreed due to outstanding queries (see part (ii) of this answer and its findings cannot be accepted at this stage. Thus, the level of proposed mitigation for severance is not deemed acceptable at this stage.</p> <p>All locations with concerns cannot be identified at this stage as methodology is still to be agreed; however, those locations where SCC currently considers mitigation for traffic impacts are (or may be) required, including for severance, are set out in Tables 3 and 4 in LIR Annex M (examination library reference pending), as well as in our Relevant Representation [RR-1174] and Table 13/14 of the LIR [REP1-049].</p> <p>The Rights of Way & Access Strategy relates only to the main development site. SCC has asked that the principles outlined in para 1.1.14 (APP-270) apply to all affected sites including the Sizewell Link Road. The Strategy does not currently address the effects of increased traffic on public users for the wider highway network such as the A12.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>That being said, the Applicant's proposals do include a number of mitigation measures to reduce the impacts of severance associated with road traffic; these are supported by SCC and include:</p> <ul style="list-style-type: none">• Provision of the Sizewell Link Road (for those communities currently on the B1122 between Middleton Moor and east of Theberton but not in the early years) [note that, as set out in the LIR, SCC supports the Sizewell Link Road for the construction period only, and requests for it to be removed afterwards].• Provision of the Two Village Bypass (for residents currently living on the A12 at Farnham and Stratford St Andrew, but not in the early years).• Provision of the Lover's Lane crossing facilities.• Leiston Improvement Scheme• Wickham Market Improvement Scheme• Marlesford and Little Glemham Transport Contribution• Routing of HGVs and buses on the most suitable routes available.• Park and Ride facilities to reduce construction workforce vehicle movements on the road network east of the A12 and north and south of their respective locations.• Direct bus services to/from relevant communities.• Accommodation campus and LEEIE caravan park to reduce construction workforce vehicle movements. <p>The Environmental Statement (REF) shows significant levels of severance associated with the Two Village Bypass and the Sizewell Link Road. To minimise this impact, access for users of rights of way and highways severed by the new roads has been maintained, although not necessarily on the direct line and (except for one overbridge on each relief road) necessitating passing over the carriageway via an uncontrolled crossing.</p> <p>ii) The methodology set out in Environment Statement (ES) Chapter 10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] is not yet fully agreed</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>due to outstanding queries. Severance reported in Chapter 10 of 6.3 Volume 2 Main Development Site and the Transport chapter of ES Addendum is still be agreed in terms of methodology of assessment. This relates to sensitivity of links and representative hour at some locations (e.g. surrounding schools, nurseries). The magnitude of impact used by the Applicant for severance is in line with the 'Guidelines for the Environmental Assessment of Road Traffic', however professional judgement has been used. Further clarification on the use of professional judgement has been sought from the Applicant.</p> <p>The findings and mitigation are therefore not deemed reasonable at this stage. A revised methodology could result in additional adverse effects which will not be known until the methodology is agreed. Notwithstanding this, SCC has identified those locations that we currently consider require, or may require, mitigation, with regards to impacts that include severance these include communities along the A12, B1122, B1125, A1120 and the B1069 corridors. See the LIR [REP1-049] for further discussion.</p> <p>iii) See answers (i) and (ii) above</p> <p>See also answer HW.1.10 regarding Equality Assessments.</p>
HW.1.3	<p>Relevant local authorities, CCG</p>	<p>Severance</p> <p>Do the Councils and CCG agree the assessment of severance as set out in [APP-198] reasonably reflects the degree of effects of severance on the local communities concerned such that the ExA can be confident that the proposed development would not have any indirect health impacts or adversely affect access to key public services as sought by the NPS EN-1.</p> <p>Response</p> <p>SCC does not currently agree but is continuing to work with the Applicant to aim to resolve our concerns.</p> <p>See details in answer to HW.1.2.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																										
HW.1.4	The Applicant, SCC, ESC	<p>On Street Parking B1078</p> <p>Concern has been expressed [RR-0762] that the removal of on street parking in this locality would have an adverse effect particularly on the disabled and elderly, please respond to this concern and whether this has been considered as part of any equalities assessment.</p>																										
	Response	<p>Provision of disabled parking has been a matter of discussion with Wickham Market Parish Council, but no final agreement has been reached regarding what, if any, provision will be made. Formal restrictions to provide disabled bays would be included within a traffic regulation order. Alternatively informal (but unenforceable) disabled bays can be provided without legislation. In either case the bays would be available to any road user with the necessary dispensation, not just residents. This has not, to SCC's knowledge, been considered as part of any equalities assessment.</p>																										
HW.1.5	The Applicant	<p>Potential Delays</p> <p>Please explain if the ES has considered the potential for delays in the construction programme, and how if at all this potential has been considered in terms of the potential effects on the local community from the works extending beyond an already lengthy build programme.</p>																										
	Response																											
HW.1.6	The Applicant	<p>Equality Statement</p> <p>Table A1.2 [APP-158]</p> <p>Appears to have a series of errors the table below has been populated with what are believed the corrected figures highlighted, please clarify and check the rest of this table and confirm what are the correct figures.</p>																										
		<table border="1"> <thead> <tr> <th>Ward</th> <th>0-15</th> <th>%</th> <th>16-64</th> <th>%</th> <th>65+</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Leiston</td> <td>6360</td> <td>1167 18.3%</td> <td>3819</td> <td>60.0%</td> <td>1374</td> <td>21.6%</td> </tr> <tr> <td>Saxmundham</td> <td>4913</td> <td>894 18.2%</td> <td>2765</td> <td>56.3%</td> <td>1254</td> <td>25.5%</td> </tr> <tr> <td>Snape</td> <td>1911</td> <td>271 14.2%</td> <td>1126</td> <td>58.9%</td> <td>514</td> <td>26.9%</td> </tr> </tbody> </table>	Ward	0-15	%	16-64	%	65+	%	Leiston	6360	1167 18.3%	3819	60.0%	1374	21.6%	Saxmundham	4913	894 18.2%	2765	56.3%	1254	25.5%	Snape	1911	271 14.2%	1126	58.9%
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																
		<table border="0"> <tr> <td>Yoxford</td> <td>1901</td> <td>215</td> <td>11.3%</td> <td>1022</td> <td>53.8%</td> <td>664</td> <td>34.9%</td> </tr> <tr> <td>Aldeburgh</td> <td>3225</td> <td>329</td> <td>10.2%</td> <td>1519</td> <td>47.1%</td> <td>1377</td> <td>42.7%</td> </tr> </table> <p>Have the apparent errors affected any of the subsequent conclusions?</p>	Yoxford	1901	215	11.3%	1022	53.8%	664	34.9%	Aldeburgh	3225	329	10.2%	1519	47.1%	1377	42.7%
Yoxford	1901	215	11.3%	1022	53.8%	664	34.9%											
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	Response																	
HW.1.7	The Applicant	<p>Equality Statement</p> <p>(i) Paragraph 1.6.26 [APP-158] Please advise on what basis you reach this conclusion, when the evidence suggests there is a higher proportion of the population in the locality in the higher age groups.</p> <p>(ii) Do you have direct evidence of the age profile of users of the PROW network?</p>																
	Response																	
HW.1.8	The Applicant	<p>Equality Statement</p> <p>(i) Paragraph 1.6.31 [APP-158] limited control would be available over a certain proportion of the journeys, in these circumstances at what level would the mitigation be applied?</p> <p>(ii) How would this be communicated and subsequently controlled in conjunction with other major projects?</p>																
	Response																	
HW.1.9	SCC, ESC	Equality Statement																

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>The Applicant considers that with mitigation significant adverse transport effects on schools, nurseries, places of worship, GP surgeries and community facilities would not be significantly adverse. Paragraph 1.6.39 [APP 158]</p> <p>(i) Do you agree that the mitigation identified would overcome any significant adverse effects?</p> <p>(ii) Do you consider the mitigation is adequately secured?</p>
	Response	<p>i) The Equality Statement [APP 158] states at paragraph 1.6.40 that the assessment contained within Volume 2, Chapter 10 of the ES [APP-198] does not identify any significant adverse transport effects on schools, nurseries, places of worship, GP surgeries and community facilities after mitigation. The methodology set out for assessment within the ES, and the subsequent ES Addendum [AS-181], is not yet fully agreed therefore the conclusion drawn within the Equality Statement remains under discussion and is not fully agreed by SCC. The criteria applied to define the impact on the sensitivity of the receptor on the links assessed is not agreed by SCC due to concerns over the criteria utilised and as well as a slight inconsistency in application. SCC also seeks clarification with regard to differences between the impacts identified by the Applicant on the sensitivity of the receptors and those identified within the assessment made in relation to the East Anglia ONE North Offshore Windfarm application. Further discussions are required between SCC and the Applicant.</p> <p>Notwithstanding the above, there are a number of locations on the highway network with construction traffic impacts which are in proximity to referenced facilities, including the following:</p> <ul style="list-style-type: none">• A12 Woodbridge; including in near proximity to a High School.• B1125 through Westleton; including adjacent to a village hall, church and public house.• A1120 through Yoxford; including adjacent to a primary school, public house and convenience store.• A12 through Yoxford: public house• A1120 at Peasenhall / Sibton; including adjacent to a nursery, a church, convenience stores, and in near proximity to another church.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • B1122 through Theberton; including adjacent to a church and public house. • B1069 at Coldfair Green / Knodishall, including adjacent to public houses and in close proximity to a primary school, church, village hall and a residential home. • A12 Little Glemham; including adjacent to a public house and on route to a church. • A12 Marlesford; including adjacent to a farm shop and café. • A12 Blythburgh: convenience store and public house and in close proximity to the church <p>Many of these locations correspond to those locations where SCC currently believes mitigation for traffic impacts is (or may be) required due to severance, as set out in Tables 3 and 4 in LIR Annex M [REP1-058].</p> <p>ii) The mitigation can be secured through obligations in the s106 agreement but with the exception of Wickham Market, Leiston, Marlesford and Little Glemham no mitigation has yet been secured.</p>
HW.1.10	The Applicant, SCC, ESC, CCG	<p>Equality Statement</p> <p>The Applicant advises that the Public Services Contingency Fund which would be secured through the S106 would be an appropriate response to the concerns identified in respect of the difficulties associated with recruiting and retaining staff. Paragraph 1.6.49 [APP 158]</p> <p>(i) Please provide an update on the progress of the S106</p> <p>(ii) Do the Councils and CCG regard this as an appropriate method of mitigation?</p>
	Response	<p>(i) SCC continues to be in discussion with the Applicant the detail of the S106, including provisions in relation to the Public Services Contingency Fund. Whilst SCC supports the principle of a Public Services Contingency Fund, discussions are still be had with the Applicant in relation to the scale, content, criteria and governance of the Fund, so cannot confirm at this stage whether the provisions are appropriate mitigation. We note that the Applicant has not yet clarified in how far the Public Services Contingency Fund would be accessible to organisations other than the two local authorities, therefore it is not clear whether the health system could access this funding; SCC would support such flexibility in</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the fund to allow for effective multi-agency preventative and responsive measures. SCC is pro-actively working with the CCGs, ESC and the Applicant to develop such an approach.</p> <p>(ii) As set out in the LIR (para 27.28-27.31 [REP1-049]) SCC is concerned that labour market churn could result in a shortage of health, social work and care workers to provide health, social care, and care services, which could have a negative effect on the level of care and support available. SCC considers that the Public Services Contingency Fund can play a role to mitigate for impacts on the social care and health sector, and considers that there may be role of the fund to fund measures to provide resilience to workforce planning within SCC’s Adult Social Care and Children’s Services including support for recruitment, training, and retention (as proposed in Schedule 5 of the Draft Section 106 Agreement). It is noted that, at the moment, the proposals to not include the wider health system, but SCC considers that the workforce in community health services will be affected in a similar way to the workforce of Adult Social Care and Children’s Services; therefore coordinated mitigation would be desirable.</p> <p>However, SCC considers that, to address specifically the concerns in respect of difficulties associated with recruiting and retaining staff and deal with negative impacts of labour market churn on the deliverability of adult social care services and community health care provision, the main method of mitigation should be embedded in the Applicant’s mitigation package for employment skills and supply chain activities, which would complement the provisions of the Public Services Contingency Fund,. Therefore, SCC expects that employment, skills and supply chain activities put forward by the Applicant include measures to mitigate such adverse impacts on other employment sectors, in particular health and social care sectors. (see LIR para 25.14)</p>
HW.1.11	Ipswich and East Suffolk, CCG, West Suffolk CCG	<p>Anchor Institution</p> <p>(i) Please explain what you mean when you refer to ‘an Anchor Institution approach’ [RR-500] and how you envisage this approach might be delivered through the DCO.</p> <p>(ii) In light of point 7 of your [RR-500] please explain in detail your concerns regarding the shortcomings of the assessment and how you consider these could be addressed to ensure appropriate mitigation.</p>

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ExQ1	Question to:	Question:
		<p>(iii) Has the reliance on historic data as referred to in the [RR-500] at paragraph 6 diminished the findings of the ES such that you consider the findings could not be relied upon?</p> <p>(iv) How would the CCG wish to see this issue addressed?</p> <p>(v) At paragraph 10 of your [RR-500] you refer to 'most active county' objectives – what/where does this come from? If the ExA is to rely on this document it will need to be submitted into the Examination?</p>
	Response	
HW.1.12	The Applicant	<p>Housing Market</p> <p>(i) Please respond to the concerns identified by the CCG [RR-500] in respect of the additional volatility they anticipate in the housing market and the knock-on effects to healthcare.</p> <p>(ii) How would you propose to minimise these effects such that the indirect health impacts are not caused as a consequence of the proposed development?</p> <p>(iii) How would the mitigation proposed be secured?</p>
	Response	
HW.1.13	The Applicant	<p>Care Home Residents</p> <p>The CCG [RR-500] raise questions of the conclusions reached in para 28.6.80 of [APP-346] particularly the potential impact upon two care homes, please respond to this specific concern and highlight how you have assessed any likely effects on this potentially vulnerable group.</p>
	Response	
HW.1.14	The Applicant	<p>Vulnerable Groups</p> <p>The Suffolk Safeguarding Group [RR-1179] express concern about insufficient risk assessments of the potential impact on vulnerable groups and the lack of a strategy to minimise the risks which may arise from the proposed development.</p>

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ExQ1	Question to:	Question:
		Please respond to this specific concern and advise how the information provided meets the tests set out in the NPS EN-1.
HW.1.15	The Applicant	<p>Vulnerable Groups</p> <p>The CCG [RR-500] and Suffolk Constabulary [RR-1174] also raise the concern over potential exploitation of vulnerable groups.</p> <p>(i) What is proposed to be in place to mitigate this concern?</p> <p>(ii) How would it be secured?</p>
HW.1.16	The Applicant	<p>Vulnerable Groups</p> <p>Impact on the wellbeing of the older community in the locality is a concern expressed by both the CCG [RR-500], and Suffolk Safeguarding Partnership [RR-1179] amongst others. How do you propose to ensure that appropriate mitigation would be in place to support this sector of the community and mitigate any adverse effects such that they could be regarded as not significant?</p>
HW.1.17	ESC, SCC, CCG, Suffolk Safeguarding Partnership	<p>Vulnerable Groups</p> <p>In light of the concerns expressed [RR-1179, RR-500, RR-1140, RR- 0342, RR-1174] in respect of the age demographic in the locality and the potential effects on the older population, do you consider the assessment on health and wellbeing and the equality assessment is adequate?</p> <p>SCC considers that table 1.1 in [APP 158] accurately reflects the disproportionate effect of the construction impacts on the elderly.</p> <p>SCC wishes to note that the "Study on the impacts of the early-stage construction of the Hinkley Point C (HPC) Nuclear Power Station" (Oxford Brookes University 2019, commissioned by the SCC and other local authorities) (LIR Appendix 2:1 [REP1-089])</p>

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ExQ1	Question to:	Question:
		<p>questions for HPC whether the wellbeing of the communities local to HPC being adequately monitored, referring especially to the impacts on the older residents, and whether the Community Impacts Mitigation fund effectively responds to project impacts on local wellbeing (page 35).</p> <p>SCC considers that in defining mitigation and compensation measures, it should be carefully considered how the disproportionate effect of the impacts on the elderly can be reflected, e.g. in the scope of the community fund, and in embedded mitigation measures.</p>
HW.1.18	<p>The Applicant, Suffolk Constabulary</p>	<p>Community Safety</p> <p>From the [RR- 1140] it would appear you are working together on a Strategic Relationship Protocol (SRP). Assuming this is agreed, is this intended to form part of the examination and be delivered through the DCO or a separate side agreement between the parties?</p>
HW.1.19	<p>The Applicant, Network Rail</p>	<p>Rail Safety</p> <p>Network Rail [RR-006] identifies concerns, that by introducing any Freight Trains onto the East Suffolk line will (due to their slower running speeds), cause an increased risk and delay to users of level crossings.</p> <p>(i) Please respond to this concern and advise if any mitigation could be provided to address this issue.</p> <p>(ii) If this were appropriate, how would it be delivered through the DCO?</p>
HW.1.20	<p>The Applicant</p>	<p>AONB</p> <p>The AONB is designated in part due to the unspoilt landscape and the opportunity this provides for recreation and the enjoyment, peace and health benefits that can arise for the public from having access to such a location. The ESC [RR-0342] and AONB [RR-1170] Partnership both express concerns regarding the impact of the proposed development on the broader noise environment as well as the access to this area. Please respond to these concerns and in particular, advise how the proposed mitigation might reduce effects to ensure there are not knock on effects to health and wellbeing.</p>

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ExQ1	Question to:	Question:
	Response	
HW.1.21	The Applicant	<p>Health Impact Assessment</p> <p>Please respond to the concerns raised by RRs with regard to potential health impacts [RR-0291, RR-0376, RR-853] and the concern raised by others over the lack of a Health Impact Assessment – [RR-1255, RR-0051]</p>
	Response	
HW.1.22	The Applicant, ESC	<p>Ozone</p> <p>Please respond the concern raised in [RR-392] over the potential effects from the proposed development on the release/creation of ozone.</p>
	Response	
HW.1.23	ESC, SCC, CCG, East of England Ambulance Service, PHE	<p>Effects on Mental and Physical Health</p> <p>A number of RRs including [RR-376, 546, 853, 291, 241] express concerns over the direct or indirect effects on health that the construction could have on an individual's health.</p> <p>(i) Please respond to the concerns and advise whether you consider the assessment properly addresses the potential effects of the proposed development.</p> <p>(ii) Additionally, is there confidence that the mitigation proposed adequately addresses any concerns and that this is appropriately secured?</p>
	Response	<p>(i) Impacts on mental and physical health are covered in SCC's answer to HW1.0. As referred to above, SCC does not consider the impacts on health and wellbeing, including on mental health, to have been properly addressed by the Applicant.</p> <p>The LIR [REP1-049] points out the secondary impact of a potential increase of mental health and missing person incidents requiring multi-agency responses. These will also affect the resourcing of Suffolk Constabulary as the usual first responders to such incidents.</p> <p>(ii) SCC considers that the public service impacts of mental and physical health impacts need to be addressed through scale and scope of the Public Services Contingency Fund</p>

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Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>and appropriate levels of contributions to the health system and Suffolk Constabulary, with appropriate monitoring measures. Further embedded mitigation to reduce the impacts on health and wellbeing, e.g. in relation to road safety measures or amenity and recreation enhancement, should be considered. The Community Fund should also consider the impacts on quality of life and wellbeing.</p> <p>See also SCC's answer to HW1.0</p>
HW.1.24	ESC, SCC	<p>Sizewell Link Road</p> <p>In paragraph 2.126 of the ESC [RR-0342] adverse effects on 19 receptor groups are identified for residential receptors.</p> <p>(i) Are the mitigation measures proposed considered within the ES sufficient?</p> <p>(ii) Is the method of securing the mitigation appropriate and enforceable?</p>
	Response	<p>SCC considers it imperative that that all efforts are taken to mitigate adverse effects above LOAEL and to avoid significant adverse effects above SOAEL, as set out in the NPS EN-1. This means mitigating noise at source as first option, through the implementation of quiet road surfacing, road noise barriers and landscaping; once these options are exhausted, noise insulation for residual impacts should be offered to residents. SCC believe that this should be provided as part of construction of the Sizewell Link Road. It will be necessary, as part of the mitigation strategy, for the Applicant to monitor the noise levels and provide a process where SCC can be periodically informed about road noise levels and any proposed actions to address them.</p>
HW.1.25	ESC, SCC, CCG, Sizewell Health Working Group	<p>Methodology</p> <p>(i) Is it agreed that the methodology and scope for assessment of effects from the proposed development is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community?</p> <p>(ii) Do you consider the findings of this part of the ES have been adequately justified?</p>
	Response	See SCC's answer to HW1.0.

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ExQ1	Question to:	Question:
HW.1.26	The Applicant	<p>BLF</p> <p>(i) With increased activity on the beach from the introduction of the changed BLF and increased number of deliveries, please explain how these changes have been assessed in terms of the effects on the amenity and recreational use of the beach and the coastal path both during construction and subsequent operation</p> <p>(ii) What implications would this have for tourism and or numbers of users of the coastal path and the beach?</p>
	Response	
HW.1.27	The Applicant, Network Rail	<p>Change Request No. 2</p> <p>The Change Request could see an increase in the number of freight trains running along the line. Please advise how this could be safely delivered to ensure there would not be unacceptable risks to users of level crossings both for the branch line and the Ipswich to Lowestoft main line.</p>
	Response	
HW.1.28	The Applicant, Network Rail, Suffolk Constabulary, East of England Ambulance Service, Suffolk Fire and Rescue, SCC, ESC	<p>Change Request No. 2</p> <p>In the event the number of trains were to be increased, please explain what implications this may have for the operation of level crossings on the branch line and the main Ipswich to Lowestoft line and the effect on severance of communities or impacts on emergency services.</p>
	Response	<p>Leiston Branch Line</p> <p>The most significant level crossing on the branch line is on Station Road, Leiston which is hand operated. Any significant delays would require emergency vehicles to divert via King George Avenue and Lovers Lane. However, SCC understands that this level crossing would only be used while the LEEIE sidings are in operation.</p> <p>The temporary "Green Rail route" level crossing on Abbey Road will impact on traffic, including emergency vehicles using the B1122. While the location will not affect access to Lovers Lane and Sizewell B, it would be a constraint on access to the north of there.</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		<p>The temporary "Green Rail route" level crossing on Buckleswood Road west of Leiston will have some localised impact on local movement although this is a minor road with low volumes of traffic.</p> <p>It is understood that the level crossing on King George Avenue will not be used as no trains access the sidings to the south.</p> <p>In terms of importance the level crossing at Buckleswood Lane, just north of the B1119 Saxmundham Road is of next importance as this is a locally important north south link. This crossing would be affected both by trains using the "Green Rail route" and LEEIE sidings</p> <p>The remainder of the level crossings are on minor roads and generally used by small numbers of local residents and landowners.</p> <p>A number of rights of way also cross the branch line although barriers are not generally present, and these are not used by emergency service vehicles.</p> <p>An increase in the number trains would have greatest impact on the B1122 Abbey Road and Buckleswood Lane (not Road) Level Crossings. The scale of the impact will depend on the timing of train movement as the majority of road movements at these locations is in the daytime. If additional trains result in long delays, particularly for those locations with manually operated barriers, alternative routes are limited and mostly on minor roads which could significantly increase journey or emergency service response times.</p> <p>Of greatest importance for a small number of residents and the emergency services is that a number of properties (Cottage Farm, Red Cottage Farm and Westhouse Farm) where the sole vehicular access is by private road or minor public highways via a level crossing.</p> <p>East Suffolk Line</p> <p>An increase in the number of trains would have some impact, and this would be greatest if these trains were operated at daytime. SCC's main concern would be the A1152 level crossing in Melton which is on a part of the highway network under some stress during peak hours. The A1152 forms an important access route for significant parts of East Suffolk i.e. Bawdsey Peninsula, Bentwaters and Rendlesham and is thus sensitive to any disruption. This is particularly true for large vehicles where the alternative route is particularly onerous (A12-A1094-B1069).</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>The impact of additional trains on minor road level crossings and Rights of Way will generally be minor on an individual basis but important when summed up across the route.</p> <p>Issues of delivering five Trains Per Day</p> <p>Network Rail are currently working with The Applicant to understand the level of impact that the operation of the freight trains will have on the branch line and East Suffolk Line. Eight level crossings are required to be upgraded on the Saxmundham to Leiston Line and 21 level crossing on the East Suffolk Line (ESK) will require mitigation to operate four trains per day. Although paragraph 3.4.38 of Volume 9 Chapter 3 states that is possible to run five trains per day on the East Suffolk Line, Network Rail has indicated that the requirement to operate four trains per day (albeit all at night) at speeds of 20mph or 10mph would present some challenges for some Level Crossings. Operation during the day would present unacceptable circumstances at Melton Road Level Crossings and cause issues at Woodbridge and at Darsham level crossings. No further indication is provided about the likely affect across the rest of the rail network.</p> <p>There is not enough capacity at night to run a fifth train, so the operation of two freight trains during the day would be required. This would disrupt the running of two passenger trains between Lowestoft and Ipswich. SCC would like to see the delivery of a passing loop between Woodbridge and Saxmundham to create the additional capacity required for daytime running of freight trains. Any increase of trains is likely to affect waiting times and risk at level crossings such as Melton, Woodbridge, Darsham, Middleton, Haywards, Ferry Lane and at Westerfield, Bloss and Brick Kiln. For some footpath crossings, if they cannot be mitigated with Miniature Stop Lights, then closure and route diversion would be considered. Discussions are ongoing on this between the Applicant and Network Rail and progress is expected, but this remains a key concern.</p>
HW.1.29	East of England Ambulance Service	<p>Service Impact Model</p> <p>(i) Please advise on the latest position in respect of the model being developed to assess the effects of the proposed development on service delivery?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Has this model been agreed as an appropriate method to assess effects with the applicant or any other party?
	Response	
MN.1 Historic environment (terrestrial and marine)		
General		
MN.1.0	The Applicant	<p>Guidance</p> <p>In respect of the '2011 Research and Archaeology Revisited: A Revised Framework for the East of England' it is noted that additional period-based summaries have become available since the submission of the DCO (Paragraph 1.2.36 [APP-171]). Have the new summaries been reviewed? How has any new relevant content been taken into consideration in the formulation of mitigation strategies?</p>
	Response	
MN.1.1	The Applicant	<p>Site Investigation Surveys</p> <p>In addition to location specific questions relating to survey work detailed below, please provide a general update as to whether any additional site investigation surveys have been undertaken since the submission of the DCO? Please confirm how findings will be incorporated into the existing assessments?</p>
	Response	
MN.1.2	ESC, SCCAS, Historic England	<p>Overarching Written Scheme of Investigation (WSI)</p> <p>Please provide a critique of the Overarching WSI contained within Appendix 2.11.A of [AS-210]. Are you satisfied that the content and level of detail would allow you to discharge your responsibilities?</p>
	Response	<p>SCC have reviewed the updated Overarching WSI submitted by the Applicant and although are generally satisfied with its content, have requested minor amendments to ensure that it meets requirements and therefore enable this document to be approved by ourselves. The Applicant has subsequently revised this document in accordance with these</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		comments and has indicated that they will submit the amended version of this document as part of the examination. This document provides the overarching strategy for ongoing archaeological assessment and mitigation for the project but will need to be supported by Site Specific WSIs for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s).
Main Development Site (MDS)		
MN.1.3	The Applicant	<p>Public Outreach</p> <p>Please provide a response to the request made by ESC at paragraph 1.97 [RR-0342] that public outreach for archaeology should be secured via either a Requirement or s106.</p>
	Response	
MN.1.4	The Applicant	<p>Built Heritage Repair</p> <p>Please provide a response to the statement made by ESC at paragraph 2.15 [RR-0342] that the proposed investment for built heritage repair appears very low compared to the landscape and ecology investment.</p>
	Response	
MN.1.5	ESC, SCCAS, Historic England	<p>Evaluation Trenching</p> <p>At paragraph 16.3.31 [APP-272], the Applicant confirms several limitations in respect of the assessment. One such limitation is that it has not been possible to undertake evaluation trenching on some areas of the site, however most of the site has been subject to a magnetometry survey. Are you satisfied with this approach?</p>
	Response	<p>SCC are satisfied with the level of archaeological survey undertaken so far and accept the reasons why the Applicant has been unable so far to access some sites within the DCO red line boundary to complete both magnetometry and trial trenching surveys. SCC are satisfied that the most sensitive archaeological areas within the scheme have been subject to full evaluation already and feel the work undertaken so far is sufficient for decision making purposes. However, the completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary which have not yet been subject to full archaeological assessment, followed by mitigation (across all areas of the DCO red</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
MN.1.6	The Applicant	<p>Evaluation Trenching</p> <p>Has evaluation trenching been completed east and south east of Lower Abbey Farm (Paragraph 16.4.31 [APP-272])? If so, how are the findings to be incorporated into the assessment?</p>
	Response	
MN.1.7	ESC, SCCAS, Historic England	<p>Summary of Survey Status</p> <p>Table 16.5 [APP-272] confirms where geophysical surveys and/or evaluation trenching has not been undertaken. In such areas, the Applicant has confirmed that a programme of further work will be set out in a site-specific Written Scheme of Investigation. Do you see any significant limitations with this approach?</p>
	Response	<p>SCC are happy with this approach. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
MN.1.8	The Applicant	<p>Summary of Survey Status</p> <p>Please confirm if the name of the field listed in row 20 of Table 16.5 and row 19 of Table 16.6 [APP-272] is complete?</p>
	Response	
MN.1.9	The Applicant	<p>Summary of Survey Status</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Has the evaluation trenching at Area 4, as detailed in Table 16.5 [APP-272], been completed? If so, how are the findings to be incorporated into the assessment?
	Response	
MN.1.10	The Applicant	<p>Unrecorded Heritage Assets</p> <p>Paragraph 16.4.69 [APP-272] discusses the potential for heritage assets which have not previously been identified or recorded to be present in areas of the site that have not been subject to geophysical surveys and/or evaluation trenching. Please confirm if the SSSI crossing and borrow pit field 2 have been subject to survey? If not, please explain why.</p>
	Response	
MN.1.11	The Applicant	<p>Offsite Heritage Assets</p> <p>Please detail the archaeological interest for the following:</p> <ul style="list-style-type: none"> (i) Aldeburgh Conservation Area (paragraph 16.4.146 [APP-272]) (ii) Slaughden Martello Tower (paragraph 16.4.154 [APP-272]) (iii) Southwold Conservation Area (paragraph 16.4.158 [APP-272]) (iv) Orford Castle (paragraph 16.4.166 [APP-272])
	Response	
MN.1.12	ESC, SCCAS, Historic England, English Heritage	<p>Direct Effects on Heritage Assets – Construction</p> <p>Paragraph 16.6.55 [APP-272] notes that groundworks associated with the construction of the accommodation campus, roundabout and site entrance of the MDS has the possibility of potentially harming buried archaeological remains associated with the Leiston Abbey assets (LB 121573, LB 1215754, LB 1216380 and LB 1268290). Please comment as to whether such assets comprise relatively minor and peripheral elements of the monastic landholding? Would harm to such designated assets discernibly affect the informative potential of them?</p>
	Response	SCC defer to HE and ESC to advise regarding impacts to designated heritage assets.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Evaluation of the accommodation campus, roundabout and MDS site entrance has defined multi-period archaeological remains (dating from prehistory through to the post-medieval period). Some medieval remains contemporary with the Abbey have been defined, however, we would agree that these are peripheral to the main designated area. SCC would advise that impacts to the defined archaeological remains can be appropriately mitigated by a programme of archaeological mitigation work (as well as post excavation analysis, reporting, publication and archive deposition), secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
MN.1.13	ESC, SCCAS, Historic England	<p>Peat Strategy Please confirm whether the content of the Peat Strategy contained within Appendix 16G [APP-275] is satisfactory? If required, please provide suggested amendments or additions.</p>
	Response	<p>SCC are happy that the Peat Strategy document is satisfactory. A Peat Strategy Mitigation WSI supplementary to (and in accordance with this document) this will, however, need to be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
MN.1.14	The Applicant	<p>Leiston Abbey Asset Group (SM 1014520, LB 1215753, LB1215754, LB 1216380 and LB 1268290)</p> <p>Paragraphs 16.6.45 to 16.6.61 [APP-272] sets out the assessment of construction effects on the setting of the Leiston Abbey assets. It is acknowledged that changes to setting would occur given the proposed length of construction, visibility of at-height construction, noise levels and visibility of construction infrastructure for visitors travelling by road from both the north and south.</p> <p>It is identified at paragraph 16.6.50 [APP-272] that the construction features experienced would diminish the contribution of the setting to the heritage significance of the asset group. Given the presence of these new features, please explain how the retention of arable land between the asset group and the B1122 (Abbey Road) would serve to maintain a strong perceptual buffer between the proposed development and the asset group (paragraph 16.6.49)?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
MN.1.15	The Applicant, English Heritage	<p>Leiston Abbey Second Site – Sustainable Conservation and Management Plan</p> <p>Please provide detail and a progress update on the proposed Sustainable Conservation and Management Plan.</p> <p>To the Applicant - Is the plan to be included as mitigation? If so, how is this to be secured?</p>
	Response	
MN.1.16	The Applicant	<p>Non-Designated Coastguard Cottages, Dunwich Heath</p> <p>Due to their prominent positioning, the Coastguard Cottages are highly visible within their landscape setting and have a medium heritage significance for architectural and historical interests. Whilst they directly face Sizewell B power station, it is stated that the distance and intervening landscape provides a noticeable sense of separation and isolation.</p> <p>It is noted that both the construction and operation phases would result in intensification of industrial buildings and infrastructure. In addition, there would be a notable reduction in sense of seclusion and the aesthetic appreciation of the asset, particularly when the Coastguard Cottages are viewed from the north. Please provide further justification for the finding of a minor adverse effect which would not be significant in respect of the historic interest and diminution of aesthetic appreciation of the asset.</p>
	Response	
MN.1.17	ESC	Abbey Cottage (LB 1216395)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In respect of significance of effect on the setting of Abbey Cottage, paragraph 16.6.82 [APP-272] concludes changes would be significant during construction. Due to the decommissioning of the proposed accommodation campus, main site entrance hub and various storage areas, no effect is anticipated during operation.</p> <p>Please provide further detail in respect of paragraph 2.16 [RR-0342] as to where the contradiction occurs and what mitigation is required.</p>
MN.1.18	ESC	<p>Sizewell B Relocated Facilities – Pillbox Field (Change 3)</p> <p>Noting comments made in [AS-307] in respect of Pillbox Field (Option 1), are you satisfied with the following:</p> <ul style="list-style-type: none"> i) The proposed location of the landscaping scheme in regard of the location of archaeologically sensitive areas; and ii) The production of a management plan within a site specific WSI to outline how remains are to be preserved in-situ during and after proposed landscaping works. <p>If further measures are considered necessary, please detail.</p>
MN.1.19	ESC, SCCAS, Historic England, National Trust	<p>Enhancement of the Permanent Beach Landing Facility (BLF) (Change 2)</p> <p>Due to the proposed enhancement of the permanent BLF, it is stated that increased visibility of construction plant is likely from the Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas. Are you satisfied that, as detailed in [AS-181], such an increase in visibility would not alter the level of significance of effect on the above assets?</p>
		<p>SCC defer to HE and ESC to advise regarding this element.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
MN.1.20	ESC, SCCAS, Historic England, National Trust	<p>Temporary Beach Landing Facility (BLF) (Change 2)</p> <p>Are you satisfied that the construction of the temporary BLF would be seen within the wider context of construction related activity and visibility would be relatively limited? Do you concur that as a consequence of such limited visibility the level of significance of the effects on Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas would not change to that detailed in the initial assessment findings in [APP-272]?</p>
	Response	SCC defer to HE and ESC to advise regarding this element.
MN.1.21	The Applicant	<p>Additional Fen Meadow Habitat at Pakenham (Change 11)</p> <p>Please confirm what survey work has been undertaken at Pakenham to date.</p>
	Response	
MN.1.22	The Applicant	<p>Site of Special Scientific Interest Crossing (Change 6)</p> <p>Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please expand on why this change does not alter the assessment of effects on the terrestrial historic environment.</p>
	Response	
MN.1.23	ESC, SCCAS, Historic England, English Heritage	<p>Mitigation</p> <p>Alongside of the proposed site-specific WSI and Peat Strategy, is any further mitigation necessary in relation terrestrial heritage effects at the MDS? If necessary, how do you consider such measures should be secured?</p>
	Response	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary at Main Site which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>In addition, a Peat Strategy Mitigation WSI (which is in line with the Peat Strategy) needs to be produced and implemented.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
Sizewell Link Road (SLR)		
MN.1.24	The Woodland Trust	<p>Veteran Trees</p> <p>Please confirm, on an annotated plan, the location of the veteran oak tree which may be lost due to the proposed SLR, as referred to in [RR-1213].</p>
	Response	
MN.1.25	The Applicant	<p>Ancient and Veteran Trees</p> <p>Please confirm whether ancient and veteran trees would be retained and adequately protected during construction? Would measures employed comply with Natural England's Standing Advice in relation to tree buffer zones?</p>
	Response	
MN.1.26	ESC, SCCAS, Historic England	<p>Historic Landscape Character - Important Hedgerows</p> <p>Paragraph 9.4.21 [APP-467] confirms that it is likely that most surviving hedgerows within the site would be considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?</p>
	Response	<p>The methodology employed in the assessment of impacts on the terrestrial historic environment defines 'Low' significance as '<i>Asset has significance for elements of archaeological, architectural, historic, or artistic interest.</i>' Hedgerows considered important under the Hedgerow Regulations can reasonably be considered as falling into this level, relative to other historic assets.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
MN.1.27	The Applicant	<p>Site Investigation Surveys</p> <p>Figures 9.4A and 9.4B [APP-469] illustrate archaeological fieldwork undertaken at the time of submission of the DCO. Has any further access been granted to areas highlighted 'no access'? Please confirm how much of the route remains unassessed?</p>
	Response	
MN.1.28	The Applicant	<p>Archaeological and Historical Background - Theberton Hall and Theberton House</p> <p>Paragraph 9.4.47 [APP-467] refers to both the parkland landscape at Theberton Hall and the garden area of Theberton House. Please confirm whether the final sentence of paragraph 9.4.47 [APP-467] refers to Theberton Hall, Theberton House or both assets?</p>
	Response	
MN.1.29	ESC, SCCAS, Historic England	<p>Primary Mitigation - Theberton Hall</p> <p>Would the proposed woodland planting to the west of the SLR, described at paragraph 9.5.5 [APP-467], in the vicinity of Dovehouse Farmhouse adequately compensate for the loss of woodland in the belt west of Theberton Hall?</p> <p>In addition, would the proposed woodland planting east of the SLR successfully minimise views from Theberton Hall Estate and help integrate the proposed Pretty Road overbridge into the surrounding landscape?</p>
	Response	SCC defer to HE and ESC to advise regarding this element.
MN.1.30	The Applicant	<p>Significance of Effect</p> <p>Paragraph 9.6.61 [APP-467] describes noise related to construction activity as being limited and long-term temporary. In respect of significance of effect, paragraph 9.6.62 [APP-467] states any change as being short-term temporary.</p> <p>Please explain why the significance of effect is considered short-term if it is previously accepted that noise elements would be long-term temporary?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
MN.1.31	ESC, SCCAS, Historic England	Historic Landscape Character - Construction Are you satisfied that although the construction of the SLR would bisect several fields and truncate historic boundaries it would not eliminate the overall landscape pattern or ability to understand it (paragraph 9.6.67 [APP-467])?
	Response	SCC notes the assessment of the impact of the SLR on historic landscape character. Based on this, it does appear that whilst elements of that character will be lost, the underlying landscape pattern will still be legible.
MN.1.32	ESC	Historic Road Pattern – Yoxford to Leiston Please provide additional detail regarding the conclusion that the effects of the interruption and realignment of the historic road pattern from Yoxford to Leiston would be moderate adverse and significant (Paragraph 2.105 [RR-0342]).
	Response	
MN.1.33	The Applicant and ESC	Moat Farmhouse (LB 1228246) To the Applicant - Please respond to the statement made by ESC in respect of Moat Farmhouse in [RR-0342] that the assessment findings cannot be supported as the land to the north is one of the earliest farming landscapes in Suffolk. Noting this, please consider whether a review of the finding of no significant adverse effects is required? To the ESC - Please provide further detail in support of your concerns regarding the assessment of Moat Farmhouse. If additional mitigation is considered necessary, please provide detail.
	Response	
MN.1.34	ESC, SCCAS, Historic England	Mitigation

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SLR? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the SLR which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>
MN.1.35	ESC, SCCAS, Historic England	<p>Outline Landscape and Ecological Management Plan (oLEMP) Would the proposed landscape measures within the oLEMP [AS-264] minimise impacts on cultural heritage resources? If not, please detail why.</p>
	Response	<p>SCC defer to HE and ESC to advise regarding this element.</p> <p>SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping, tree planting or ecological mitigation work.</p>
Freight Management Facility (FMF)		
MN.1.36	The Applicant	<p>Site Size At paragraph 9.4.6 [APP-528] the site is described as approximately 9.4 hectares (ha). In other ES chapters, the site is described as 11 ha. Please confirm the size of the site.</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
MN.1.37	ESC, SCCAS, Historic England	<p>Historic Landscape Character - Construction</p> <p>Please comment on the effectiveness of the proposed planting at the eastern, northern and western borders of the FMF in ensuring that any change to existing landscape would be kept internal to the field (paragraph 9.6.15 [APP-528]).</p>
	Response	<p>SCC defer to HE and ESC to advise regarding this element.</p> <p>SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting work.</p>
MN.1.38	ESC, SCCAS Historic England	<p>Historic Landscape Character - Operation</p> <p>Would the retention of existing boundary vegetation, the 10m buffer zone around the north, east and west site boundaries and the addition of three landscape bunds be effective in adding a visual screen and close the operational facility off from the rest of the agricultural landscape (paragraph 9.6.25 [APP-528])?</p>
	Response	<p>SCC defer to HE and ESC to advise regarding this element.</p> <p>SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping work.</p>
MN.1.39	ESC, SCCAS, Historic England	<p>Effect on Setting of Heritage Effects - Operation</p> <p>In respect of assets located to the south west of Redhouse Farm (SM 1011344), would the provision of additional planting in existing hedgerows and the landscape bund on the eastern boundary be sufficient in order to reduce any sense of intrusion experienced during operation (paragraph 9.6.20 [APP-528])?</p>
	Response	<p>SCC defer to HE and ESC to advise regarding this element.</p> <p>SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting or landscaping work.</p>
MN.1.40	ESC, SCCAS, Historic England	<p>Secondary Mitigation Measures</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Would the proposed secondary mitigation measures detailed in paragraph 9.7.4 [APP-528] reduce the low magnitude of adverse impact on the bowl barrow south west of Redhouse Farm (SM 1011344) to a residual minor adverse effect that would be not significant?
	Response	<p>SCC defer to HE to advise regarding this element.</p> <p>Archaeological evaluation of the FMF has been completed (See HE 1.41). SCC would support mitigation through archaeological excavation and recording at this site.</p>
MN.1.41	ESC, SCCAS, Historic England	<p>Mitigation</p> <p>Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the FMF? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>Archaeological assessment work has been completed at the FMF. Archaeological remains (relating to three prehistoric funerary moments) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>
Southern Park and Ride (SPR)		
MN.1.42	ESC, SCCAS, Historic England	<p>Landscaping Scheme</p> <p>Would the proposed landscaping scheme, as detailed on the illustrative masterplan [AS-196], minimise the impact on setting of historic assets and the historic landscape character?</p>
	Response	SCC defer to HE and ESC to advise regarding this element.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting or landscaping work.
MN.1.43	ESC, SCCAS, Historic England	<p>Historic Landscape Character - Important Hedgerows</p> <p>Hedgerows on the site boundary to the east and in a small enclosure in the south-west [AS-196] are considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?</p>
	Response	<p>The methodology employed in the assessment of impacts on the terrestrial historic environment defines 'Low' significance as '<i>Asset has significance for elements of archaeological, architectural, historic, or artistic interest.</i>' Hedgerows considered important under the Hedgerow Regulations can reasonably be considered as falling into this level, relative to other historic assets.</p>
MN.1.44	ESC, SCCAS, Historic England	<p>Mitigation</p> <p>Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SPR? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>Archaeological assessment work has been completed at the Southern Park and Ride site. Archaeological remains (relating to a Roman Small town) have been defined. Evaluation has confirmed that important archaeological remains associated with this site, as well as prehistoric and medieval remains, are present across the development area. The level of archaeological preservation, particularly to the south-west of Whin Belt, is very good.</p> <p>The site is arguably of national importance but has suffered considerable damage (A12 construction, intensive agriculture, metal detecting rallies). Evaluation has confirmed that the part of the site which would be impacted upon by this development is not of schedulable quality, however, it will need full and thorough mitigation prior to development.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>
Marine Historic Environment		
MN.1.45	The Applicant	<p>Figures 23.1.-23.3 - Update Please can Figures 23.-23.3 [APP-336] be updated to reflect Change 2.</p>
	Response	
MN.1.46	ESC, SCCAS, Historic England	<p>Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2) Are you satisfied that the proposed changes in respect of BLFs would not alter the assessment conclusion detailed in [APP-334]? If not, please provide detail.</p>
	Response	SCC defers to Historic England to advise regarding this element.
MN.1.47	The Applicant	<p>Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2) – Wreck Sites Please confirm the distance of both the permanent BLF and temporary BLF sites from wreck sites MSF20289 and MSF11344?</p>
	Response	
Two Village Bypass (TVB)		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
MN.1.48	ESC, SCCAS, Historic England	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>Would the proposed landscape measures within the oLEMP [AS-263] minimise impacts on cultural heritage resources? If not, please detail why.</p>
	Response	<p>SCC defers to Historic England and ESC to advise regarding this element.</p> <p>SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping, tree planting or ecological mitigation work.</p>
MN.1.49	The Applicant	<p>Extension and Reductions of Order Limits (Change 12)</p> <p>Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please provide a response.</p>
	Response	
MN.1.50	ESC, SCCAS, Historic England	<p>Mitigation</p> <p>Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the TVB? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the TVB which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Northern Park and Ride (NPR)		
MN.1.51	ESC, SCCAS, Historic England	Oak Hall (LB 1030664) – Operational Effect on Setting Considering the assessment findings and the representative viewpoint provided at Figure 6.14 [APP-362] do you concur that during operation of the NPR there would be no change to heritage significance?
	Response	SCC defers to ESC to advise regarding impact on designated assets.
MN.1.52	ESC, SCCAS, Historic England	Old Hall (LB 1198815) – Operational Effect on Setting Due to the existing landscaping and buildings located to the north and west of Old Hall, due you concur that there would be no change to either the non-designated parkland or setting of the building?
	Response	SCC defers to ESC to advise regarding impact on designated assets.
MN.1.53	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the NPR? If necessary, how do you consider such measures should be secured?
	Response	Archaeological assessment work has been completed at the Northern Park and Ride. Archaeological remains (of Roman and medieval date) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
Rail		
MN.1.54	The Applicant	Post-Medieval and Modern – Heritage Significance

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		What is the level of heritage significance for archaeological interest for post-modern and medieval periods within the study area?
	Response	
MN.1.55	The Applicant	Change to the Setting of Archaeological Heritage Assets – Abbey Complex Paragraph 9.6.14 [APP-560] confirms that the perception of construction works to the south of the Abbey complex would result in a discernible loss of historic interest. Please confirm the significance of this effect.
	Response	
MN.1.56	The Applicant	Increased Frequency of Freight Train Movements (Change 1) – Abbey Ruins Paragraph 9.6.32 [APP-560] states that the limited number of rail movements means that perceptibility of rail operations would be intermittent and infrequent and would not significantly affect that ability to understand or appreciate the assets interests. Please signpost to where consideration on significance of effect of Change 1 in relation to the setting of the Abbey ruins is located.
	Response	
MN.1.57	ESC, SCCAS, Historic England, English Heritage, Pro Corda Trust/Leiston Abbey	Mitigation Alongside of the proposed site-specific WSI and Heritage s106 agreement to provide for enhancements to the visitor experience for the two Leiston Abbey sites, is any further mitigation considered necessary in relation terrestrial heritage effects? If necessary, how do you consider such measures should be secured?
	Response	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the Green Rail route which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>
Yoxford Roundabout and Other Highway Improvements (YROHI)		
MN.1.58	ESC, SCCAS, Historic England	<p>Mitigation</p> <p>Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the YROHI? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>Archaeological assessment work has been completed at the Yoxford Roundabout Site. Archaeological remains (of prehistoric date) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>For any other highway improvement works involving areas of significant ground disturbance (including compounds or landscaping works), full archaeological assessment, should be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1		Question to:	Question:
LI.1		Landscape impact, visual effects and design	
General			
LI.1.0	The Applicant	<p>Design Approach</p> <p>Design is a matter which is cross-cutting in relation to multiple topics identified within the Initial Assessment of Principal Issues. Please explain the design approach and design credentials of the Main Development Site and Associated Development Sites. Reference should be made to the objectives listed in section 4.5 of NPS EN-1 and how the proposed development seeks to address or exceed the expectations of good design as set out in the National Design Guide. Whilst noting that the NPS is the primary source of policy under which applications will be considered, reference should also be made to policy within the National Planning Policy Framework (NPPF) which stipulates good design.</p> <p>In addition, please also have regard to 'Design Principles for National Infrastructure', published by the National Infrastructure Commission (February 2020) in respect of Climate, Places, People and Value in construction, operation and where relevant, decommissioning.</p>	
	Response		
LI.1.1	The Applicant, ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	<p>Design Approach</p> <p>It is imperative that the proposal represents a good quality sustainable design which can be effectively integrated into the landscape. As such, please comment on whether the following measures would ensure this would be achieved in the detailed design, construction and operation phases:</p> <ul style="list-style-type: none"> i) A 'design champion'. Such a role would advise on the quality of sustainable design and the spatial integration of the both the Main Development Site and Associated Development Sites ii) A 'design review panel' to provide a 'critical friend' role. Such a role would provide comment on the development of sustainable design proposals iii) The production of an approved 'design code' or 'design approach document' which would establish the approach to delivering the detailed design specifications to ensure 	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>good quality sustainable design (as approved in the Hinkley Point C Connector Project (EN020001)).</p> <p>Please advise on how such measures could be secured. In addition, please comment as to whether any other measures or approaches are considered necessary?</p>
	<p>Response</p>	<p>Whilst a Design Champion has the potential to contribute to consideration of sustainable design issues this would probably need to be incorporated into the discharge of requirements related to design which is a matter for ESC.</p> <p>A design review panel to review the detailed design to support the discharging Authority has the potential to provide useful comment on sustainable design issues.</p> <p>A design code type document has the potential to establish useful parameters and support the discharge of requirements and test any minor modifications that may be made to the finishing and detailing discussed with discharging Authority, particularly given the length and complexity of this project</p>
<p>LI.1.2</p>	<p>ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C</p>	<p>AONB – Adverse Effects</p> <p>Has sufficient weight has been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of NPS EN-1? Please qualify your answer. If not, please identify what additional measures are required?</p>
	<p>Response</p>	<p>The Applicant commissioned its landscape consultants (LDA) to draw up a document that described all the special qualities of the AONB that articulated the reasons for its designation by explaining how natural beauty in the terms of s82 of CRoW Act 2006 is expressed in the Suffolk Coast and Heaths AONB. The preparation of the document followed a rigorous criteria-based approach using the existing Natural England process for the designation of protected landscapes. See https://www.suffolkcoastandheaths.org/wp-</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>content/uploads/2021/01/Natural-Beauty-and-Special-Qualities-of-the-Suffolk-Coast-and-Heath.pdf</p> <p>Whilst this work has informed the design and approach to the Applicant’s proposals, SCC considers that the Applicant has not given appropriate weight to the sensitivity of the receiving environment with respect to the power export solution proposed, the design of non-nuclear buildings and the location of the outage car park within the AONB, as set in the Local Impact Report [REP1-049] at section 7 and Table 2, and in SCC’s Written Representation submitted at Deadline 2.</p>
LI.1.3	The Applicant, ESC, SCC, Natural England	<p>AONB and Heritage Coast</p> <p>In their RR [RR-1170], the Suffolk Coast and Heaths AONB Partnership state that the linking of the AONB designation to the Heritage Coast in various places throughout the ES is misleading. The AONB Partnership requests that each of the designations should be treated separately and the impacts on the purposes of each of the designations should be undertaken in recognition of each of their defined purposes. Please provide a response to this statement.</p> <p>To ESC, SCC and Natural England – Are you satisfied with the approach adopted by the Applicant in respect of the two designations? If not, please provide detail.</p>
	Response	<p>SCC notes that Heritage Coasts are protected through development control within the planning system. Paragraph 173 of the National Planning Policy Framework (June 2019) states that “Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character”. SCC also notes that the coincidence of the Heritage Coast with the AONB reinforces the importance of the undeveloped coastal landscapes and their seascape settings in defining the character and special qualities of the AONB, as set out in the Natural Beauty and Special Qualities Indicators document prepared by the applicant [REP1-079].</p> <p>SCC is satisfied with the Applicant’s approach and that the relevance of the Heritage Coast definition is reflected in the assessments undertaken.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.4	ESC, SCC, Natural England and AONB Partnership	<p>Baseline Photographs and Visualisations</p> <p>Are you satisfied with the presentation of baseline photographs and visualisations prepared for the Proposed Development, including the Associated Development Sites?</p>
	Response	<p>SCC considers this to be acceptable. The additional work by the Applicant in relation to visualisation and representation of construction at the Main Development site is also noted.</p>
LI.1.5	ESC, SCC, Natural England and AONB Partnership	<p>Night-Time Assessment of Lighting</p> <p>No specific guidance exists on which to base a night-time assessment of lighting on landscape and visual receptors. Are you satisfied with the approach adopted by the Applicant?</p>
	Response	<p>SCC considers that the night-time assessment lighting is well considered and usefully based on recommended LVIA methodologies and that this is acceptable see para 6.12 in GLIVIA3:</p> <p><i>"For some types of development the visual effects of lighting may be an issue. In these cases it may be important to carry out night-time 'darkness' surveys of the existing conditions in order to assess the potential effects of lighting and the effects of lighting need to be taken into account in generating the 3D model of the scheme. Quantitative assessment of illumination levels, and incorporation into models relevant to visual effects assessment, will require input from lighting engineers but the visual effects assessment will also need to include qualitative assessments of the effects of the predicted light levels on night-time visibility. The visibility survey and definition of ZTVs may need to be reviewed and updated as siting, layout and design proposals are progressively refined and lighting effects become clearer"</i></p>
LI.1.6	The Applicant	<p>Landscape and Visual Impact Assessment (LVIA)</p> <p>Did the LVIA for both the Main Development Site and Associated Development Sites include an assessment of sequential views, for instance relating to users of public right of way networks?</p>
	Response	
LI.1.7	SCC	Mitigation and Offsetting

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please provide additional detail in respect of concerns raised in [RR-1174] regarding inadequate proposals for mitigating and offsetting landscape impacts both within and beyond the AONB.
	Response	SCC has provided further detail on the landscape and visual impact of the proposed development on the AONB and beyond in the Local Impact Report, Section 6 Table 1. This identifies the further mitigation and compensation measures in respect of these impacts that SCC considers the applicant needs to put in place in order for the proposals to be considered adequate.
LI.1.8	The Applicant	Outline Landscape and Ecological Management Plans – Ecological Steering Group Which stakeholders would be involved in the proposed Ecological Steering Group [APP-588]? The Steering Group is proposed to advise on the management measures to be specified within the LEMP. The establishment of such a group is not proposed for the Two Village Bypass oLEMP [AS-263] or the Sizewell Link Road oLEMP [AS-264]. Please confirm why not? How are management measures within the two additional LEMPs to be advised upon?
	Response	
LI.1.9	The Applicant	Associated Development Design Principles Please confirm how the Associated Development Design Principles are to be secured in the DCO?
	Response	
LI.1.10	The Applicant	Associated Development Design Principles – Gas Mitigation Measures Please confirm what gas mitigation measures are, as referred to in 'Building Design Principles' in respect of the proposed Northern Park and Ride, Southern Park and Ride and Freight Management Facility in [APP-589].
	Response	
LI.1.11	The Applicant	Sizewell B Infall and Outfall Structures Please confirm the distance of the Sizewell B infall and outfall structures from MHWM.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
LI.1.12	SCC	Detailed Design Noting comments made in [RR-1174] please expand on what additional control SCC considers necessary in respect of detailed design issues within the DCO requirements?
	Response	Further detail should be added to the Design and Access Statement, Table 5.2 to give greater certainty to the colouration of prominent structures such as the reactor stack, and the turbine hall. While there has been a welcome change in Principle 56 in revisions submitted at D1 in respect of the turbine hall, it would be better to refer to the Cladding Colour Assessment referred to in 617 of the DAS. Further detail should be added to Table 5.3 to give assurance that the proposals for the SSSI Crossing would be adhered to in terms of size of the culvert opening, angle of the embankment and landscaping as it is not clear that this is otherwise fixed. There should be greater detail provided at this point so that the nature and impact of Works 1A (f) and (g) (intermediate level waste store and interim spent fuel store) are more clearly described to this Examination.
Main Development Site (MDS)		
LI.1.13	The Applicant	Landscape and Visual Impact Assessment (LVIA) Please confirm whether findings from the noise and vibration assessments have been included as a source of data for the LVIA? If not, please explain why.
	Response	
LI.1.14	The Applicant	Proposed Landscape Masterplan Please confirm how the proposed Landscape Masterplan [AS-117] is to be secured?
	Response	
LI.1.15	ESC, SCC, Natural England, AONB Partnership	Outline Landscape and Ecological Management Plan (oLEMP) The overarching objective of the oLEMP [APP-588] is to create a large area of Dry Sandlings Grassland bordered by native woodland and scattered trees/scrub. Alongside of the proposed increase in biodiversity value, the oLEMP considers that the new habitats would enhance the landscape character of the Estate Sandlands LCT. Are you satisfied, once established, that the LCT would be enhanced?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The proposed habitat creation would, subject to effective implementation and management, produce a feature that is characteristic of the Estate Sandlands.
LI.1.16	ESC, SCC, Natural England, AONB Partnership	Pillbox Field - Planting Would the one hectare of new woodland and woodland edge planting proposed within Pillbox Field provide adequate replacement planting for the loss of Coronation Wood? In addition, would the planting successfully provide enhanced visual screening of the power station infrastructure from Sizewell Gap and Sandy Lane?
	Response	The question of the adequacy of replacing Coronation Wood is best addressed by ESC and NE. Subject to effective implementation and maintenance woodland planting in this location would, in due course, make a contribution to the visual screening of the power station infrastructure from these locations.
LI.1.17	The Applicant	Pillbox Field – Soil Conditions In their consultation response to the proposed changes [AS-307], ESC commented that the potential problems of establishing trees on light sandy soils has recently been agreed in respect of the 2019 Town and Country Planning Act consent. Please provide a summary of how this issue is to be addressed.
	Response	
LI.1.18	The Applicant	Sizewell B Relocated Facilities - Planting Please comment on Suffolk Preservation Society [AS-307] request for additional levels of planting within the car park and at the boundaries of the western access road to soften potential industrialising effects in the landscape.
	Response	
LI.1.19	The Applicant	Sizewell B Relocated Facilities – Coronation Wood Please provide a response to the concerns raised by the Suffolk Preservation Society [AS-307] that the loss of Coronation Wood to accommodate Sizewell B relocated facilities has not been adequately mitigated. Please review as to whether the proposed planting would be sufficient to screen, soften and/or provide filtered views of the facilities.

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
LI.1.20	The Applicant	<p>Sizewell B Relocated Facilities – Parameters</p> <p>Where possible please confirm maximum height of the following infrastructure:</p> <ul style="list-style-type: none"> i) Outage Store ii) Training Centre iii) Visitor Centre iv) Administrative Building
	Response	
LI.1.21	The Applicant	<p>Design</p> <p>A significant proportion of the proposed design of the MDS is a replica of the Hinkley Point C site. In [RR-1170] the AONB Partnership raises concern that this is not appropriate as the Hinkley Point C design fails to recognise the siting within a nationally designated landscape. Please provide a response.</p>
	Response	
LI.1.22	The Applicant	<p>Photomontages/Wireframes</p> <p>In respect of construction impacts, the AONB Partnership does not consider the visualisations submitted are fit for purpose [RR-1170]. In addition, they also consider similar visualisations as provided for the Wylfa project would be more useful. Please respond and explain how the Wylfa visualisations differ to those submitted? How would the production of material similar to that provided for the Wylfa project assist the ExA?</p>
	Response	
LI.1.23	AONB Partnership	<p>Photomontages/Wireframes</p> <p>Please expand on why you consider the submitted visualisations are not fit for purpose in respect of construction impacts, as detailed in [RR-1170]. Please also confirm how the production of material similar to that provided for the Wylfa project would assist the ExA?</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Are you satisfied in respect of operational visualisations?
	Response	
LI.1.24	The Applicant	<p>Photowire Visualisations</p> <p>Please provide operational phase photowire visualisations for the existing view, year 1 and year 15 for the following:</p> <ul style="list-style-type: none"> • Viewpoint 10: Suffolk Coast Path and Sandlings Walk east of Hill Wood • Viewpoint 26: 1800m directly east of Sizewell power stations <p>Please confirm whether, given the proposed changes, it is also necessary to update the following photowire visualisations in [APP-219]? If not, please detail why.</p> <ul style="list-style-type: none"> • Viewpoint 5: Footpath south of Leiston Abbey • Viewpoint 6: Suffolk Coast Path east of Goose Hill • Viewpoint 8: Footpath north of Leiston Abbey • Viewpoint 9: Sizewell Gap south of Greater Gabbard sub-station • Viewpoint 14: Suffolk Coast Path at Minsmere Sluice • Viewpoint 17: National Trust Dunwich Coastguard Cottages car park
	Response	
LI.1.25	The Applicant	<p>Photomontages – Construction Lighting</p> <p>Please provide visualisations for the worst-case scenario in respect of construction lighting (to show infrastructure up to and including exceptional height parameters) for the following:</p> <ul style="list-style-type: none"> • Viewpoint 5: Footpath south of Leiston Abbey • Viewpoint 6: Suffolk Coast Path east of Goose Hill • Viewpoint 8: Footpath north of Leiston Abbey • Viewpoint 9: Sizewell Gap south of Greater Gabbard sub-station • Viewpoint 10: Suffolk Coast Path and Sandlings Walk east of Hill Wood • Viewpoint 14: Suffolk Coast Path at Minsmere Sluice • Viewpoint 16: RSPB Minsmere (Whin Hill) • Viewpoint 17: National Trust Dunwich Coastguard Cottages car park

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Viewpoint 26: 1800m directly east of Sizewell power stations
	Response	
LI.1.26	The Applicant	<p>Landscape and Visual Impact Assessment – Night-time</p> <p>The AONB Partnership do not consider the night-time impacts of the proposal have been appropriately assessed against the AONB criteria [RR-1170]. Please provide a response to this and confirm whether, considering the comments made, it is necessary to amend the night-time assessment?</p>
	Response	
LI.1.27	ESC	<p>Operational Effects – AONB</p> <p>At paragraph 1.54 of [RR-0342], the findings in respect of operation effects on the AONB and Heritage Coast are stated as being a 'highly dubious and unsatisfactory conclusion'. Please expand upon the reasoning behind this conclusion.</p>
	Response	
LI.1.28	The Applicant	<p>General Arrangement Plan</p> <p>Please explain why the building numbering on Figure 2.2 of [APP-183] is different to the building numbering on Figures contained with the Part 2 of the Main Development Site Design and Access Statement [APP-586].</p>
	Response	
LI.1.29	The Applicant	<p>Turbine Halls and Operational Service Centre (OSC)</p> <p>Please provide additional visual information confirming how the plinth storeys to the turbine halls and OSC would appear.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
LI.1.30	The Applicant	<p>Main Access Building – Design</p> <p>Noting the comments made in [RR-0342] and the proposed location of the main access building, what consideration been given to a more innovative design?</p>
	Response	
LI.1.31	The Applicant	<p>Design Council Review – Operational Service Centre (OSC)</p> <p>The Design Council, in their November 2019 correspondence, (Appendix B [APP-587]) stated 'The design of the OSC appears to address the wider site considerations of the AONB at the expense of the staff within the proposed building the site layout of the worker's accommodation does not appear to have been designed with the users in mind'. Please provide a response, confirming how the proposed design has considered the needs of users.</p>
	Response	
LI.1.32	The Applicant	<p>Design Council Review - Cladding</p> <p>In their 2019 review the Design Council (Appendix B [APP-587]) commented that consideration should be given to the proposed colour of the panels in respect of the sky rather than the earth. Furthermore, the proposed colour palette was stated as limited as reference is only from Autumnal colours. Please provide a response to these points.</p> <p>The Design Council also suggested that a large-scale mock-up of the proposed cladding panels may be beneficial to further assess how the façade would work. Has any consideration been given to such an exercise? Please confirm whether this would be feasible.</p>
	Response	
LI.1.33	The Applicant	<p>Cladding Colour Assessment</p> <p>The cladding colour assessment was undertaken over a two-day period. In which season was the assessment was undertaken? Please confirm how seasonal variations, in respect of weather conditions and lighting, were taken into consideration?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
LI.1.34	The Applicant	<p>Cladding Selection</p> <p>Has a final design been made in regard of which pressed panel profile variant is to be utilised, as detailed at Figure 7.28 of [APP-586]?</p>
	Response	
LI.1.35	ESC, SCC, AONB Partnership, Natural England	<p>Ancillary and Plant Buildings</p> <p>The ancillary and plant buildings are likely to be clad with profiled sheet metal. It is proposed that they would have a consistent façade treatment which is likely to comprise a darker, visually recessive colour. Are you satisfied that the use of a darker finish would allow the ancillary and plant buildings to appear grounded within the wider operational platform?</p>
	Response	SCC is satisfied that the use of a darker finish would allow the ancillary and plant buildings to appear grounded within the wider operational platform.
LI.1.36	The Applicant	<p>Accommodation Campus</p> <p>In their 2019 review the Design Council (Appendix B [APP-587]) commented that the design of proposed accommodation campus is 'largely constraints-driven, suboptimal in terms of its use of land and does not create a welcoming sense of place. The proposal also seems to prioritise car movements and car parking within the site, and is constrained by sightline and key views, potentially to the detriment of the quality of life on the site'. Please respond to this statement confirming how the comments made have been taken into consideration in the proposed design.</p>
	Response	
LI.1.37	The Applicant	<p>Accommodation Campus – Materials Palette</p> <p>Paragraph A.30.6 [APP-587] states that the materials palette will not be fixed at this stage of the design process. However, specific colour palettes and illustrative elevations and perspectives depicting the palette of colours are shown in figures A.39-A.44 [APP-587]. Please confirm if the detailed colour palette is fixed?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
LI.1.38	The Applicant	Accommodation Campus – Materials Palette Please respond to the statement made by ESC [RR-0342] regarding how the local vernacular would lend itself to a modular form of construction.
	Response	
LI.1.39	The Applicant	Accommodation Campus – Modular Design Please respond to the statement made by ESC [RR-0342] regarding the need to ensure the design of the accommodation campus avoids a stacked portacabin effect.
	Response	
LI.1.40	ESC, SCC, AONB Partnership, Natural England	Accommodation Campus – Massing Model and Photomontage/Wireframe Visualisations Following the Procedural Decision letter in December 2020 [PD-0009] the Applicant has supplied an annotated 3D massing model and photomontage/wireframe visualisations from three viewpoints in respect of the accommodation campus. Please review the additional information and provide any comment considered necessary.
	Response	Having reviewed AS 050 SCC have no specific comments to make on this material
LI.1.41	ESC, SCC, Natural England, AONB Partnership	Accommodation Campus – Key Design Principles Alongside of the relevant parameter plans, the Key Design Principles listed at Table A.1 [APP-587] provides the detail for the delivery of the proposed accommodation campus. Are you satisfied that Table A.1, as drafted, is sufficiently robust and precise?
	Response	Given that the Applicant states that “ <i>This Appendix to the Sizewell C Design and Access Statement has been prepared in order to set out the indicative proposals for the accommodation campus and the rationale behind them</i> ” SCC do not consider that it is reasonable that only table A.1 is for approval, however wishes to defer to ESC as the proposed discharging authority on this matter.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.42	ESC, SCC, Natural England, AONB Partnership	<p>Accommodation Campus – AONB</p> <p>In respect of the location of the proposed accommodation campus, please provide a detailed response regarding potential effects on the statutory purpose of the AONB.</p>
	Response	<p>The proposed accommodation campus is located on land that is outside the AONB but adjacent to its western boundary in this area.</p> <p>Therefore, it is in the setting of the AONB and has the potential to have an impact on those experiencing the adjacent AONB landscape. Given that it is adjacent to the construction area for the project, it contributes, in combination with the construction laydown area, to the adverse impacts on the AONB during the construction phase of the project.</p> <p>See also answer to AR1.10 in relation to impacts of the campus on the tranquillity of the AONB</p>
LI.1.43	Yoxford Parish Council	<p>Accommodation Campus – Scale</p> <p>Please provide additional information as to why it is considered that the proposed accommodation campus would not provide enough accommodation [RR-1277].</p>
	Response	
LI.1.44	The Applicant	<p>Accommodation Campus – Refuse Stores</p> <p>Paragraph A.33.1[APP-587] refers to the location of dedicated refuse stores on Figure A.17. Please confirm where on Figure A.17 the refuse stores are depicted? Should the reference be to Figure A.25? Please also clarify which figure also shows the larger refuse store as stated in paragraph A.33.2 [APP-587]. Please make any amendments as necessary.</p>
	Response	
LI.1.45	The Applicant	<p>Outage Car Park</p> <p>SCC consider that the staff car parking and outage car parking at Goose Hill represents additional development within the AONB for which there is no overriding need in the proposed location ([RR-1174] and [AS-307]). What consideration has been given to less sensitive locations, including the shared use of the Sizewell B outage car park?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
LI.1.46	The Applicant	<p>SSSI Crossing – Design (Change 6)</p> <p>The MDS Flood Risk Assessment Addendum [AS-157] states that by 2090 the maximum crest height of the SSSI crossing is likely to need to be increased to 10.5m AOD. Noting the comments made by SCC in [AS-307], please explain why no further change is proposed in respect of the height of the crossing to mitigate against future flood overtopping? What consideration has been given to any future disturbance in respect of established landscaping on the embankments if an increase in height is required in the future?</p>
	Response	
LI.1.47	ESC, SCC, AONB Partnership, Natural England	<p>SSSI Crossing – Assessment (Change 6)</p> <p>Would the changes made to the embankment slopes on the SSSI crossing [AS-181] better integrate the crossing into the landscape from coastal viewpoints? Are you satisfied that because of the change, the level of significance of effects during the operational phase would remain as stated in [APP-216]?</p>
	Response	<p>SCC considers that the change to shallower slopes increases the likelihood of successful tree and scrub establishment. However, the changes are relatively modest when viewed from coastal viewpoints. Therefore, the findings stated in [APP 216] remain as stated.</p>
LI.1.48	AONB Partnership	<p>Alison Farmer Associates Report</p> <p>Please provide a copy of the Alison Farmer Associates report as referred to in your response to the proposed project changes [AS-307].</p>
	Response	
LI.1.49	The Applicant	<p>Independent Environmental Trust</p> <p>In respect of the proposed independent Environmental Trust, please provide further detail on the following areas:</p> <ul style="list-style-type: none"> i) Governance and Implementation ii) Financing

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		iii) Membership Would the Trust form part of any mitigation for the proposed development?
	Response	
LI.1.50	SCC	Pylons – Underground Cabling Options In respect of the proposed changes Richard Smith, Suffolk County Councillor for the Blything Division refers to a report [AS-307] produced by SCC which examines underground cabling options. Please provide a copy of the report and any responses received from the Applicant regarding it.
	Response	A copy of the report of SCC’s consultants AFRY with an analysis of the policy implications is included in SCC’s Written Representations at Appendix WR4a submitted at Deadline 2. Appendices WR4b and WR4d provide additional commentary from AFRY on updated technical notes provided by the Applicant with regard to alternatives to pylons and overhead lines.
LI.1.51	The Applicant	Pylons – Alternatives and Impact The change to both the location of pylon parameter zone P3 and reduction in height of the southernmost pylon from 79m AOD to 59m AOD is noted. Nonetheless, concern has been raised by several IPs, including [RR-0877, RR-0878, RR-1170, RR-1174], regarding the impact within a sensitive landscape and whether all alternatives to pylons have been adequately discounted. Noting the comment made at paragraph 3.2.82 of Appendix 8.4A [APP-591] please confirm the outcome of any further assessment regarding undergrounding options. Please also confirm what consideration has been given to the use of Gas Insulated Lines.
	Response	
LI.1.52	SCC	Pylons – Mitigation In respect of the use of pylons, please confirm what a ‘significant compensation package’ would consist of, as detailed in paragraph 86 of [RR-1174].

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>A significant compensation package could take a variety of forms, but is likely to involve some kind of compensation fund. SCC is currently working to evaluate an appropriate scale and form and will be able to propose a package in due course.</p> <p>However, as outlined in detail in SCC's Written Representation submitted at Deadline 2, to fulfil policy requirements, avoidance and reduction of the impacts should be prioritised before considering mitigation and compensation for residual impacts. Therefore, before considering compensation packages, alternatives that avoid pylons and overhead lines such as GIL should be exhaustively considered.</p>
LI.1.53	The Applicant	<p>Interim Spent Fuel Store (ISFS)</p> <p>In their review the Design Council stated that they 'strongly recommend the inclusion of the dry fuel store as a detailed component of the DCO application given its key role' [APP-587]. Whilst parameters of the ISFS are detailed within [AS-202], please comment on why detailed design of the ISFS is to be submitted to and approved by the relevant local planning authority before construction commences.</p>
	Response	
LI.1.54	The Applicant	<p>Changes to Proposed Development – AONB Characteristics</p> <p>The AONB Partnership [AS-307] state a specific detailed assessment of the potential change impacts in relation to the statutory purpose of the AONB has not been undertaken. Please advise if such an assessment has been undertaken and signpost to its location.</p>
	Response	
LI.1.55	The Applicant	<p>Enhanced Beach Landing Facility (BLF) – Assessment (Change 2)</p> <p>Has the operational assessment considered the visual impact of additional moored and moving vessels due to the enhanced BLF?</p>
	Response	
LI.1.56	The Applicant	<p>Temporary Beach Landing Facility (BLF) – Visual Receptor Group 20 (Change 2)</p> <p>In respect of Visual Receptor Group 20 – Sizewell to Thorpeness Coast, at what distance would effects become moderate (not significant) and adverse further south of the temporary BLF?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
LI.1.57	The Applicant	Enhanced and Temporary Beach Landing Facilities (BLF) – Lighting (Change 2) How often would the enhanced permanent and temporary BLF be used at night-time? Please signpost to detail of the required navigation lighting for both the enhanced and temporary BLF.
	Response	
LI.1.58	ESC, SCC, MMO, Natural England and AONB Partnership	Temporary Beach Landing Facility – Assessment (Change 2) Are you satisfied with the findings of effects relating to the temporary BLF detailed in section 2.8 [AS-181] as compared to the judgements in [APP-216]?
	Response	SCC are satisfied with these amended findings, particularly that the revised temporary BLF would have wider localised effects (as discussed in [AS 181] para 2.8.24 -26) on the landscape; rather than the more limited extent effects identified in [APP 216].
LI.1.59	The Applicant	Lighting Management Plan Due to proposed Changes 1, 2 and 3 Natural England have commented [AS-307] that the Lighting Management Plan [APP-182] should be reviewed. Please confirm as to whether this is considered necessary. If not, please explain why.
	Response	
LI.1.60	The Applicant	Coastal Defences – Supporting Vegetation (Change 9) Please confirm what measures are proposed to ensure the safeguarding of the sand and shingle supporting coastal vegetation.
	Response	
LI.1.61	The Applicant	Coastal Defences – Landscaping/Vegetation (Change 9) Please confirm how long it is likely to take for the proposed landscaping/vegetation on the HCDF to mature to reflect the visualisation provided at Figure 2.2.24 [AS-190]?
	Response	
LI.1.62	The Applicant	Coastal Defences – Northern Mound (Change 9)

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		Please confirm how long it is likely to take for vegetation to become established on the top of the substrate on the rock armour on the Northern Mound? Also, how long will it take for the Northern Mound profile to match the profile of the existing Sizewell B defences?
	Response	
LI.1.63	The Applicant	Coastal Defences – Adaptive Design (Change 9) In respect of the adaptive design, paragraph 2.8.110 [AS-181] states that substantial uncertainties exist regarding the characteristics of future baseline conditions so the exact nature and significance of effects cannot be accurately reported. Is it possible to apply a range of possible worst-case scenarios to enable the significance of effects to be considered?
	Response	
LI.1.64	The Applicant	Additional Fen Meadow Habitat at Pakenham (Change 11) Please confirm the following: (i) The distance of the residential dwellings off Fen Road and Thurston Road (Old Hall) from the Pakenham site? (ii) Is lighting required during the construction phase? If so, has this been included within the assessment? (iii) What is the proposed length of establishment works?
	Response	
LI.1.65	The Applicant	New Bridleway Link between Aldhurst Farm and Kenton Hills (Change 15) How much hedgerow vegetation would be lost due to the new bridleway link and how much mitigation hedgerow planting is proposed? Please annotate on a plan.
	Response	
LI.1.66	The Applicant	Change to Certain Parameter Heights and Activities – Pylon Parameter Zones (Change 4)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please confirm from which locations visibility of the southernmost pylon would be reduced? Please annotate on a plan.
	Response	
LI.1.67	The Applicant	Change to Certain Parameter Heights and Activities – Bat Barn (Change 4) Paragraphs 2.2.114 and 2.11.26 [AS-181] and Figure 2.2.1 [AS-190] refer to a new operational parameter zone 1G for a proposed bat barn. Figure 2.2.1 [AS-190] depicts zone 1K. Please confirm the correct zone reference. If necessary, please update plans and documentation accordingly.
	Response	
LI.1.68	ESC, SCC, Natural England, AONB Partnership	Mitigation What, if any, further mitigation is considered necessary in relation to the MDS? If necessary, how do you consider such measures should be secured?
	Response	SCC refers the ExA to the LIR [REP1-049], section 6, particularly Table 1 and paragraphs 6.18 – 6.59. This highlights a range of issues where SCC believes the Applicant needs to consider further mitigation of the landscape and visual impact of the Main Development Site or, failing that, where substantial compensation for the significant residual adverse impacts of the development will be required. Table 1 in the LIR [REP1-049] identifies a number of mechanisms through which SCC considers this mitigation and/or compensation should be secured. SCC is continuing to engage with the Applicant in all of these matters, seeking to ensure that any impacts are at best avoided (eg use of pylons), mitigated through design (eg design of non-nuclear buildings) or compensated for (eg residual impacts on the character and special qualities of the AONB) through a Natural Environment fund of sufficient size, scope and longevity.
Freight Management Facility (FMF)		
LI.1.69	The Applicant	Draft DCO

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Work No. 13 as described in Schedule 1 [AS-145] states '(c) landscape works; including the provision of ecological habitat, hardstanding, and vehicle, motorcycle and bicycle parking areas;'. Please confirm where within the proposed FMF is the provision of ecological habitat? If the ecological habitat is no longer proposed, please update Work No. 13 in the next version of the draft DCO.</p>
LI.1.70	The Applicant	<p>Parameter Plan Parameter Plan Figure 2.6 [APP-513] states that Zone 1A is to include:</p> <ul style="list-style-type: none"> ○ amenity and welfare building up to 4m ○ security building up to 4m ○ shelters (smoking and cycle) up to 3m ○ HGV screen and search canopy up to 6m <p>These parameters are also reflected at Table 2.1 [APP-511]. However, the Freight Management Facility Proposed General Arrangement Plan (Drawing SZC-SZ0204-FP-000-DRW-100026 Rev 01) [APP-512] states different heights for the amenity and welfare building and security building. The height of the HGV screen and search lane is not stated. Please confirm the correct heights of all buildings within Zone 1A. Please update all relevant documents to reflect any amendments made.</p>
LI.1.71	The Applicant	<p>Landscape Bund The proposed 3m high landscape bund does not run the whole length of the eastern boundary (Figure 2.1 [APP-513]).</p> <p>(i) Please confirm if this is due to the location of the unlined infiltration swale on the southern/eastern boundary?</p> <p>(ii) If so, please confirm whether it would be possible to reorientate the swale to enable the bund to extend the full length of the eastern boundary? Would such a change make any difference to the assessment findings?</p>
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(iii) Where necessary, please update all relevant documents to reflect any amendments made.
	Response	
LI.1.72	The Applicant	Representative Viewpoint 1: Junction of Bridleways E-365/007/0 and E-365/006/0 Please provide a wireframe for Figure 6.5 [APP-522] with mature planting in-situ.
	Response	
LI.1.73	The Applicant, ESC, SCC	Representative Viewpoint 3: Footpath E-169/017/0 In respect of Figure 6.7 [APP-522] construction and removal/reinstatement effects would be of medium scale and adverse. During operation, fencing, parking areas, lighting columns, site buildings, shelters, the screen and search canopy and vehicle movements would be visible. It is accepted that such views would be seen in conjunction with traffic movement along the A14. Despite the FMF remaining a prominent feature, it is stated that once planting begins to mature effects would be reduced to small scale. (i) Is the reduction in scale of effect solely due to the increased height of the planting? (ii) Whilst accepting that the lower elements of the development would be screened, several structures and buildings would remain visible above the landscaping. The Applicant is therefore requested to review the assessment made in respect of Figure 6.7 and provide comment. Are the Councils satisfied that effects would reduce from medium scale to small scale as the proposed planting matures at this viewpoint?
	Response	SCC is generally satisfied, however given that the reduction in effect is dependent on satisfactory plant growth in these very light and free draining soils, a high standard of establishment and planting will be essential to achieve this outcome.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.74	The Applicant	<p>Lighting</p> <p>Please explain why only lighting along the perimeter of the FMF is to be fitted with demountable light shields to reduce the backward spill of light? Why is it not necessary for all lighting columns on the FMF to be fitted with such shields?</p>
	Response	
LI.1.75	The Applicant	<p>Lighting</p> <p>What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the FMF?</p>
	Response	
LI.1.76	ESC, SCC	<p>Lighting</p> <p>Are you satisfied that the effects of the operational night-time lighting from the FMF would be not significant for the LCTs and identified Visual Receptor Groups [APP-520]? In answering please be specific in respect of location if any concern exists.</p>
	Response	<p>Reviewing [APP 520] p27, it appears that a range of measures are proposed to limit the adverse impacts of operational lighting minimise impacts on receptor group of which particular regard should be given to residents of Keepers Cottages. The mitigation measures proposed here should be consistent with those used at the Park and Ride sites to ensure impacts on public and residential amenity are robustly addressed.</p>
LI.1.77	The Applicant	<p>Primary Mitigation – Landscaped Buffer Zone</p> <p>Please provide additional information in respect of the proposed landscaped buffer zone. Please provide detail of:</p> <ul style="list-style-type: none"> i) Proposed species ii) Proposed height of planting at year 1 and year 10
	Response	
LI.1.78	The Applicant	<p>Landscape Character Types</p> <p>Please confirm how the design of the proposed FMF complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Landscape Character Assessment (Paragraph 6.6.15 of [APP-520]). Please respond in respect of both the Estate Sandlands and Plateau Estate Farmlands LCT.
	Response	
LI.1.79	ESC, SCC	Landscaping Would the retention of the existing boundary vegetation, the implementation of a 10m buffer zone and three landscape bunds be effective in adding a visual screen and therefore contain the FMF from the adjoining agricultural landscape [APP-520]? In answering please be specific in respect of location if any concern exists.
	Response	These measures in addition to the proposed planting by the Applicant are likely to be effective subject to high standards of establishment and aftercare as supervised by the discharging Authority
LI.1.80	ESC, SCC, Natural England	Mitigation What, if any, further mitigation is considered necessary in relation to the FMF? If necessary, how do you consider such measures should be secured?
	Response	SCC considers that no additional landscaping measures are required. The mitigation measures proposed here should be consistent with those used at the Park and Ride sites to ensure impacts on public and residential amenity are robustly addressed.
Sizewell Link Road (SLR)		
LI.1.81	The Applicant	Description Figure Figure 2.1 is referred to in paragraph 2.2.5 [APP-446] but is not found in [APP-449] which is said to be the suite of Figures 2.1-2.11. Please confirm the location of Figure 2.1 or if found to be missing, please supply a copy.
	Response	
LI.1.82	The Applicant	Outline Landscape and Ecological Management Plan (oLEMP) Please provide higher resolution versions of Plates 4.1 to 4.7 [AS-264].
	Response	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.83	ESC, SCC, Natural England	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>In respect of the proposed oLEMP [AS-264], please comment on the following:</p> <p>(i) Would the proposed measures and monitoring within the oLEMP ensure post-construction habitats would be created correctly and provide adequate management to allow the successful establishment and integration within the surrounding landscape?</p> <p>(ii) Would the proposed new habitats contribute to the enhancement of the landscape character of this section of the Ancient Estate Claylands and Rolling Estate Claylands LCT?</p> <p>(iii) Would the new habitats help to minimise any visual impact of the SLR in views from the surrounding landscape and ensure the long-term sustainability and resilience of the landscape?</p>
	Response	<p>The proposed new habitats would contribute to the enhancement of the landscape character of this section of the Ancient Estate Claylands and Rolling Estate Claylands and partially reduce the impact of the SLR in views from the surrounding landscape.</p> <p>The proposals for the landscape and ecology would ameliorate the long-term damage created by the SLR, but SCC considers that the removal of a temporary road would be more effective in ensuring the long-term sustainability of the landscape and its ecological function.</p>
LI.1.84	The Applicant	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>Please provide a detailed plan to illustrate the extent of the proposed additional native woodland to be created east of the East Suffolk line.</p>
	Response	
LI.1.85	The Applicant	<p>AONB Statutory Purpose</p> <p>Paragraph 6.4.46 [APP-457] states that no effects on the AONB and its special qualities are predicted and as such, the AONB is not considered within the assessments of effects. The RR received from the Suffolk Coast and Heaths AONB Partnership [RR-1170] states that the introduction of the SLR would bring development into the AONB that would not conform with its statutory purpose and would also permanently split the AONB and negatively impact on the setting of the AONB. Please provide a response.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
LI.1.86	The Applicant	<p>Rosetta Lodge</p> <p>Red House Farm and Rosetta Lodge are both referred to in the Community Impact Report [APP-156] as having the potential to be significantly affected by the proposed SLR. In [APP-446] the new three arm roundabout required for the SLR is described as approximately 180m north of Red House Farm.</p> <p>Please confirm:</p> <p>(i) Is Rosetta Lodge a residential property?</p> <p>(ii) How close is it to the three-arm roundabout to Rosetta Lodge?</p> <p>(iii) Has this property been included within the assessment? If not, please explain why not.</p>
	Response	
LI.1.87	The Applicant	<p>Planting</p> <p>Tree and shrub planting is proposed in Area 1 around the roundabout at the junction with the A12. Figure 2.2 [APP-449] depicts a grassed area with proposed hedgerow planting. Is tree planting also proposed in this area? If necessary, please update Figure 2.2.</p>
	Response	
LI.1.88	ESC, SCC	<p>Lighting</p> <p>In respect of night-time lighting effects, Receptor Group 1 would experience a significant effect [APP-458]. As such effects would be permanent are any mitigation measures necessary?</p>
	Response	As SCC would discharge street lighting, mitigation measures would be required at detailed design stage.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.89	ESC, SCC, Natural England	<p>Lighting and Special Landscape Area (SLA)</p> <p>Are you satisfied that effects from the proposed lighting around the A12 roundabout is unlikely to be experienced within the SLA (Appendix 6B, paragraph 1.4.31 [APP-458])? If not, please provide detail.</p>
	Response	SLAs are no longer identified within the Local Plan
LI.1.90	ESC	<p>Layout</p> <p>Please can you expand on the statement made at paragraph 2.102 [RR-0342] in respect of potential adverse impacts on settings and views from existing properties due to layout issues. Where necessary please provide annotated plans to show specific locations.</p>
	Response	
LI.1.91	The Applicant	<p>Photowire Visualisations</p> <p>Please provide additional photowire visualisations for the following:</p> <ul style="list-style-type: none"> i) Representative Viewpoint 2: Footpath E-515/004/0, west of Theberton ii) Representative Viewpoint 3: Pretty Road, west of route iii) Representative Viewpoint 6: Footpath E-396/023/0 near Trust Farm iv) Representative Viewpoint 7: Littlemoor Road v) Representative Viewpoint 8: Footpath E-584/016/a, south of route
	Response	
LI.1.92	The Applicant	<p>Planting</p> <p>Please explain how woodland planting east of the proposed SLR would assist in integrating the Pretty Road overbridge into the surrounding landscape?</p>
	Response	
LI.1.93	The Applicant	<p>Pretty Road Overbridge</p> <p>Please provide an illustrative example of the proposed Pretty Road overbridge.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
LI.1.94	The Applicant	Pretty Road Overbridge – Operation Effects Permanent residual significant effects, once the proposed planting has become established by year 15 of operation, have been identified in the vicinity of the proposed Pretty Road overbridge. Such effects would also be experienced by the users of the nearby public footpaths. Given the orientation of the bridge and the associated earthworks, it is noted that it would not be possible to successfully implement mitigation planting that would screen the structure from view (Paragraph 6.7.2 [APP-457]). The bridge would be widely visible from Theberton, surrounding residential properties and footpaths in the locality. What consideration has been given to alternative, potentially more innovative, design options?
	Response	
LI.1.95	The Applicant	Receptor Group 1 – Operation Effects By year 15 of operation, effects are stated as not significant for this receptor group 1 (Paragraph 6.6.4 [APP-457]). It is however noted that whilst the proposed hedgerows and planting would have matured, the highest points of the road and traffic travelling on it would remain visible and users of the diverted public footpaths would still be required to cross it. Furthermore, the A12 roundabout would introduce a focused area of artificial lighting into a predominately unlit area. Please provide additional detail to support the 'not significant' assessment finding for this receptor group.
	Response	
LI.1.96	SCC	Design and Mitigation Paragraph 42 [RR-1174] states that if the ExA was to disagree with SCC and conclude that the SLR should be retained then satisfactory detailed designs with suitable landscape mitigation would be required. Please provide detail as to what would be considered appropriate in respect of landscape design and mitigation.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<ol style="list-style-type: none"> 1) A detailed scheme for the downgrading of the existing road, 2) A package of offsite planting and habitat creation required to offset the impacts on the character and ecological environment along the new route. 3) Appropriate requirements for the same. Further discussions around the recently received oLEMP for the SLR would be required.
LI.1.97	The Applicant	<p>Landscape Character Types</p> <p>Please confirm how the design of the proposed SLR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.18 and 6.6.25 of [APP-457]). Please respond in respect of both the Estate Sandlands and Plateau Estate Farmlands LCT.</p>
	Response	
LI.1.98	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the SLR? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>The principal mitigation measure would be to implement a scheme that was suitable as a temporary access road for the duration of project construction, and was capable of effective restoration, with appropriate requirements for the same. See SCC's Written Representations on this matter.</p>
Two Village Bypass (TVB)		
LI.1.99	ESC, SCC, Natural England	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>In respect of the proposed oLEMP [AS-263], please provide comment on the following:</p> <ol style="list-style-type: none"> (i) Would the proposed measures and monitoring within the oLEMP ensure post-construction habitats would be created correctly and provide adequate management to allow the successful establishment and integration within the surrounding landscape? (ii) Would the proposed new habitats contribute to the enhancement of the landscape character of this section of the Rolling Estate Claylands, Rolling Estate Sandlands and Valley Meadowlands LCT?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(iii) Would the new habitats help to minimise any visual impact of the TVBP in views from the surrounding landscape and ensure the long-term sustainability and resilience of the landscape?
	Response	<p>(i) Yes, as far as can be understood at this stage and subject to agreement of further details to be considered and agreed at discharge of requirements stage.</p> <p>(ii) The proposed new habitats associated with the road would contribute appropriately to the character of the respective landscape character types through which it passes.</p> <p>(iii) The woodland areas, tree belts and hedges would contribute to reducing the visual impact of the new road.</p>
LI.1.100	The Applicant	<p>Outline Landscape and Ecological Management Plan (oLEMP) Please define 'in the vicinity of' in respect of the proposed creation of native planting near Foxburrow Wood [AS-263].</p>
	Response	
LI.1.101	The Applicant	<p>Outline Landscape and Ecological Management Plan (oLEMP) Please provide a detailed plan to illustrate the extent of the proposed reinforcement and expansion of existing linear wooded corridors and new corridors [AS-263].</p>
	Response	
LI.1.102	The Applicant	<p>Outline Landscape and Ecological Management Plan (oLEMP) Please provide detail as to how the new broadleaved woodland planting would link with existing areas of woodland within the site [AS-263].</p>
	Response	
LI.1.103	The Applicant	<p>Outline Landscape and Ecological Management Plan (oLEMP) Please provide a high-resolution version of Plate 4.1 [AS-263].</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
LI.1.104	The Applicant	<p>Foxburrow Footbridge Design</p> <p>The RSPB and Suffolk Wildlife Trust have stated their disappointment [AS-307] in respect of the design of the footbridge. Please respond to this and confirm whether, given the likely significance effects during the early years of operation, consideration has been given to an alternative bridge design?</p>
	Response	
LI.1.105	The Applicant	<p>Landscape Character Types</p> <p>Please confirm how the design of the proposed TVB complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.18, 6.6.25 and 6.6.32) of [APP-421]). Please respond in respect of the Rolling Estate Sandlands, Valley Meadowlands and Rolling Estate Claylands LCT.</p>
	Response	
LI.1.106	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation over and above that detailed in Section 6.5 [APP-421] is considered necessary in relation to the TVBP? If necessary, how do you consider such measures should be secured?</p>
	Response	<p>Given the extensive effects on landscape fabric, paragraph 6.8.8. page 29 [APP 421], SCC would wish to have discussions with the applicant and ESC regarding a possible package of offsite planting and habitat creation required to offset the impacts on the character and ecological environment along the route.</p>
LI.1.107	The Applicant	<p>Photowire Visualisations</p> <p>Please provide additional photowire visualisations for the following:</p> <ul style="list-style-type: none"> vi) Representative Viewpoint 1: A12 north of junction with A1094 vii) Representative Viewpoint 6: Tinker Brook near access to Glemham Park viii) Representative Viewpoint 7: A12 north west of route

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
Northern Park and Ride (NPR)		
LI.1.108	The Applicant	<p>Lighting</p> <p>Darsham Parish Council has confirmed that the village is a dedicated dark sky village and home to the Darsham And Surrounding Villages Astronomical Society [AS-307]. Given that the village is visited by an astronomical society, please confirm why a 'community value' in respect of sensitivity has been allocated to this landscape character type? Please review and confirm whether a 'local value' sensitivity would be more appropriate. What, if any, implications would this have on the assessment undertaken?</p>
	Response	
LI.1.109	The Applicant	<p>Lighting</p> <p>What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the NPR?</p>
	Response	
LI.1.110	The Applicant	<p>Landscape Character Types</p> <p>Please confirm how the design of the proposed NPR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.1-6.6.15 [APP-360]).</p>
	Response	
LI.1.111	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the NPR? If necessary, how do you consider such measures should be secured?</p>
		Subject to effective discharge of requirements, in combination with the design and implementation of mitigative lighting strategies, no further mitigation is required.
Southern Park and Ride (SPR)		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.112	The Applicant	<p>Landscape – Legacy</p> <p>Marlesford Parish Council have requested the delivery of a long-term legacy of landscape improvements within/around the site of the SPR [AS-307] and have provided specifics relating to this. Please provide a response.</p>
	Response	
LI.1.113	The Applicant	<p>Representative Viewpoint 5: Footpath E-178/003/0 Near Bottle and Glass Cottages - Photowire</p> <p>Please provide a photowire of the proposed development for Representative Viewpoint 5.</p>
	Response	
LI.1.114	The Applicant, Wickham Market Parish Council	<p>Representative Viewpoint – Wickham Market</p> <p>Please liaise with Wickham Market Parish Council as to a suitable location for an additional representative viewpoint to be produced from within the Wickham Market locality.</p>
	Response	
LI.1.115	The Applicant	<p>Dark Skies Area</p> <p>Both Hatcheson Parish Council and Marlesford Parish Council [AS-307] and [RR-0758] state that the location of the SPR is within a Dark Skies Area. Please confirm what consideration has been given to this?</p>
	Response	
LI.1.116	The Applicant	<p>Lighting – Light Spill</p> <p>What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary?</p>
	Response	
LI.1.117	The Applicant	<p>Lighting – Dark Night Sky</p> <p>Please respond to the concern raised by Pettistree Parish Council [AS-307] that Pettistree will lose its enjoyment of its present relatively dark night sky.</p>
	Response	

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
LI.1.118	The Applicant	Landscape Character Types Please confirm how the design of the proposed SLR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.13 and 6.6.15 of [APP-390]).
	Response	
LI.1.119	The Applicant	Landscape Bunds Please provide a detailed plan annotated to confirm the heights of the proposed bunds. Please ensure the plan clearly shows where the bunds are reduced from 3m.
	Response	
LI.1.120	ESC, SCC, Natural England	Mitigation What, if any, further mitigation is considered necessary in relation to the SLR? If necessary, how do you consider such measures should be secured?
	Response	Subject to effective discharge of requirements, in combination with the design and implementation of mitigative lighting strategies, no further mitigation is required.
Rail		
LI.1.121	The Applicant	Photowire Visualisations Please provide an additional photowire visualisation for Representative Viewpoint 5: Footpath E-363/006/0.
	Response	
LI.1.122	The Applicant	Ballast Stockpiling Please annotate on a plan the proposed location for ballast stockpiling, as detailed in paragraph 2.4.75 [AS-256] and confirm the maximum height of the stockpile.
	Response	
LI.1.123	The Applicant	Landscape Character Types Please confirm how the design of the proposed Rail developments comply with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.15 and 6.6.21 of [APP-551]).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please respond in respect of both the Ancient Estate Claylands and the Estate Sandlands LCT.
	Response	
LI.1.124	Pro-Corda/Leiston Abbey, English Heritage	Design – Leiston Abbey Does the design of the rail extension route effectively minimise the visibility of the route from Leiston Abbey?
	Response	
LI.1.125	ESC, SCC, Natural England,	Mitigation What, if any, further mitigation is considered necessary in relation to the Rail proposals? If necessary, how do you consider such measures should be secured?
	Response	No further mitigation is required in respect of landscape effects. However, an effective and robust restoration scheme must be secured and implemented through the discharge of requirements.
Yoxford Roundabout and Other Highway Improvements		
LI.1.126	The Applicant	Landscape Character Types Please confirm how the design of the proposed Rail developments comply with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.4.75 and 6.4.82 of [APP-490]). Please respond in respect of both the Rolling Estate Claylands and Valley Meadows and Fens LCT.
	Response	
LI.1.127	ESC, SCC, Natural England,	Mitigation What, if any, further mitigation is considered necessary in relation to the Yoxford Roundabout and other highway improvements? If necessary, how do you consider such measures should be secured?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	In landscape terms no further mitigation is required.



Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021

Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 Part 6 of 6

- SE.1 [Socio-economic](#)
- TT.1 [Traffic and Transport](#)
- W.1 [Waste \(conventional\) and material resource](#)

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
SE.1.1	The Applicant	<p>Accommodation Strategy</p> <p>As there appears to be the potential for both Sizewell B and the Proposed Development to be operating simultaneously:</p> <p>(i) are you able to explain how the outages at the respective plants would operate, and whether they would be co-ordinated or operate independently?</p> <p>(ii) Please explain the basis for the ES assessment in this regard and the different implications of the different scenarios.</p> <p>(iii) In the event that they might be co-ordinated- how would this be achieved?</p>
	Response	
SE.1.2	The Applicant	<p>Accommodation Strategy</p> <p>In light of the concerns highlighted by Westleton Parish Council [RR-1264] please explain how the accommodation assessment has assessed the potential effects on both the rental and purchase prices of local housing.</p>
	Response	
SE.1.3	The Applicant	<p>Accommodation Strategy</p> <p>In light of the concerns highlighted by Westleton Parish Council [RR-1264] please explain how the socio economic assessment has assessed the potential effects on the supply and provision of local trades people.</p>
	Response	
SE.1.4	The Applicant	<p>Workforce Skills Enhancement</p> <p>Please explain what progress has been made on developing a programme of workforce skills enhancement and how any programme would be secured through the DCO.</p>
	Response	
SE.1.5	The Applicant, relevant local authorities	<p>Economic Benefits</p> <p>The Economic Statement suggests [APP-610] there would be substantial economic benefits arising from the development. Please explain whether the experiences that arose from the development of the current and former nuclear power stations resulted in positive benefits.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>A number of RRs indicate that there has not been a long term benefit to the local area (RR-002, RR-008) how do you anticipate that this scheme could ensure a positive legacy in economic terms for the local area?</p> <p>Experience from the build of Sizewell B, as considered in the longitudinal research study led by John Glasson of Oxford Brookes University (summarised in an article in "Impact Assessment and Project Appraisal", vol 23, September 2005, pages 215–226 [See SCC Appendix to ExQ SE.1.5]), identified a number of economic benefits arising from the build. These included (page 219/2020),</p> <ul style="list-style-type: none">• Training initiatives On-site and at the Leiston Training Centre were significant in encouraging a high take-up of local labour; almost 1000 trainees passed through the Centre, and approximately one third were from the local unemployed• Additional workforce expenditure in Norfolk and Suffolk topped over £75 million during the project (at early 1990's prices), generating important additional business for a range of services, including pubs, restaurants, shops, garages and providers of accommodation.• A substantial boost to local employment (especially in the civil engineering phase of construction)• A wide ranging boost to the local economy, reflected in very low unemployment rates and indirect impacts on retail activity and provision <p>However, approximately 60% of local recruitment was into semi-skilled/unskilled and clerical jobs; 30% had skilled jobs and 10% had taken up professional, technical and managerial positions. The lack of a long-term impact on the local economy is demonstrated by the continuing income deprivation in the local area caused by worklessness and a lack of employment opportunity (see also LIR [REP1-045] at 23.22)</p> <p>The SZC project can help to create a positive legacy in economic terms for the local area. Specifically, within Chapter 24 of the LIR we have acknowledged that benefits will include,</p> <ul style="list-style-type: none">• a boost to the local economy as a result of the construction phase, equating to £2.5bn of output and supporting over 40,000 person years of construction employment;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Local employment creation – a third of jobs at peak of construction expected to be filled by existing local residents, including people previously unemployed or inactive;• Spending in the area from non-homebased workers, and as a result of extra wages for home-based workers;• Supply chain opportunities. <p>These expected benefits are welcome, but they can only be seen as opportunities rather than confirmed benefits, and SCC expects that economic opportunities for the local area are maximised, and the Applicant’s ambitions in this area further increased. Alongside mitigating negative impacts we expect the applicant to maximise positive economic benefit by,</p> <ul style="list-style-type: none">• Supporting recognition for Suffolk’s Energy Cluster with its existing offshore and onshore renewables opportunity, with the Applicant being a lynchpin actor in the activity of the region, accelerating inward investment of Tier 1 and Tier 2 suppliers who may be working in multiple energy construction projects locally.• Creating opportunities for growth in existing and newly accredited nuclear related businesses associated with delivering the Civils and ME & H for the build• Generating opportunities for growth in non-nuclear related businesses associated with supporting the delivery of the project, for example, local catering, leisure and retail companies. This provides benefits to the wider economy and population as well as the nuclear supply chain.• Supporting the creation of new consortia (Food, Transport, Engineering, etc.) with businesses being created from grass roots partnerships and pitching for entry to the supply chain and with the right support.• Stimulating wider financial investment - there is expected to be an increasing demand for land and premises ranging from small yards for lower-level contractors to more formal office spaces.• Developing R&D/Innovation opportunities such as that already being manifested in the work on hydrogen and the linkages to Freeport East.• Creating legacy across all identified growth. A significant opportunity is companies new to the nuclear and energy supply chain providing them with opportunities for future growth in the UK new nuclear market as well as the wider global nuclear supply chain.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Supporting the outcomes set out in the Nuclear Sector Deal the government’s Energy White Paper, the Ten Point Plan for a Green Industrial Revolution and Build Back Better in delivering clean growth and achieving a net zero economy. <p>There will be direct and indirect business and supply chain opportunities as a result of the operational Sizewell C power station, which in itself would create 900 high value local jobs. In addition, the rolling programme of outages for Sizewell B and Sizewell C reactors, drawing in a workforce of 1,000+ to service each reactor, would create further direct and indirect business and supply chain opportunities.</p>
SE.1.6	The Applicant, relevant local authorities	<p>Sizewell Link Road</p> <p>The link road as proposed would sever Petty Road which [RR-0014] considers an important link between Saxmundham and Theberton providing access for the village community to the services in Saxmundham. Please explain how these concerns have been addressed.</p>
	Response	<p>SCC has been asked to comment on provision of a modification to the Pretty Road Bridge to make it accessible to motor vehicles, but for the connection to the Sizewell Link Road to be removed. In principle SCC would accept this change provided that high quality facilities are provided over and adjacent to the bridge to minimise the severance to pedestrians, cyclists and equestrians that results from the Sizewell Link Road.</p> <p>There is a risk that making the bridge accessible to motor vehicles could encourage rat running between Theberton and Saxmundham via Pretty Road. This will need to be addressed and discouraged, potentially by highway interventions in Theberton, as Pretty Road can provide an attractive low traffic route for pedestrians, cyclists and equestrians. Pretty Road has been included Phase 2 Wave 2 of the designation of roads as quiet lanes (as indicated at the following websites: https://drive.google.com/drive/folders/1_nPCYDejh54O6csgINqSURdA-5TDEAcB and https://sites.google.com/view/quietlanessuffolk/status/notice-of-designation?authuser=0).</p> <p>This process is largely driven by the community.</p>
SE.1.7	The Applicant	<p>Effect on Local Business</p> <p>Several RRS make reference to adverse effects on their businesses.</p> <p>[RR-0131] - effect on family business due to effect on tourism</p> <p>[RR-0126] – lack of detail on tourism fund</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>[RR-0123] - impact on retail sales reliant on tourism/visitors [RR-0050] - adverse effect on caravanning and camping due to development [RR-1023] – adverse effect on livery businesses in the local area Please respond to these concerns and set out how if justified mitigation would be provided for each of these businesses.</p>
	Response	
SE.1.8	The Applicant	<p>Fishing Industry [RR-0140] suggests the failure to have an acoustic fish deterrent system would adversely affect the fishing industry. Please respond to this criticism and explain your position in this respect.</p>
	Response	
SE.1.9	Mill Hill Farm Caravan and Campsite [RR-799], Sue Townsend [RR-1167], Sea Poppies Furnished Holiday Lets [RR- 1103], Sasha French [RR-1096], Anthony Philip Baskett [RR-105], Cipher Crystal [RR-0228], Steel Sculptures [RR-1141], Tom Lagdon [RR-1233],	<p>Effect on business operations Please provide more detail in respect of your concern on the impact that the Proposed Development would have on your business.</p>
	Response	
SE.1.10	Nacton Parish Council [RR-868]	<p>Effect on business operations You indicate in your Relevant representation that the Freight Management Facility would adversely affect Nacton Home Farm, please provide details as to how you consider the business would be affected by the Proposed Development.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
	Response	
SE.1.11	The Applicant	<p>Northern Park and Ride [RR 799] Indicates that the Northern P&R would adversely affect the Mill Hill Farm Caravan and Camping site. Please respond to this concern and explain how the scheme would avoid or mitigate for adverse effects.</p>
	Response	
SE.1.12	The Applicant	<p>Two Village Bypass (TVB) [RR 812] Indicates the TVB would adversely affect the holiday business, water supply and drainage at Molletts Partnership. Please respond to these concerns and explain how the scheme would avoid or mitigate for adverse effects.</p>
	Response	
SE.1.13	The Applicant	<p>Displacement of Visitors The RSPB [RR-1059] express concern that the ES does not adequately assess the impacts on visitor numbers and consequently appropriate mitigation for such affects has yet to be provided and subsequently delivered by an appropriate mechanism through the DCO. Please respond to these concerns and advise on the latest position in respect of any ongoing discussions with the RSPB.</p>
	Response	
SE.1.14	The Applicant	<p>Potential Effects on Tourism Snape Parish Council [RR-1132] have expressed concern that the ES does not adequately assess the economic impacts of the Proposed Development on the tourism sector within the parish and the significant cultural events run in the locality. Please respond to these concerns.</p>
	Response	
SE.1.15	The Applicant	<p>Pressure for skilled labour Essex CC [AoC-003] express concern over cumulative effects on socio economics, tourism, the supply chain for materials and workforce, with ongoing effects on broader economic</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		objectives/infrastructure projects. How have the in-combination effects of other major infrastructure projects been considered and sought to be addressed to avoid problems of shortages as expressed by Essex CC.
SE.1.16	The Applicant, relevant local authorities	<p>Potential Effects on Tourism Essex CC [AoC-003] indicated a desire to see a broader assessment of the impacts on tourism and the relationship to Bradwell B, please respond to this particular concern and whether the assessment of effects on the tourism sector are considered robust and conservative.</p> <p>Response Independent research commissioned by The Suffolk Coast DMO (Destination Management Organisation) in partnership with the National Coastal Tourism Academy and Suffolk Coast and Heaths AONB [REP1-095] has shown that the potential harm to the visitor economy because of the impact of energy projects could range between £26 million to £43 million a year. While the Applicant's own Visitor Survey (Appendix 9f in [APP-196]) did not reach financial conclusions on the economic impact of the project, the net loss of visitors reported in the Applicant's survey mirrored The Suffolk Coast DMO's report to within 1%.</p> <p>SCC cannot see a strong inter-relationship of impacts on tourism of Sizewell C in relation to Bradwell B.</p>
SE.1.17	The Applicant	<p>Employment Skills and Education Strategy [APP-611] identifies that through dedicated skills and employment interventions mitigation for and improvements to the local workforce would arise.</p> <p>(i) Please explain precisely what dedicated skills and employment interventions are proposed; (ii) How these interventions would be secured; (iii) What monitoring would be in place to assess their effectiveness, and</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		In the event they were not proving successful, what further arrangements may be put in place and to what timetable.
	Response	
SE.1.18	The Applicant	Employment Skills and Education Strategy In light of the recognised pressures on the provision of and availability of skilled labour both regionally and nationally, has anything been put in place already to commence preparedness for the project?
	Response	
SE.1.19	The Applicant	Employment Skills and Education Strategy As part of the Guiding Principles set out in para 1.3 of [APP-611] you refer to maximising the fleet effect. The final sentence of the 4 th bullet point suggests this is intended to maximise regional benefits. Please explain how this works in respect of the intention to transfer skills, jobs and contracts from Hinkley.
	Response	
SE.1.20	The Applicant	Employment Skills and Education Strategy (i) In light of the lessons learned from Hinkley is it your intention not to develop an Energy Skills Centre similar to the Bridgewater and Taunton College in Suffolk? (ii) It is recognised at para 1.5.8 [APP-611] that new entrants training would need to commence shortly after a financial investment decision had been made. What is in place to facilitate this?
	Response	
SE.1.21	The Applicant	Employment Skills and Education Strategy

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please advise what progress has been made in investigating the potential for a National College for Nuclear hub in the East of England?
	Response	
SE.1.22	The Applicant	<p>Employment Skills and Education Strategy</p> <p>(i) How do you envisage the conveyor principal referred to in para 1.6.8 of [APP-611] working in practice?</p> <p>(ii) Have a number of places been set aside for residents from the NALEP area (if so how many), or would the opportunities be offered nationally/internationally and be subject to open competition?</p>
	Response	
SE.1.23	The Applicant	<p>Employment Skills and Education Strategy</p> <p>(i) Has the 'Going Early' initiative referred to in the third bullet point of para 1.6.12 [APP-611] commenced?</p> <p>(ii) If not please explain the reasoning behind this and when you now anticipate it would commence.</p>
	Response	
SE.1.24	The Applicant, ESC, SCC, NALEP	<p>Employment Skills and Education Strategy</p> <p>(i) The Asset Skills Enhancement and Capability Fund is proposed to be governed by a several stakeholders. Is there agreement as to who they should be?</p> <p>(ii) Who would make the final decision?</p>
	Response	<p>i) The Applicant has proposed governance arrangements, these are not yet agreed and are subject to further consideration and engagement.</p> <p>ii) We are satisfied that the final decision for allocating funding from the Asset Skills Enhancement and Capability Fund would sit with the Applicant. However, any funding decision must be made following consideration of what the project need is and whether there is a requirement for an intervention/investment, or whether it is already covered by local/national offers or initiatives. The Regional Skills Coordination Function would work through an agreed framework to identify and deliver potential solutions with partners that:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • will respond to any impact monitoring feedback • achieve the objectives of the Annual Workforce Delivery Implementation Plan • enhance the local skills system • deliver regional inclusive growth; and • achieve the objectives of the relevant Workforce Delivery Strategy. <p>If a skills intervention is identified as a project-only need, i.e. it does not meet any of the objectives set out in the list above, this will need to be delivered through a standard commercial agreement which would sit outside of the Asset Skills Enhancement Fund and its governance.</p>
SE.1.25	The Applicant	<p>Employment Skills and Education Strategy</p> <p>The skills initiatives as referred to under sub heading c) [APP-611] refers to the 'potential' delivery mechanism and 'could' be extended to deliver the National College for Nuclear curriculum.</p> <p>Has this moved any closer to being a part of the delivery mechanism for upskilling the local workforce or being offered as a commitment through the DCO/S106?</p>
	Response	
SE.1.26	The Applicant	<p>Training and Assessment</p> <p>Reference is made to Tier 1 Partners and training boards contributing towards investment to fill gaps in training (paragraph 1.6.19 [APP-611]).</p> <p>(i) Which organisations and Tier 1 Partners have committed to this?</p> <p>(ii) How is this to be secured?</p>
	Response	
SE.1.27	The Applicant, (Suffolk Chamber of Commerce ESC SCC NALEP (iii) only)	<p>Supply Chain Strategy</p> <p>[APP-610] in paragraph 7.3.6 refers the reader to Appendix B [APP-611]. The section on Supply Chain (1.7) does not however explain how this strategy will be delivered.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		<p>(i) Please provide precise details on this strategy and the delivery and monitoring mechanism.</p> <p>(ii) Please set out the details of governance arrangements and progress of the S106 so this strategy can be more fully understood.</p> <p>(iii) Do the respective parties agree that the S106 would deliver an appropriate supply chain strategy?</p>
	Response	<p>(iii) We do not have sufficient detail in the supply chain strategy to judge whether the commitment in the S106 would actually deliver the benefits and mitigation we are seeking (see answer to ExQ SE1.5).</p> <p>We believe that an appropriate supply chain strategy should encompass more than just a requirement to meet S106 obligations, as S106 obligations focus on mitigating negative impacts. An appropriate supply chain strategy should seek to capture the wider benefits and opportunities from the development and should therefore go beyond the S106 agreement.</p>
SE.1.28	The Applicant, Relevant local authorities	<p>Labour Market</p> <p>Considering the number of construction workers envisaged to be required please advise on the implications this may have for the labour market both locally and regionally.</p>
	Response	<p>As set out in the LIR [REP1-045] at para 25.14-25.15 SCC is concerned that the project will create high levels of labour market churn, where skilled labour prematurely leaves their current local employment to work on the project. When this happens in high levels negative displacement will occur causing a reduction in economic activity.</p> <p>Effective monitoring to understand demand will be crucial to ensure that the Education, Skills and Employment measures delivers high demand skilled people to the employment market at the right time to ensure that high churn levels do not manifest as displacement.</p> <p>Monitoring is equally important as it is accepted that we are working from a best practice model that contains many assumptions, exasperated, by the long-time frame for the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		project. Therefore, it is imperative that we have a flexible dynamic approach that can react to local conditions, project demand and changes in regional/national strategy.
SE.1.29	Relevant local authorities	<p>Labour Market</p> <p>(i) Following on from the previous question do you consider the assessment of effects on the local labour market has robustly assessed likely impacts? Are there any concerns that you would wish to identify in this respect?</p> <p>(ii) The effects on the labour market for the area would be different during operation from that experienced during construction. Are you content with the assessment in this regard and the potential mitigation offered?</p>
	Response	<p>i) SCC is content that the assessment of effects on the labour market has been undertaken in line with relevant guidelines and best practice advice. However, a project of this magnitude and time scale has many variables to consider, with many being out of the direct influence of the Applicant and local authorities, therefore any conclusions drawn from this assessment may not prove valid in the medium to long term.</p> <p>SCC hence considers a flexible dynamic approach to labour market measures as essential, which places monitoring at its centre. Through such an approach, the positive impacts of the project can be maximised by pro-actively planning for legacy employment opportunities, whilst negative trends can be responded to and mitigation measures can be flexed to minimise any negative impact, based on independent monitoring.</p> <p>Suffolk has natural geographic advantages that mean it is expected to host a significant number of projects that support the UK’s ambition to reach Net Zero, with labour market opportunities and challenges as a result. The cumulative opportunities and negative impacts of the range of Net Zero related developments are not yet fully understood for the region and hence another reason for adopting a flexible and dynamic approach.</p> <p>ii) As set out in the LIR [REP1-045] at sections 23 and 25, we welcome the opportunity for local people to achieve employment at the operational station in high value high skilled employment.</p> <p>The Applicant defines in its assessments all operational workers automatically as Home Based (HB). SCC challenges this statement as misleading and consider a change to the definition of HB to be used when considering the construction workforce.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>All operational employees must live within a certain distance of the station and therefore by definition will become HB. However, the definition of HB is a person resident within the daily commute zone before the commencement of the project. SCC is seeking clarification on the definition of HB in both the context of construction and operational workforces and to work with the applicant on maximising local employment in operational roles recognising the specialism and skill needed for these roles will need a long lead in time and therefore need to be appropriately timed. (See also answer to SE.1.29ii)</p>
SE.1.30	The Applicant	<p>Labour Market ESC in paragraph 1.149 [RR-0342] express concern that the '<i>dynamic labour market is not evidence based</i>' Please respond to this concern and explain what assumptions have been made concerning the dynamic nature of the labour market.</p>
	Response	
SE.1.31	The Applicant, all relevant local authorities	<p>Labour Market (i) What is being undertaken to maximise the number of local people that could aspire to and achieve higher paid skilled employment on the project? (ii) How could this be secured through the DCO?</p>
	Response	<p>i) Sizewell C will generate a significant demand for labour, in a range of employment sectors, skill levels and in both construction and non-construction-related activities, alongside long-term operational jobs once the power station is built. This provides positive local and regional benefit through the creation of more jobs, opportunities for upskilling and increased competency within the local supply chain. SCC aims to work with the Applicant to maximise these positive catalytic benefits, as well as to ensure that minimum local employment targets are reached. It also seeks the Applicant to mitigate possible negative effects, such as vacancies for local organisations and businesses becoming harder to fill. SCC considers the Applicant's conservative estimates of the proportion of home based (HB) workers, as set in the Applicant's Environmental Statement, shall be used by the Applicant as a minimum floor that the project must achieve. Such an approach would ensure that all relevant mitigation (accommodation demand, community safety, public</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>services etc.) secured against the worst-case impact of non-home based (NHB) workers is credible and can be held to account. It would also support the Applicant to further maximise the positive impact of HB recruitment.</p> <p>The Applicant has set out a range of measures within the Employment, Skills and Education (ESE) Strategy. SCC considers the following measures to be central to this strategy (see para 25.25 of the LIR [REP1-045]):</p> <ul style="list-style-type: none">• Sizewell C Employment Outreach Fund – funding to support the delivery of initiatives in areas of social deprivation and working with those furthest from the labour market to bridge the gap to becoming ‘work ready’ and increase the pool of available local labour• Asset Skills Enhancement and Capability Fund – capital and revenue fund ensuring that local training provision is available that meets the joint needs of the region and the project, delivering skilled people at the right time• Skills/Student Bursary – bursary scheme that aims to remove barriers ensuring education and skills development is accessible to all• Sizewell C Jobs Service – funded service that will grow, build and maintain a talent pool of local employment, driving local employment within the project and also to support local employers• Education Inspiration – enrichment and enhancement of current inspiration offer and its content. Upskilling and equipping inspiration leads throughout education, outreach and the Voluntary, Community and Social Enterprise sector• Apprenticeship Strategy – a critical part of the SZC Co. workforce delivery strategy providing key entry and progression opportunities for all, ensuring all contractors maximise opportunities for local people and providers <p>Whilst the broad scope and mechanism of all key measures of the ESE Strategy has been agreed in principle between the local authorities and the Applicant, we remain unable to fully support the package until we have agreed details around governance, monitoring and levels of commitment.</p> <p>SCC proposes to work with the Applicant to deliver a Workforce Delivery Strategy (WDS) and Annual Workforce Delivery Implementation Plans (AIP), which would secure a flexible, dynamic process. This would allow the yearly produced AIP to react to any impacts picked</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>up through monitoring, such as workforce churn, and take account of the changing skills and employment landscape as well as the economic cycle we are in.</p> <p>It is proposed that the WDS would be co-written by the Applicant and its contractors with input from local partners, and would set out the overall strategic approach for achieving the Sizewell C project workforce requirements, as well as the identified regional priorities and legacy drivers for each main phase of the project. The AIP would be produced locally by the regional skills coordination function. The AIP would take an agile approach that reacts to local conditions, drawing on the relevant WDS, local Labour Market Information, project monitoring and local strategy.</p> <p>SCC has always advocated (see e.g. LIR [REP1-045] para 25.24) that the Applicant should set clear, ambitious and SMART (Specific, Measurable, Attainable, Relevant/Realistic, Timely) employment targets, and ensure the project delivers a range of employment opportunities at different levels and in different roles, that promote legacy for local people. SCC considers that the AIP could translate these objectives, alongside the objectives of the WDS and monitoring feedback, into tangible implementation activity. The AIP should be the conduit between strategic intent, monitoring results and labour market information, and the distribution of funds and achievement of outcome measures.</p> <p>ii) It is anticipated that the majority of the measures set out above would be secured through S106.</p>
SE.1.32	The Applicant	<p>Home Based Workers</p> <p>ESC [RR-0342] criticises the assessment of the proportion of homebased workers to be employed that are already in employment.</p> <p>(i) Please respond to this concern and support your response with evidence as to how you arrived at the range of 42% to 50%[APP-610 section 5.4]</p> <p>(ii) In the event the figure were inaccurate either higher or lower, what implications would this have for the conclusions reached within the ES?</p> <p>(iii) In undertaking such assessments, a number of assumptions are made. Would it be more reasonable to suggest that in the conclusions there would be a range of the proportion already in employment?</p> <p>(iv) If so, what percentage range would this be?</p>

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ExQ1	Question to:	Question:
	Response	
SE.1.33	The Applicant, all relevant local authorities	<p>Home Based Workers ESC suggest they are seeking 36% of workers to be homebased [para 1.157 RR-0342]. (i) Please explain why this figure is being sought, and upon what evidence this is based. (ii) Should this figure be regarded as a minimum for the whole project, or particular phases? (iii) How should this be secured? (iv) In the event the figure were to be lower for either the whole project, or particular phases what would the implications be?</p>
	Response	<p>i) This percentage figure is based on predictions by the Applicant made in its Stage 3 consultation, that of the predicted workforce of 5,600, 2,000 workers would be "Home Based" (HB). The Applicant's Technical Note - Workforce Profile (Appendix 9A of [APP-196]) describes how the Applicant arrived at this figure. The Applicant's assumption of the number of HB workers has not changed with the introduction of a higher peak workforce, as the Applicant assumes that the additional workers will all be Non-Home Based (NHB). SCC seeks to maximise the number of HB workers, as this would increase local employment benefits, and reduce workforce impacts e.g. on transport, accommodation and public services. SCC supports that a 2,000 HB worker prediction is reasonable to consider a "worst case" for the adverse impacts, but considers that, with the now higher peak workforce estimates, the Applicant should have an aspiration to significantly increase this number.</p> <p>ii) SCC considers that the predicted HB recruitment numbers should be viewed as a minimum level of HB recruitment, and that measures should be in place to encourage maximisation of further HB employment over and above this figure. Taking such an approach will ensure that all relevant mitigation (accommodation demand, community safety, public services etc.) is secured against the set number of NHB workers, as a worst-case impact. It will also support the Applicant to further maximise the positive impact of HB recruitment.</p> <p>SCC notes that there naturally is a higher propensity for HB jobs to be those that are lower skilled. However, SCC expects the Applicant to promote higher skilled HB recruitment</p>

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ExQ1	Question to:	Question:
		<p>opportunities, particularly in identified legacy roles and roles with skill sets that will benefit the region long after Sizewell C has been constructed.</p> <p>iii) The Applicant should be held by their own prediction of 2,000 of the workforce being HB which SCC considers has to be the minimum number. The monitoring framework, secured by S106, should include provisions to monitor the number and proportion of HB workers within the whole workforce on a regular basis, so that the Annual Implementation Plan can respond dynamically. Lessons from Hinkley Point C (see "Study on the impacts of the early-stage construction of the Hinkley Point C Nuclear Power Station", section 3.2.3 LIR Appendix 2:1 [REP1-089]) show us that the Applicant's monitoring of the workforce needs to be comprehensive, transparent and overcomes any data sharing issues.</p> <p>If monitoring evidences that the predicted numbers/proportions of HB workers are not being reached, S106 provisions should require the Applicant, working with SCC and ESC, to implement further corrective measures. If these corrective measures do not have sufficient effect, we would require the Applicant, in dialogue with SCC and ESC, to revisit all mitigation measures linked to an increase of a NHB workforce.</p> <p>iv) If the applicant is unable to reach the predicted levels of HB recruitment, then the worst case scenario impacts as assessed in the Environmental Statement will not hold true. Any negative impact of an increased number of NHB workers will be further exacerbated beyond the ES assessment, and agreed mitigation measures may become insufficient. Also, the project would be less of a catalyst for positive employment, skills and education growth than predicted.</p>
SE.1.34	<p>The Applicant, all relevant local authorities</p> <p>Response</p>	<p>Operational Roles</p> <p>Has a strategy been prepared to support local people becoming permanent members of staff during the operational phase of the development?</p> <p>SCC is not aware that the Applicant has prepared a strategy for maximising local employment during operation of the station. The Draft Section 106 Agreement Para 2.1.2 [AS-040] does set out that the Applicant will produce a Workforce Delivery Strategy for the Operational Phase. This would be supported by SCC. However, there is no provision for funding in any of the related suggested measures (para 2.4.3 & 2.5.3 [AS-040]). it is also</p>

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ExQ1	Question to:	Question:
		not clear how the three different Workforce Delivery Strategies referred to in these measures relate to the strategies explained in para 2.1.2 [AS-040].
SE.1.35	The Applicant	<p>Tourism Impacts</p> <p>(i) Please explain how the tourism fund would be managed and how existing companies affected by the proposed development might access funding?</p> <p>(ii) What governance arrangements are proposed in order to ensure a transparent and robust management process would be in place?</p>
	Response	
SE.1.36	The Applicant	<p>Tourism Impacts</p> <p>A number of RRs including [RR-0131, 123, 160, 163, 228, 241, 263] consider the development would adversely affect tourism and impact not only existing businesses, but the much broader appeal of the area which is considered so important to the economic success of Suffolk. Please respond to these concerns and explain how you consider any significant adverse effects could be mitigated.</p>
	Response	
SE.1.37	The Applicant	<p>Displacement</p> <p>Concern is expressed by ESC [RR-0342 para 1.165] over the definition of displacement and whether it would actually be significant. Please respond to this concern and support it with evidence in terms of the degree of effect on the local economy and what could be done and delivered through the DCO to ensure any adverse effect is minimised.</p>
	Response	
SE.1.38	The Applicant	<p>Supply Chain</p> <p>(i) Is there a commitment to a proportion of contracts to be provided through local suppliers?</p> <p>(ii) If so, how would this be secured, monitored and delivered?</p>
	Response	

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ExQ1	Question to:	Question:
SE.1.39	<p>The Applicant, SCC, ESC, New Anglia LEP</p>	<p>Cumulative Effects</p> <p>(i) Please explain how any effect on the labour market might be managed when considered in conjunction with other potential major construction projects. In providing a response please set out the list of projects that are being considered and whether this list has been agreed with the relevant local authorities. Suffolk CC [RR-1174] at paragraph 156 provides a list, but it not clear whether this is agreed.</p> <p>Please support the response with the most up to date position of the prospective delivery times of these projects where known.</p> <p>(ii) Please consider the different demands on the different phases of the project and how this might affect the labour market and supply chain.</p>
	<p>Response</p>	<p>A Gannt chart of proposed Energy NSIPs in Suffolk is provided in [SCC Appendix 1 to ExQ SE.1.39]. In addition, SCC considers that, in order to understand the potential impacts and demands on the civils workforce, the Applicant, supported by SCC, need to consider other infrastructure projects in Suffolk and the region and develop and a comprehensive list of these and their timings. (see also LIR [REP1-045]).</p> <p>SCC attaches real importance for the skills strategies of all of the local energy projects – in particular Sizewell C, SPR/East Anglia One North and East Anglia Two, Vattenfall, but also others –not to be developed in isolation but considered against the wider demand for similarly skilled workers in the region. The skills strategies also need to take into account the labour demands of other significant infrastructure projects, such as Gull Wing (the third crossing in Lowestoft), and their common competency requirements. This will ensure that Suffolk develop skillsets in our local workforce that have long-term applications across our economy.</p> <p>The report “Technical Skills Legacy for Norfolk & Suffolk” by Pye Tait Consulting [see SCC Appendix 2 to ExQ SE.1.39], commissioned by Suffolk Growth Programme Board and Norfolk County Council identifies the key skillsets that will have an enduring legacy regionally and ensure the county maximises local employment opportunities associated with the significant investment forecast in major infrastructure projects.</p>
SE.1.40	<p>The Applicant</p>	<p>Beach Landing Facility (BLF)</p>

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ExQ1	Question to:	Question:
		<p>With increased activity on the beach from the introduction of the changed BLF and increased number of deliveries and potentially extended season, please explain how these changes have been assessed in terms of the effects on the tourism industry.</p>
SE.1.41	The Applicant	<p>Freight Management Strategy Please advise what modal split would be most beneficial in socio economic terms for the Suffolk area?</p>
SE.1.42	The Applicant, ESC, SCC	<p>Freight Management Strategy A number of RRs including [RR-0040] expressed concern that the original application would cause economic harm by severing communities and reducing the quality of the environment which is an important contributory factor to the tourism sector. Would an increase in rail and seaborne freight provide an economic benefit by reducing such severance?</p>
	Response	<p>The LIR (para 24.12) [REP1-045] refers to economic congestion as a negative impact of the construction period, arising from the increase in road traffic in particular of HGVs, buses, AILs and abnormal loads. It states that the transport modelling indicates notable disruption for businesses operating time-dependent activity across the A12. This is further indicated by an assessment of the economic impacts of congestion commissioned by SCC, which is provided in SCC Appendix to ExQ SE.1.42.</p> <p>The LIR also refers to increased journey times, increased congestion and reduced reliability on the routes affected by construction traffic (principally any journey that involved part of the A12 north of Seven Hills interchange) that may cause a perception amongst businesses and investors that the area is an inconvenient location for travel and businesses, and may result in considerations to relocate away from the district or development area as they are incurring significant costs from delays.</p> <p>SCC considers that an increase in road congestion may also have an impact on visitor perception which may impact the tourism sector. Even small changes and congestion will affect perceptions of tourism, as messages about it through social media are uncontrolled and people will decide not to visit based on their own experiences of congestion. The LIR</p>

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ExQ1	Question to:	Question:
		<p>also refers to the severance impact of increased road traffic on a number of communities, particularly along the A12, but also on other rural roads.</p> <p>SCC considers that an increase in rail and seaborne freight would reduce the impact of congestion on the highway network. If this increase was significant enough, SCC considers that the economic cost of congestion, as well as the severance impact on local communities, could be reduced. In accordance with mitigation hierarchies, SCC considers that the impacts from road traffic should first be avoided and reduced; therefore an increase in rail and seaborne freight should be a priority.</p> <p>However, SCC considers that there would be residual economic impacts of congestion on the local economy. The high level assessment of the economic impacts of congestion as a result of construction traffic commissioned by SCC (see SCC Appendix to ExQ SE.1.42) indicates that for the A12 corridor between Seven Hills and A1152 Woods Lane there would be a significant negative cost to the economy as a result of congestion along this corridor during construction, and gives a range of the economic impacts based on the high level assessment method. As well as the calculated impacts, it is noteworthy that these calculations do not include any assessment as a result of disruption caused by traffic management as a result of highway works nor as a result of abnormal loads.</p> <p>The LIR ([REP1-045] para 24.26) suggests that consideration should be given to a fund to mitigate/compensate for economic cost of congestion. This would be in addition to measures to mitigate tourism impacts through the proposed Tourism Fund.</p>
SE.1.43	The Applicant, Network Rail	<p>Rail Passenger Services</p> <p>(i) A number of RRs [Greater Anglia, Kelsale cum Carlton Parish Council, Framlingham Town Council, Sudbourne Parish Council in response to proposed changes AS-307] express concern about the potential loss of passenger rail services in the event the freight paths are created as suggested, please explain what effect the proposed freight strategy would have on passenger rail services.</p> <p>(ii) Has the alternative of dualling the Lowestoft to Ipswich line which could give significant legacy benefits including providing the opportunity to significantly increase passenger train services been considered as an option?</p> <p>(iii) Was any other form of expanding the network considered?</p>

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ExQ1	Question to:	Question:
	Response	
SE.1.44	The Applicant	<p>Inshore Fisheries</p> <p>The Eastern Inshore Fisheries and Conservation Authority [RR-0348] have expressed concern that the proposed development has not fully explored or explained the degree of effects on both recreational and commercial fishing. This concern is further expanded in the response to the consultation to the proposed changes [AS-307]. Please respond to these concerns.</p>
	Response	
SE.1.45	The Applicant, Network Rail	<p>Rail Freight</p> <p>(i) In light of the comments from Associated British Ports (ABP) in response to the consultation on the proposed changes [AS-307] would rail paths be available from either Lowestoft or Ipswich ports?</p> <p>(ii) Have these alternatives been considered?</p>
	Response	
SE.1.46	The Applicant	<p>Visitor Centre</p> <p>(i) Are their figures available which indicate the number of visitors who come to the current visitor centre at Sizewell B and any indication of the economic benefits this provides?</p> <p>(ii) Has the economic assessment included an assessment of the closure/reduced availability of the current visitor centre?</p> <p>(iii) Would there be an opportunity to have a visitor centre open during construction?</p>
	Response	
SE.1.47	The Applicant	<p>Accommodation Campus</p> <p>(i) Is the ExA understanding correct that the accommodation campus would provide ensuite bedrooms, but these rooms would not have kitchens, sitting areas etc?</p>

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ExQ1	Question to:	Question:
		(ii) If this is incorrect, please explain what the accommodation consists of and what would be made available for the on-site workforce.
	Response	
TT.1	Traffic and Transport	
TT.1.0	The Applicant	Freight Management Strategy - Concrete Materials Table 2.1 [AS-280]. The updated assumption of concrete materials is stated as 4.8 million tonnes but the following paragraphs 2.1.6 and 2.1.7 set out in more detail the amounts of aggregate, sand and cement. The total of which does not equate to 4.8 million tonnes. Explain this discrepancy.
	Response	
TT.1.1	The Applicant	Freight Movement Modal Split by Rail Table 2.2 [AS-280]. Explain why the lower limit in the Rail column of this table is lower than the original application amount of 38% by rail?
	Response	
TT.1.2	The Applicant	Marine Freight Quantities Table 2.1 [AS-280]. Indicate where the following are accounted for: (i) All Abnormal Indivisible Loads (AIL) arriving at the BLF and by road; and (ii) The permanent Hard Coastal Defence Feature (HCDF) rock armour said to be directly deposited by barges on the beach in paragraph 3.4.103 [AS-202]
	Response	
TT.1.3	The Applicant, Network Rail	Provision of Additional Rail Capacity Explain whether the current additional rail proposals are based on ongoing development of the Network Rail Governance for Railway Investment Projects (GRIP) 2 report prepared when a Rail Led strategy was being considered at Stage 3 Consultation and if so: (i) Explain what GRIP stage proposals are currently at; and (ii) Set out the delivery timescale for the necessary improvement works.

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ExQ1	Question to:	Question:
	Response	
TT.1.4	The Applicant	<p>Provision of Additional Rail Capacity</p> <p>Surrey County Council [RR-1174] Paragraph 24 provided a link to a consultant’s report concerning the deliverability of rail improvements. Provide a response to the issues set out in that report</p>
	Response	
TT.1.5	The Applicant, Network Rail	<p>Deliverability of Rail Capacity (Reference Table 4.1 [AS-280])</p> <p>Provide comment on the deliverability and anticipated availability date of the following:</p> <ul style="list-style-type: none"> (i) The early years rail provision – 2 trains /day to the Land East of Eastlands Industrial Estate (LEEIE): (ii) The DCO baseline rail provision – 3 trains / day; (iii) Enhanced rail provision – 4 trains / day; (iv) The potential to run trains 6 days a week rather than the 5 proposed; and (v) The potential to run 5 trains a day.
	Response	
TT.1.6	The Applicant	<p>Capacity by Rail</p> <p>Paragraph 3.2.8 [AS-280] sets out the theoretical capacity of each train in tonnes. On that basis set out the theoretical maximum carrying capacity for each year and in total over the construction period by the nominal number of trains indicated in Table 3.1.</p>
	Response	
TT.1.7	The Applicant	<p>Capacity of Rail Wagons</p> <p>Appendix 9.3A Appendix B Appendix III [AS-257] identifies the rail wagon parameters used in the ground borne noise and vibration report. It states that the payload of a rail wagon is approximately 77.9 tonnes. This would make the theoretical capacity of the rail provision greater at 1558 tonnes per train. This is further supported by the experience set out in Associated British Ports (ABP) submission [AS-307] section 3.2.14 where they also suggest that train capacity can be 1560 tonnes per train. Explain this discrepancy and also</p>

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ExQ1	Question to:	Question:
		if necessary, provide alternative calculations, using train numbers in Table 3.1 [AS-280], as required in previous question of revised rail capacity.
	Response	
TT.1.8	The Applicant	<p>Additional Marine Capacity - Permanent BLF</p> <p>Does the revised design reduce the number of AIL that will need to travel by road? If so set out the original and revised numbers of AIL by:</p> <p>(i) By road each year and in total; and</p> <p>(ii) By sea each year and in total.</p>
	Response	
TT.1.9	The Applicant	<p>Permanent BLF – Usage</p> <p>Confirm whether, other than AIL, the permanent BLF will be used for other freight deliveries and if so, set out what quantity of freight is expected to be delivered via this facility each year and in total.</p>
	Response	
TT.1.10	The Applicant	<p>Temporary BLF – Total Capacity</p> <p>Paragraph 3.3.34 of Appendix 2.2B [AS-202] states that the temporary BLF will operate for approximately 8 years. In paragraph 3.3.35 it goes on to say that 1,275,000 tonnes per year could be achieved. On that basis set out the calculation to show the theoretical maximum marine freight capacity of the temporary BLF each year of operation and in total.</p>
	Response	
TT.1.11	The Applicant	<p>Provision of Road Capacity – Heavy Goods Vehicle (HGV) Total Capacity</p> <p>Paragraph 3.2.8 [AS-280]. Using the assumption (HGV capacity = $1250/67.5 = 18.5$ tonnes) and understanding that no controls are proposed that limit the size of HGV's to those set out in paragraph 2.1.23 concerning potential HGV sizes, provide the following:</p>

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ExQ1	Question to:	Question:
		(i) The theoretical HGV capacity by year and in total using the original submitted limits set out in paragraph 1.2.4 and the Construction Traffic Management Plan (CTMP) [APP-608]; and (ii) The theoretical HGV capacity by year and in total using the suggested limits in paragraph 4.1.12.
	Response	
TT.1.12	The Applicant	Change to Percentage of Freight by Road Paragraph 2.1.15 [AS-280] reduces the freight by road to an anticipated 40%. Using the methodology in the above question how many HGV's does 40% by road equate to and how would that number be distributed over the construction period?
	Response	
TT.1.13	The Applicant	HGV Higher Capacity Potential ABP [AS-307] in their submission, section 3.2.14 suggest greater payloads per HGV can be achieved for certain materials. Explain how this is taken into account and if not should this be considered in the calculation of HGV numbers?
	Response	
TT.1.14	The Applicant	HGV - Associated Development Sites Table 2.1 [AS-280] shows the total expected import of materials for what is said to be the Sizewell C Project. From reading of the Materials Management Strategy [AS-202] it is assumed that this includes the materials required for the Associated Development Sites. Confirm the following: (i) Do the figures in Table 2.1 include all the Associated Development site material requirements; and (ii) Provide a breakdown of the quantities of materials for the main development site (iii) and for each of the associated development sites
	Response	

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ExQ1	Question to:	Question:
TT.1.15	The Applicant	<p>HGV Associated Development Sites</p> <p>The limits set out in the CTMP [APP-608] refer to HGV movements to the main development site. Provide:</p> <ul style="list-style-type: none"> (i) The number of HGV movements by year to the associated development sites; and (ii) The yearly and total quantity of materials transported by HGV for the associated developments sites.
	Response	
TT.1.16	The Applicant	<p>Minimum HGV Numbers</p> <p>Plate 4.2 [AS-280] Provide the input numbers for this graph in a table and include any missing months at either end of the construction period.</p>
	Response	
TT.1.17	The Applicant	<p>Freight Management Facility (FMF)</p> <p>In the Planning Statement [APP-594] the need for the FMF is described as “The facility would provide ancillary buildings and structures where paperwork, and goods can be checked prior to delivery to the Sizewell C main development site, and a location where HGVs can be held and searched while they wait to enter the Sizewell C main development site. The facility would also provide a location where HGVs can be held in the event of an accident on the local road network which prevents access to the Sizewell C main development site”. Explain in further detail the requirement for the FMF for each of the following:</p> <ul style="list-style-type: none"> (i) Paragraph 4.1.14 of the CTMP [APP-608] sets out the objectives of the Delivery Management System (DMS), which seems to be a system to manage the flow of deliveries to the site without physical facility; (ii) The Transport Assessment (TA) [AS-107] sets out that the FMF will have 6 screen and search bays out of a total of 154 HGV spaces, so why this level of search facility could not be undertaken at port of arrival or elsewhere; (iii) Taking into account the 154 HGV spaces at the FMF, 90 spaces at the Traffic Incident Management Area (TIMA) , the 80 spaces provided at an early stage at the LEEIE and finally the 75 spaces provided on site why a provision of just under 400

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ExQ1	Question to:	Question:
		<p>HGV parking spaces are required to manage HGV movements in the event of a traffic management incident; and</p> <p>(iv) The proposed change places less reliance on road freight so is the level of provision still appropriate?</p>
	Response	
TT.1.18	The Applicant	<p>Freight Management Facility – Control of HGV Flows</p> <p>Table 7.4 of the TA [AS-017], shows the arrival and departure pattern of HGVs at the Main Development Site. The FMF is intended to be in part used to regulate the flow of HGVs to the Main Development Site. Is it intended that HGVs would leave the FMF in convoys or individually?</p>
	Response	
TT.1.19	The Applicant	<p>Alternative Freight Management Facilities</p> <p>ABP [AS-307] in Section 3.1.13 suggest there are adequate staging areas to accommodate the proposed levels of HGV within their port estates. Has this capacity been considered as an alternative to the provision of a separate FMF?</p>
	Response	
TT.1.20	The Applicant	<p>Alternative Freight Management Facilities</p> <p>The TA [AS-017] also suggests that Felixstowe Docks may be a point of origin for a number of HGV. If physical facility is needed has consideration been given to doing this within the port in a similar way to that suggested by ABP.</p>
	Response	
TT.1.21	The Applicant	<p>Freight Modal Shares - Revised Freight Management Targets</p> <p>Provide:</p> <p>(i) Explanation of how the revised modal targets for freight management and HGV numbers will be secured within the DCO;</p>

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ExQ1	Question to:	Question:
	Response	(ii) A revised CTMP to reflect the updated Freight Management Strategy?
TT.1.22	The Applicant	<p>Freight Management Strategy [AS-280]</p> <p>Paragraph 4.1.12 sets out the potential to reduce daily HGV movements during construction and Paragraph 5.1.4 sets out the potential to reduce freight transport by road to 40% of the total. Paragraph 5.1.5 states "The relative balance to be struck between transport modes can now be examined and, through this revised approach to its FMS, SZC Co. has provided the environmental, transport and practical information necessary to enable any necessary controls to be put in place to regulate the use of the proposed transport infrastructure to ensure that an appropriate balance is struck in the public interest." Explain:</p> <ul style="list-style-type: none"> (i) What controls are suggested to ensure target HGV numbers and sizes are limited to those assessed in the application; (ii) The monitoring process to ensure compliance; (iii) Remedial actions should HGV numbers exceed any limits set; and (iv) How such controls, monitoring and remedial actions will be secured within the DCO.
	Response	
TT.1.23	The Applicant, SCC	<p>Construction Traffic Management Plan (CTMP) [APP-608], Traffic Incident Management Plan (TIMP) [APP-607], Construction Worker Travel Plan (CWTP)[APP-609] – Transport Review Group</p> <p>The Transport Review Group membership, structure, roles and responsibilities is explained in the CTMP, the CWMP and the TIMP. The group consists of six members three appointed by SZC and three from other stakeholders. Notwithstanding information in the draft Section 106 [PDB-004], explain how the decisions will be made in this group if there is not a majority vote?</p>
	Response	The Transport Review Group can in cases of dispute refer these to the Delivery Steering Group for resolution ([PDB-004] Schedule 17) and ultimately Clause 6 of the Deed within the s106 [PDB-004] enables resolution of disputes for example if no majority decision is reached by the TRG members. SCC notes that this process takes time (as yet not defined

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ExQ1	Question to:	Question:
		<p>within the s106) reducing the responsiveness of the group and that Highways England are not party to the s106.</p> <p>While it is accepted that the group would aim to reach consensus in its decision making, and while the arbitration route is seen as appropriate to resolve disputes, SCC proposes for Suffolk County Council (as the local Highway Authority) to chair the group, and that the Chair would have the casting vote.</p> <p>Further work is required to detail procedures and terms of reference to give clarity to the decision-making process to avoid ambiguity that could lead to split or bipartisan decisions. The key will be the independence of the Transport Co-ordinator from the Applicant's delivery team. While appointed by the Applicant, there is no requirement for the postholder to be an employee ([APP-608] section 2.3.1).</p> <p>SCC also proposes a proxy voting arrangement in the group's constitutional arrangements, so that if one of the "other stakeholders" (not appointed by the Applicant) referred to in the question above does not attend a meeting, one of the attendees can vote as a proxy.</p>
TT.1.24	The Applicant	<p>Traffic Management Monitoring System (TMMS)/ Delivery Management System (DMS).</p> <p>Paragraph 4.4.23 of the CTMP [APP-608] describes the use of the TMMS in monitoring compliance. The use of this information seems from following paragraphs to be largely to be used for monitoring rather than active management of vehicles in the same way the DMS will be used. Given the use of technology proposed, could the TMMS/ DMS be used to actively manage freight movements by road on a daily basis so that any required preventative action could be taken quickly.</p>
	Response	
TT.1.25	The Applicant, SCC	<p>Traffic Management Monitoring System (TMMS)/ Delivery Management System (DMS).</p> <p>Could the TMMS/ DMS be coordinated and developed to actively manage the following?</p> <ul style="list-style-type: none"> (i) HGV movements to associated development sites; (ii) HGV movement to avoid sensitive periods in areas where impact might be high, e.g. schools, etc.;

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ExQ1	Question to:	Question:
		<p>(iii) Light Goods Vehicle (LGV) movements and routes;</p> <p>(iv) Bus movements and routes;</p> <p>(v) Route monitoring to ensure that HGV numbers did not exceed those modelled on specific routes; and</p> <p>(vi) Currently the earliest and latest timings of freight movement to/ from the main site will be 07.00 and 23.00, however depending on origins and destinations HGV movements could be on the adjacent highway network for longer periods. In addition to on site monitoring of HGV timings, can HGV movements be managed so as to avoid much earlier and later disruption in sensitive areas?</p>
	Response	<p>To ensure that vehicle movements do not exceed those assessed within the environmental statement:</p> <p>I) The Delivery Management System shall be used to record the total HGV movements entering and exiting each Associated Development Site. SCC considers that the simplest way of ensuring that this was the case would be for all HGVs to be required to have GPS, but potentially other satisfactory methods may be feasible.</p> <p>II) As above, GPS should be used to monitor the timing of HGV movements on sensitive links and to restrict peak hour movements to those assessed within the Transport Assessment. However, SCC is mindful that other acceptable methods may be feasible. If possible, monitoring data could include journey times along the HGV route.</p> <p>III) SCC considers that the DMS could be used to monitor the total number and routing of LGVs; this should be reported to the TRG and may require further investigation through traffic counts or another reasonable method and appropriate mitigation.</p> <p>IV) SCC considers that the TMMS should be used to monitor the routing of bus movements, including journeys when empty; and this should be reported and monitored by the TRG. However, an alternative monitoring method may be considered reasonable.</p> <p>V) As above, GPS should be used to monitor the routing of HGV movements to those assessed within the Environmental Statement. However, SCC is mindful that other acceptable methods may be feasible.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>VI) Tracking of HGVs shall enable monitoring and control of journeys at the beginning or end of the working day to control overnight movements and avoid unnecessary disturbance to communities adjacent to the haul routes or antisocial activities associated with overnight stays in laybys.</p> <p>These issues have been raised in the LIR Annex M [REP1-058].</p>
TT.1.26	The Applicant	<p>Construction Traffic Management Plan (CTMP) [APP-608], Traffic Incident Management Plan (TIMP) [APP-607], Construction Worker Travel Plan (CWTP)[APP-609] – Transport Review Group</p> <p>Will the monitoring reports and assessments against aims and targets be published information?</p>
	Response	
TT.1.27	The Applicant	<p>Construction Traffic Management Plan (CTMP) [APP-608]</p> <p>In the case of the CTMP can the following be included:</p> <p>(i) LGVs are assessed in the TA and the Environmental Statement (ES) so can there be monitoring and reporting of LGV numbers; and</p> <p>(ii) Annual reporting of monitoring and adherence to relevant targets.</p>
	Response	
TT.1.28	The Applicant	<p>Traffic Incident Management Plan (TIMP) [APP-607]</p> <p>In the case of the TIMP can this be extended to include management of emergency service responses in the event of:</p> <p>(i) Traffic incidents already covered in the plan; and</p> <p>(ii) Traffic delays created by movement of abnormal loads and their potential impacts on emergency services responses</p>
	Response	
TT.1.29	The Applicant	<p>Construction Worker Travel Plan (CWTP)[APP-609]</p> <p>In the case of the CWTP explain the apparent anomaly of the total workforce on the main site of 1500 in Tables 3.1 and 3.2 for the early years mode of travel when in Plate 1.1 the</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		chart shows a total workforce as high as 4000 at the end of construction of the Associated Development sites.
	Response	
TT.1.30	The Applicant	Construction Worker Travel Plan (CWTP)[APP-609] Explain why the CWTP does not cover the construction workers at the associated development sites?
	Response	
TT.1.31	SCC	Streetworks Permit Scheme Does the Council operate a streetworks permit scheme for temporary works on the adopted highway? And if so, is the Council satisfied that the permit scheme is adequately covered in the proposed Development Consent Order.
	Response	SCC operates a permit scheme for roadworks on the local network. Details can be found at https://www.suffolk.gov.uk/roads-and-transport/roadworks/road-space-booking/ SCC would look to enter into agreement with the Applicant to ensure that they engage with the permit system so that works on all of Suffolk's highway network can be co-ordinated and SCC's reasonable costs are recovered. This is currently not adequately covered in the DCO as the NRSWA (1991) powers within the application boundaries are transferred to the applicant in their entirety and no consultation with the LHA is required (DCO article 13).
TT.1.32	The Applicant	Abnormal Indivisible Loads (AIL) A number of RR's express concern whether movement of AIL will hinder traffic movement and potential response times for emergency services in the area. Explain: (i) How many AIL movements are expected on a typical day in the early years in advance of the Sizewell Link Road being open; (ii) How traffic movement and emergency service access will be maintained during the early years prior to a suitable alternative route being available; and (iii) How many AIL's movement are expected on a typical day during peak construction and on the busiest days.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	
TT.1.33	The Applicant	Abnormal Indivisible Loads (AIL) – Road Based Provide details of the likely origin and routes for the road based AIL movements.
	Response	
TT.1.34	The Applicant, SCC, Scottish Power	Transport Assessment (TA) [AS-017] – Cumulative Assessment with EA1 and EA2 In the Table 26.2 of Chapter 26 of Environmental Statement (ES) for the East Anglia One North and Two Offshore Windfarm application it is identified that there may be a need for potential structural alterations to the existing bridge on the A12 at Marlesford to facilitate the movement of abnormal load vehicles over this bridge. Has this requirement: (i) Been considered as part of the Sizewell C project? (ii) If this was to be required how would construction work impact on traffic flows on the A12 at Marlesford?
	Response	(i) SCC is not aware of any consideration by the Applicant of Marlesford Bridge. However, the Applicant indicates that the largest/heaviest AILs are proposed to be transported to site via the permanent BLF. (ii) Information provided by SPR (See EA1N examination library [REP8-021]) considered that temporary strengthening of the bridge deck would be adequate for their AIL movements. In SCC's response (EA1N examination library [REP9-046]) it was noted that such work would only be permitted outside normal working hours to avoid disruption to traffic using the A12, including that to or from SZC.
TT.1.35	The Applicant	Abnormal Indivisible Loads (AIL) – Two Village Bypass Bridge Will the proposed bridge over the River Alde be capable of carrying AIL's?
	Response	
TT.1.36	The Applicant, SCC	Fly Parking Fly parking if uncontrolled will potentially lead to several problems not least of which is modelled traffic flows being underestimated on some routes. Paragraph 13.3.2 of the TA Addendum [AS-266] states further work is ongoing about the management of fly parking.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Explain how fly parking on the local highway network will be controlled, monitored, and enforced during the construction period.</p> <p>The Applicant sets out that:</p> <p>a) one aim of the CWTP is to transport a significant number of staff by bus and to try to ensure that this occurs. Staff will be allocated a bus to travel to/from the site and an electronic reader will be installed on each bus which will compare those staff that arrive at the main development site with those travelling by bus; this will be checked to ensure that staff are using the correct method of travel to/from the site reducing the likelihood of fly parking.</p> <p>b) Any staff living within the 'drive to site catchment' (i.e. inside the area bounded by the A12, River Blyth, and River Deben, excluding Leiston) and who are allocated a permit will be able to drive directly to site reducing the likelihood of them needing to park off-site, and therefore of fly parking.</p> <p>c) As a commitment within the Construction Worker Travel Plan, the Applicant will employ a fly parking patrol team ([APP-609] section 4.7.8) to carry out daily patrols to identify possible cases of fly parking; this will reflect reports by local residents who are concerned about fly parking in their area. Enforcement associated with fly parking is proposed to be undertaken through the 'Worker Code of Conduct', which can result in an individual worker being removed from the project depending on the number of breaches.</p> <p>SCC understands that this process has been relatively successful at Hinkley Point C both in identifying fly parking and reducing fly parking, as well as showing that a number of cases of reported sly parking related to legitimate worker parking; however, it is also recognised that the process may need to be amended through the TRG to reflect specific local circumstances or to be more effective as stated in the CWTP ([APP-609] section 6.4.3). Monitoring will be key to allow for early reactive measures if fly parking does occur.</p>
TT.1.37	The Applicant	<p>Movement Frameworks</p> <p>In order to assist full understanding of movement patterns around the area and how they will change as the development progresses and after completion, provide movement frameworks by travel mode showing how movement around the main development site, the temporary construction area, the accommodation campus, the LEEIE and their immediate surroundings will develop through the construction process. These movement</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		<p>frameworks should be prepared in a similar phased pattern to the Description of Construction Figures [APP-186] but include an operational version and clearly indicate on each, routes by the following modes:</p> <ul style="list-style-type: none"> (i) HGV; (ii) LGV and cars; (iii) Buses; (iv) Cycle routes; (v) Equestrian routes if any separate routes provided; and (vi) Pedestrian routes /paths, including any construction required diversions.
TT.1.38	The Applicant, SCC	<p>Change 15, New Bridleway Link between Aldhurst Farm and Kenton Hills</p> <p>Figure 2.2.32, of the ES Addendum [AS-202], shows the proposed new bridleway. Explain:</p> <ul style="list-style-type: none"> (i) Why the former site access road junction is retained for what is assumed, after construction, to be a field access, including the right turning pocket; and (ii) How does the proposed bridleway and crossing relate to the desire lines for intended users in the area.
	Response	<p>(i) SCC's understanding is that the site access road junction is temporary and is to be removed following completion of the SZC construction phase; this is to be confirmed by the Applicant. The plans including Fig 2.2.32 in [AS-202] are not consistent with others. Rights of way plan SZC-SZ0204-XX-000-DRW-100344 Rev 3 [AS-113] has been updated to show the bridleway link to Kenton Hills as a permanent feature but does not show the junction. Plan SZC-SZ0204-XX-000-DRW-100105 [AS-119] shows a footway rather than a bridleway on the north side of Lovers Lane. The Transport Assessment Addendum [AD-266] section 5.2.13 confirms that the secondary access will no longer be present during the SZC operational phase. The Applicant needs to clarify inter-relation of the rights of way and the secondary site access during the construction and operational phases.</p> <p>(ii) The desire line for users of the bridleway would be the most direct route, i.e. the entrance to the Kenton Hills Car Park. However, to obtain adequate visibility on Lovers</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		<p>Lane the crossing point has been located to the west. SCC's view is that the bridleway link is necessary for non-motorised users to access the permissive paths at Kenton Hills during the construction phase.</p> <p>SCC understand that the bridleway crossing will only be provided once the construction phase has completed and the remainder of Bridleway 19 (E-363/019/0), temporarily closed through the campus site, is reopened. For walkers, cyclists and horse riders coming from the west on the bridleway on the north side of Aldhurst Farm, and from Leiston, it will provide a useful and relatively direct link to BR 19 north and to the permissive access on Kenton Hills. For recreational users using the bridleway network in a north-south direction, it is a compromise, as it requires users to cross Lovers Lane twice to access the bridleway in Aldhurst Farm. For these users, a bridleway link wholly to the east of Lovers Lane would have better reflected a desire line.</p>
TT.1.39	The Applicant	<p>Transport Assessment (TA) [AS-017] - Scoping</p> <p>Paragraph 1.6.1 references extensive scoping discussions. Has there been a formal scoping process with the relevant Highways and Planning Authorities on development of the TA?</p> <p>If so, submit copy of agreed scoping report.</p>
	Response	
TT.1.40	SCC, Highways England	<p>Transport Assessment (TA) [AS-017] - Scoping</p> <p>Do you consider that the scoping process and the coverage of the TA reflect your pre-application input?</p>
	Response	<p>The scope of the Transport Assessment [APP-602] and subsequent Transport Assessment Addendum [AS-266] has gradually evolved since SCC's first response to the Applicant in 2011. The Transport Assessment has evolved through the four stages of consultation, and responded to the changes in the freight strategy, workers numbers and their location. Regular meetings specifically to resolve traffic modelling issues have been held between the Applicant and SCC since 2019. An example of this evolution is the recent VISSIM undertaken by the Applicant to resolve the differences in predicted delays to traffic between the strategic VISUM model and the localised junction modelling on the A12 corridor.</p>

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ExQ1	Question to:	Question:
		As a result of this work, SCC considers that the scope of the Transport Assessment is acceptable. However, whilst the scope may be agreed, the significance of the impacts is not yet agreed in all cases between the Applicant and SCC.
TT.1.41	The Applicant	<p>Transport Assessment (TA) [AS-017] - Existing Conditions</p> <p>In paragraph 2.3.73 justification for not considering August as an analysis month refers to the inclusion in the May analysis of the atypical outages at Sizewell B to provide robust assessment. Provide the following for the traffic level that would be associated with an outage at Sizewell B:</p> <ul style="list-style-type: none"> (i) 24 hour daily traffic flow as a number and assumed percentage increase over a day without an outage; (ii) 24 hour daily flow as number for August traffic levels and a percentage increase over a day in May used in the assessment; (iii) Peak hour flows both as a number and a percentage of daily peak hours without an outage; (iv) Duration of outages at Sizewell B; and (v) How outages would avoid the peak holiday seasons?
	Response	
TT.1.42	The Applicant	<p>Transport Assessment (TA) [AS-017] – Daily Traffic Variations</p> <p>Paragraphs 2.3.74 to 2.3.76 outline the assessment of daily variations set out in Table 2.2. Mention is made throughout the TA about traffic variations being compared to daily variations in traffic. What percentage typical daily variation is assumed for these comparisons and how is this derived?</p>
	Response	
TT.1.43	The Applicant	<p>Transport Assessment (TA) [AS-017] – Journey Times</p> <p>In Paragraph 2.3.78 explain why Route 3 A12 Martlesham to Sizewell C does not use a route from the A12 further south than the B1122 at Yoxford, when more direct and shorter routes are available.</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
	Response	
TT.1.44	The Applicant	<p>Transport Assessment (TA) [AS-017] – Policy</p> <p>Paragraph 3.4.30 states that the Suffolk Rail Prospectus 2015 included the opportunity of achieving a passenger service and station for Leiston as a legacy benefit from the new development at Sizewell should be explored. Explain how this issue has been explored.</p>
	Response	
TT.1.45	The Applicant	<p>Transport Assessment (TA) [AS-017] – Policy</p> <p>Paragraph 3.4.33 states that the New Anglia Strategic Economic Plan (2014) details a key transport priority with regards to the Sizewell C development: “A bypass of Stratford St. Andrew, Farnham, Little Glenham and Marlesford is needed to keep HGV traffic off the A12 through these villages.” Explain in this context:</p> <p>(i) Why only two of these villages is proposed to be bypassed rather than the four; and</p> <p>(ii) What consideration has been given to the alignment of the Two Village Bypass with respect to the eventual alignment of a four village bypass envisaged in the Plan</p>
	Response	
TT.1.46	The Applicant	<p>Transport Assessment (TA) [AS-017] – LEEIE Temporary Park and Ride</p> <p>Paragraph 4.3.3 of the TA [AS-017] sets out the temporary nature of the LEEIE Park and Ride facility. It is stated not to be required once the remote Park and Ride sites are in operation. Explain when this facility will be removed along with any temporary use for the area for the remainder of the construction period.</p>
	Response	
TT.1.47	The Applicant	<p>Transport Assessment (TA) [AS-017] – LEEIE Temporary Caravan Park</p> <p>Paragraph 4.3.2 states workers would be bused from the caravan park to the main site. No detail is provided of the layout of the LEEIE to show how these workers will connect with bus services. Provide a layout of the LEEIE showing how workers on the caravan park will connect with the bus services operating from the Park and Ride to the main site.</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
	Response	
TT.1.48	SCC, Highways England	<p>Transport Assessment (TA) [AS-017] / [AS-266] – Modelling Approach</p> <p>Are you satisfied with the strategic modelling scope and approach outlined in Section 6 of the Transport Assessment?</p>
	Response	<p>The modelling approach which is set out within the Transport Assessment Addendum [AS-266] is considered to be acceptable (although we have not reached agreement on the visitor car share factors used and this will be covered in the Statement of Common Ground) subject to relevant caps, monitoring, enforcement and controls on the assessed vehicle movements, as set out in the LIR (LIR Annex M [REP1-058]), and in previous responses, including SCC's Relevant Representation [RR-1174], and to pre-submission consultations. However, whilst the method of assessment is acceptable, the conclusions on the traffic impacts have yet to be agreed.</p>
TT.1.49	The Applicant	<p>Transport Assessment Addendum [AS-266] – Changes to Modelling Approach</p> <p>Paragraph 6.1.1 identifies that a number of changes to the traffic modelling approach have taken place as result of ongoing consultation with stakeholders. Identify:</p> <p>(i) The changes that have taken place to the modelling approach; and</p> <p>(ii) Summarise the key effect on modelled traffic flows on key routes.</p>
	Response	
TT.1.50	The Applicant	<p>Transport Assessment (TA) [AS-017] – Trip Generation, Distribution and Mode Share</p> <p>There is no replacement Table 7.1 in the TA Addendum [AS-266] so the following questions relate to Table 7.1:</p> <p>(i) The routing of direct bus services is this correct for all services, including from Saxmundham and Leiston?</p> <p>(ii) How is the number of bus passengers derived?</p> <p>(iii) What is the peak number of buses required?</p> <p>(iv) How are LGV numbers derived?</p> <p>(v) How were the HGV numbers derived? and</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		(vi) Why paragraph 7.2.1 [AS-266] states the only change relates to bus frequency but not overall HGV numbers?
TT.1.51	SCC	<p>Transport Assessment (TA) [AS-017] – Car Share Factors</p> <p>Paragraph 7.2.24 states average occupancies for cars. Are you satisfied this will adequately reflect the pattern of car sharing for the Proposed Development?</p>
	Response	<p>Information from Hinkley Point C has been used by the Applicant to inform the car share factor; this resulted in reducing the originally proposed car share factor for non-home based workers from 2.0 per car to 1.54 to reflect patterns at Hinkley Point C.</p> <p>Whilst information from Hinkley Point C provides an indication of potential patterns, SCC stresses that Hinkley Point C is located in an area different to Sizewell C and so will naturally exhibit different travel patterns.</p> <p>SCC considers the modelled car share ratio acceptable, being based on reasonable information that was available at the time of assessment. However, like many elements of modelling, the car share factors come with an element of risk, impacting, if the factors were to be significantly wrong, on the capacity of the car parking facilities and the capacity of junctions local to the parking facilities.</p> <p>The Applicant has indicated to SCC that there will be a commitment within an updated CWTP to achieving the assessed levels of car sharing (i.e. those modelled within the Transport Assessment and Environmental Statement). The Applicant proposes this to be done through monitoring car share ratios and car park occupancy at the site and park and ride sites, and to introduce relevant mitigation through the Transport Review Group to address any potential impacts of a reduced car share ratio; such as management measures including the introduction of additional bus services or mini bus services. SCC supports these proposals, and requires comprehensive monitoring and appropriate</p>

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ExQ1	Question to:	Question:
		<p>contingency funding. Discussions with the Applicant on relevant monitoring and enforcement are ongoing.</p> <p>However, SCC has still unresolved concerns relating to car share factors utilised for visitors to the development, given the lack of evidence from other developments such as Hinkley Point C. It is noted that a control mechanism within the Management Plans can be implemented such that any exceedance of trips associated with this user type can be monitored and mitigated if necessary.</p>
TT.1.52	The Applicant, SCC	<p>Transport Assessment (TA) [AS-017] – Classification of HGV.</p> <p>Paragraph 7.2.43 states “HGVs include, for transport modelling purposes, all goods vehicles over 3.5 tonnes. HGVs are usually classified as goods vehicles over 7.5 tonnes; however, the lower threshold has been applied to provide a robust basis for the Transport Assessment.”. Explain this assumption in the following context:</p> <ul style="list-style-type: none"> (i) It is unlikely that the pattern of sizes of goods vehicles associated with the Proposed Development would replicate the sizes of types of goods vehicles in the existing flows surveyed. It is more likely the Proposed Development HGV traffic would be in the ‘usual’ classification of HGVs mentioned above. That being the case the same usual classification of HGV size of 7.5 tonnes would seem the most accurate one to use; (ii) With the inflation of the baseline number of HGVs represented by the current assessment it would mean that the baseline (existing) level of HGVs are over estimated and therefore percentage increases in HGVs associated with the Proposed Development are being underestimated both in the Transport Assessment and in the Chapter 10 of the ES; and (iii) If the applicant is satisfied that the HGV traffic associated with the Proposed Development will replicate the size pattern of baseline surveyed traffic, explain how this would be controlled within the DCO process to avoid the dominance of much larger vehicles being used.
	Response	<ul style="list-style-type: none"> i) SCC has noted that (as per the Transport Assessment [AS-017] paragraph 7.2.43, quoted in this question) HGVs include, for transport modelling purposes, all goods vehicles over 3.5 tonnes. In accordance with CD 224 Traffic Assessment of the Design Manual for Roads and Bridges (DMRB) the vehicle size for OGV1 is a 2 or 3 axle rigid vehicles and makes no reference to weight. As the data provided by

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ExQ1	Question to:	Question:
		<p>survey companies is, usually, based on the vehicle classification set out within DMRB, the baseline data used for the modelling should include all 2 axle rigid vehicles which can be 3.5 tonne to 7.5 tonne vehicles under OGV1. As such the data used for modelling purposes is considered to be correctly applied. SCC accepts for modelling purposes the definition of HGV / OGV is a vehicle over 3.5 tonnes maximum gross vehicle weight (CD224)</p> <p>https://www.standardsforhighways.co.uk/prod/attachments/257e5888-2bfd-492d-92d4-ecf7d40428b0?inline=true and government guidance https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/211948/simplified-guide-to-lorry-types-and-weights.pdf).</p> <p>ii) The proportion of OGV1 versus OGV2 has not been accounted for in the Applicant's assessment. If HGV classifications have underestimated the larger proportion of HGVs to be in place due to Sizewell C, then there may be a potential for some impacts to be underestimated. Hence this issue remains under review.</p> <p>iii) SCC recognises that there is a balance between the number and size of HGVs. The position of SCC is firstly to reduce the overall amount of material that is required to be transported by road to the Main Development Site and Associated Development Sites. Thereafter SCC would seek to reduce the number of vehicles by using the largest appropriate ones to the nature of the route, balancing fewer numbers of HGVs against the greater wear to the highway fabric by each individual vehicle. The proposed monitoring of HGV movements within the CTMP includes 3.5 tonne vehicles and therefore also the smaller vehicles above 3.5 tonne will need to follow the routes set for all HGVs and be included for within the caps and controls identified.</p>
TT.1.53	The Applicant	<p>Transport Assessment (TA) [AS-017] – HGV movements between LEEIE and Main Site</p> <p>(i) In Table 7.4, do the numbers of HGV set out in this include HGV trips from to LEEIE?</p> <p>(ii) In TA Addendum [AS-266] it is stated in Paragraph 7.4.3 that the revised Table 7.4 does include these trips but in order to ensure direct comparison confirmation is needed that in the original Table 7.4 [AS-107] is also correct.</p>

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ExQ1	Question to:	Question:
	Response	
TT.1.54	The Applicant	<p>Transport Assessment (TA) [AS-017] – Early Years Construction 2023</p> <p>Explain:</p> <ul style="list-style-type: none"> (i) The limit of 300 HGV deliveries to the main site was used as a limiting target for HGV movements on the wider network when in Table 7.10 of the TA there are 380 daily one way movements shown entering and leaving the Main Development site? (ii) Why this limit could not be expressed as total for all Sizewell related construction on the network? (iii) Can limits for particular routes be derived so that impacts do not exceed those identified in the ES?
	Response	
TT.1.55	The Applicant	<p>Transport Assessment (TA) [AS-017] – Strategic Modelling</p> <p>Traffic surveys used to build the model were undertaken in 2015. Explain:</p> <ul style="list-style-type: none"> (i) The extent to which more recent traffic flows have been collected; and (ii) How the model outputs have been validated against more recent traffic flows.
	Response	
TT.1.56	The Applicant	<p>Transport Assessment (TA) [AS-017] – Strategic Modelling</p> <p>Explain how the selection of the network peak hours were determined?</p>
	Response	
TT.1.57	The Applicant	<p>Transport Assessment (TA) [AS-017] – Strategic Modelling</p> <p>The workforce profile shown in Plate 1.1 of the Construction Worker Travel Plan [APP-608] and Figure 2.1 of the Accommodation Strategy [APP-614] shows that the total workforce in the early years prior to the completion of the Associated Development sites exceeds 3000. Explain:</p> <ul style="list-style-type: none"> (i) Why in Table 7.7 of the TA [AS-017] the early years workforce assumption for modelling purposes is 1500 people?

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ExQ1	Question to:	Question:
		(ii) Why using this much reduced figure does not mean modelled levels of predicted traffic would not be underestimated?
	Response	
TT.1.58	The Applicant	<p>Transport Assessment Addendum [AS-266] – Strategic Modelling</p> <p>In Table 3 in Appendix 7A car park accumulations are derived from the modelling and the maximum accumulations are significantly less than the car park capacities. Explain:</p> <p>(i) Why car park capacity in excess of these modelled figures is being proposed?</p> <p>(ii) Has modelling been undertaken for flows that would fill the desired car park capacities? and</p> <p>(iii) If not, why has this not been done as if car parks do fill to capacity this will impact on traffic flows on the network.</p>
	Response	
TT.1.59	The Applicant	<p>Transport Assessment Addendum [AS-266] – Strategic Modelling</p> <p>Explain how the traffic associated with workers travelling from home to and returning from the accommodation campus and the caravan site on the LEEIE has been taken into account in the modelling?</p>
	Response	
TT.1.60	The Applicant, SCC	<p>Transport Assessment Addendum [AS-266] – Committed Developments</p> <p>Paragraph 8.2.8 does the current reference case traffic modelling take account of all relevant committed developments?</p>
	Response	<p>The committed developments for housing and employment growth that have been considered within the modelling are considered to be an acceptable approach for a Transport Assessment, and SCC considers that the Applicant has provided an acceptable representation of the phasing of the developments and the mitigation being implemented on the network within the study area assessed.</p>

ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		It is clear that not all committed developments within the wider area have been specifically assessed within the modelling, but these developments are considered to be either not of a scale to materially impact conclusions or on the fringes of the assessed network, and are therefore considered to be reasonably assessed through changes to background growth.
TT.1.61	The Applicant, SCC	<p>A12 improvements: A14 'Seven Hills' to A1152 Woods Lane.</p> <p>Explain how the development of this project takes account of the impact of the Proposed Development and also whether the submitted modelling of the Proposed Development takes account of any of the improvements planned.</p>
	Response	<p>(See also answer T1.82 regarding impact of the Sizewell C project on this section of the A12)</p> <p>The A12 Major Road Network assessment includes a number of scenarios all of which includes Sizewell C traffic; these are the following:</p> <ul style="list-style-type: none"> • 2025: this currently includes traffic from the Early Years Construction phase + EA1N and EA2 construction traffic; • 2028: this currently includes traffic from the Peak Years Construction phase + EA1N and EA2 construction traffic; and • 2040: this currently includes the Sizewell C Operational phase (for confirmation it does not include EA1N or EA2 Traffic as construction would be completed and they generate very low operational traffic). <p>The Sizewell C development has been included in the Core Scenario to reflect TAG Unit M4: Forecasting and Uncertainty. Whilst Sizewell C has been included in the forecasting, the proposed works for the Major Road Network (MRN) project are to support Local Plan growth and to accommodate and mitigate associated traffic impacts, as such assessments consider forecasts beyond the build out of Sizewell C, EA1N and EA2.</p> <p>For the delivery of the MRN works, a construction phasing plan is not yet available, however, assuming funding being allocated by the Department for Transport, an indicative timetable would see construction of the highway works being undertaken in phased process between autumn 2023 and winter 2025. SCC would engage with the Applicant on these works and programming to minimise disruption where possible.</p>

ExQ1: 21 April 2021

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ExQ1	Question to:	Question:
		<p>The Applicant’s assessment does not take into consideration the MRN scheme; however, the strategic model takes into account relevant developments and their mitigation measures, of most note is the Brightwell Lakes development which sees improvements to the Brightwell Lakes access road onto the A12 and improvements to the Seven Hills grade separated A12 / A14 junction. However, it should be noted that the microsimulation model did not include the proposed slip-road from the A14 Westbound Off-Slip onto the A1156 Felixstowe Road at the Seven Hills grade separated A12 / A14 junction. This is a limitation in the microsimulation model. For clarity the Applicant’s assessment does include an acceptable phased build out of the Brightwell Lakes mitigation, and so includes consideration of the built form of the highway works for the following scenarios:</p> <ul style="list-style-type: none"> • Early years includes the Brightwell Lakes mitigation at the A12 / Brightwell Lakes access only. • Peak Construction includes the Brightwell Lakes mitigation at A12 / Brightwell Lakes access, A12 / Foxhall Road, A12 / Seven Hills and A12 / Barrack Square. <p>The Applicant’s assessment does not consider any impact associated with the traffic management associated with the construction of either of the Brightwell Lakes mitigation nor with the traffic management associated with the construction of the MRN mitigation.</p>
TT.1.62	The Applicant, SCC, Scottish Power	<p>Transport Assessment (TA) [AS-017] – Cumulative Assessment with EA1N and EA2</p> <p>Is the traffic data input provided used in the modelling of the Scottish Power proposal EA1 and EA2 still the correct current data?</p>
	Response	<p>The Applicant submitted a technical note to SCC that highlighted the differences in the flows between those assessed within the respective DCOs; it is understood that this technical note will be submitted to the Examining Authority by the Applicant. There are some differences to the flows assessed; however, SCC considers these as very minor and highly unlikely to have a material impact on any conclusions.</p>

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ExQ1	Question to:	Question:
TT.1.63	The Applicant, SCC, Scottish Power	<p>Transport Assessment (TA) [AS-017] – Cumulative Assessment with EA1N and EA2</p> <p>Explain:</p> <ul style="list-style-type: none"> (i) How highway mitigations proposed for this project would be aligned with those proposed by East Anglia One North and Two offshore windfarms; (ii) How any overlap of mitigations proposed would be managed to minimise potential abortive work; (iii) How highway works would be coordinated between the projects; and (iv) How the Construction Traffic Management Plans would be aligned and managed to ensure consistent approach to traffic management between all projects and existing highway users.
	Response	<ul style="list-style-type: none"> i) Given the complexity and programming of projects there are a number of scenarios that could occur; meaning that SCC needs to ensure that each project mitigates its impacts in isolation. It is expected that there will be ongoing engagement between the SCC, ESC, Scottish Power Renewables and Sizewell C Co. SCC considers the timing of interventions is critical to avoid construction activities causing delays to either Sizewell C or East Anglia One North and Two haul routes. This may require some activities being brought forward. ii) SCC considers there are three locations where the potential for abortive work could occur (Marlesford, Yoxford and A12 / A1094 Friday Street junction), and all Projects are expected to mitigate their proportional impacts at these locations. It is anticipated that there will be on going engagement between the relevant parties on the programming of works for all projects, and as set out at Paragraph 83, 101 and 105 of REP9-003 of the EA1N DCO, as part of the final CTMP, SPR will submit details of the mitigation works it proposed to implement (if any) to address predicted impacts at Friday Street junction, Marlesford and Yoxford taking into account of the most up to date information available on the Sizewell C programme to avoid the potential for abortive works. iii) At SZC-402 to 404 of REP8-112 of the EA1N/EA2 DCO, which forms the EA1N / EA2 Statement of Common Ground with SZC Co., there is a commitment for regular engagement between the parties with regards to elements of the EA1N/EA2 mitigation. At SZC-501, there is a commitment to engage regularly between the parties so that any interface between the projects can be considered at an early

ExQ1	Question to:	Question:
		<p>stage. The Applicant would keep the Councils informed of highway works through the Transport Review Group incorporating their engagement with SPR and it is understood that this commitment will be included in a future submission of the CTMP.</p> <p>iv) The construction management plan of each project reflects their relative works, scale and impacts and as such are not identical. Through the TRG the highway authority will keep the Applicant informed of upcoming highway works and any programming associated with major schemes (i.e. the MRN works). SPR will be appointing a Construction Transport Management Plan Coordinator (paragraph 14 of the Outline Construction Transport Management Plan https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-004831-8.9%20EA1N%20Outline%20Construction%20Traffic%20Management%20Plan%20(Tracked).pdf) for their projects and it will be imperative that they co-operate with their equivalent in the SZC project. In the EA1(N) / EA2 DCO's there is a commitment by NNB and SPR to engage during design and construction of their respective projects (SZC-501 https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-004486-ExA.SoCG-18.D8.V2%20EA1N&EA2%20Statement%20of%20Common%20Ground%20with%20NNB%20Generation%20Company%20(SZC)%20Limited.pdf) although SCC feels this short of the details require to assess how this will be done and whether this includes co-operation managing construction and worker trips.</p>
TT.1.64	The Applicant	<p>Transport Assessment (TA) [AS-017] – Junction Modelling</p> <p>In their representation both Suffolk County Council a [RR-1174] paragraph 33 and East Suffolk Council [RR-0342] paragraph 1.204 consider that the highway mitigation proposed by the Applicant is not comprehensive. They propose the areas listed in the two cited paragraphs require additional consideration for improvement. Provide a detailed response to these concerns.</p>
	Response	

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ExQ1	Question to:	Question:
TT.1.65	The Applicant	<p>Transport Assessment (TA) [AS-017] – Junction Modelling</p> <p>In paragraph 9.1.2 says 42 junctions have been assessed but in paragraph 9.5.2 it says that 54 junctions have been assessed. Explain this anomaly.</p>
	Response	
TT.1.66	The Applicant	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 5 A1094/ B1069 junction, explain why the cumulative impact of Scottish Power is not considered given that in the assessment in the TA [AS-107] the cumulative impact has the junction operating over capacity in some time periods in both the Early Years and Peak Construction periods with Scottish Power traffic.</p>
	Response	
TT.1.67	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 5 A1094/ B1069 junction. Are you satisfied that the mitigation proposed is an appropriate response to the proposed development impact at this junction?</p>
	Response	<p>The operation of this junction has been raised by SCC as a concern in discussions with the Applicant, and is also highlighted in the LIR. We recognise that the junction operates within capacity in all development scenarios submitted to date, noting that we are awaiting a further local junction model scenario for this location, however, there are some noticeable increases in average delay of up to 10 seconds. There is an in-combination effect on capacity when considering traffic associated with EA1N and EA2 that occurs in one hour of a worst-case scenario.</p> <p>As with all modelling assessment, there is inherent risk within the modelling; the most pertinent to this particular junction are related to:</p> <ol style="list-style-type: none"> 1) Workforce numbers: There are currently no controls proposed that would control the total workforce numbers; meaning that they could exceed those assessed in the Early Years Scenario prior to the delivery of the southern park and ride (which is the most pertinent piece of infrastructure with regards to this location). 2) The gravity model and where the workforce will live/travel to/from. 3) There is currently no assessment of the reinstatement phase, so workforce numbers could exceed those assessed in the Early Years following removal of relevant mitigation (e.g. the southern park and ride).

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ExQ1	Question to:	Question:
		<p>4) Workforce shift patterns: There are no controls proposed on the staff shift patterns; currently staff shift patterns are assessed based on a profile where staff traffic is generally outside of the busiest peak periods; if these patterns were not to occur as predicted this potentially would negatively impact the operation of this location.</p> <p>SCC is satisfied that the scheme is an appropriate response to the road safety implications of the proposed increase in traffic, but would have little effect on capacity. However, we are mindful of the length of time that in combination effects could occur for (especially with regards to the profile of EA1N and EA2 traffic). As part of EA1N/EA2 Travel Plan (REP9-007) at paragraph 45 there is a commitment to review their impacts at this location post consent and to determine whether there is a need for additional mitigation; most likely in the form of workforce traffic management.</p> <p>In order to minimise risk at this location, we would expect the following management measures from the Applicant:</p> <ul style="list-style-type: none">a) Monitoring and controls on workforce numbers to ensure impacts do not exceed those assessed within the ES.b) Monitoring and controls on shift patterns to ensure impacts do not exceed those assessed within the ES.c) Monitoring of the reinstatement phase through the Transport Review Group.d) Traffic flows at this location to be monitored through the Transport Review Group and additional management mitigation to be provided if necessary. <p>Subject to the results of the aforementioned modelling exercise, and confirmation of relevant monitoring, SCC considers the proposals and monitoring a proportionate response to their impacts.</p>
TT.1.68	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 9 B1119 / B1122 / B1069 Leiston Crossroads was modelled to be operating over capacity in the morning peak hour 08.00 to 09.00 in the operational phase of development 2034 onwards in the original TA [AS-017]. Revised modelling results in Table 9.16 show additionally the 15.00 to 16.00 peak construction period over capacity. Is the Council content that no additional mitigation is required beyond what is suggested in the TA and the TA Addendum?</p>

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ExQ1	Question to:	Question:
	Response	SCC considers that mitigation is required for this location. SCC supports proposals for this issue to be addressed through the Leiston town improvement scheme being progressed by the Applicant and detailed in SCC's answer to TT.1.69 . A key feature of the proposed mitigation is to remove one of the signalised arms of the junction to reduce delays, although discussions are ongoing regarding the need for a cycle phase at the junction to allow safe exit from the High Street. Modelling of the junction in its revised form will be required to evaluate the benefits of this part of the scheme in terms of capacity.
TT.1.69	SCC, ESC, Leiston Town Council	Transport Assessment Addendum [AS-266] - Leiston Public Realm Improvements Paragraph 12.6.6 are SCC and Leiston Town Council satisfied with the scope and extent of these works as mitigation for the predicted transport effects in Leiston?
	Response	SCC is satisfied that, subject to community engagement, the scope and extent of the Town Centre scheme can be agreed with the Applicant. The proposals in the Transport Assessment Addendum [AS-266] section 12.6.6 are correct but omit restrictions proposed by the Town Council to make Sylvester Road, Grimsey Road and Eastward Ho one-way. Details of the wider cycling infrastructure within the town, specifically measures assisting workers in the Site Campus to access the town centre still need to be finalised. All proposals are only at a high level and significant work remains to develop these to enable technical approval of the design to be given by SCC.
TT.1.70	The Applicant, SCC	Transport Assessment (TA) [AS-017] – Junction Modelling Junction 11 A12 /A144 junction – (i) Explain why Junctions 9 modelling was not undertaken for the existing layout of this junction. Although changes are proposed it would give a comparable assessment of the operation of the junction in its current layout (without mitigation); (ii) Explain in more detail why Junctions 9 could not be used on the proposed layout as it has been used on A12 / B1119 staggered T junctions; and (iii) Suffolk County Council provide your views of the proposed junction assessment and potential improvement.
	Response	The existing and proposed junction layout have been assessed using VISSIM. SCC is content that the assessment of the junction in its existing form and proposed form using VISSIM software is acceptable. A Junctions 9 model could be produced by the Applicant; however, it is likely that SCC may consider the results of any Junctions 9 assessment,

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ExQ1	Question to:	Question:
		<p>whilst helpful, to be superseded by the Yoxford VISSIM model. It is considered that the proposed layout would have a limited beneficial effect on junction capacity. It may be that as part of the detailed design stage, a local junction model should be built to undertake a final check on the junction's operation.</p> <p>In terms of road safety, SCC as local Highway Authority has raised concerns regarding large vehicles turning right (south) from the A144, in part due to the width of the central reserve, requiring this to be made in a single movement. Widening of the central reserve to allow a two-stage movement would, in SCC's opinion, be safer but would require significantly more space and is likely to encroach beyond the highway boundary. The Applicant has responded that no SZC related HGVs are intended to travel on the A144 and therefore, in the Applicant's view, this impact of the project in these terms is not significant. Monitoring is required to ensure that actual HGV movements conform to the assumptions made.</p>
TT.1.71	The Applicant	<p>Transport Assessment (TA) [AS-017] – Junction Modelling</p> <p>Junction 13 A12 / B1122 Junction. Provide a Junction 9 assessment of the early years scenario of the existing layout so as to enable direct comparison of performance between the existing and proposed layouts and in addition so comparison can be made with the Junctions 9 assessment undertaken within the East Anglia windfarm applications.</p>
	Response	
TT.1.72	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 13 A12 / B1122 Junction. Paragraphs 9.5.29 and 9.5.30 suggest that the introduction of the roundabout will add or even create queues on the A12. What is the Highways Authority's view of the introduction of this roundabout?</p>
	Response	<p>SCC recognises that the proposed roundabout will create additional delay, particularly for southbound A12 traffic; however, this delay is generally considered to be minor, with some short spikes in queue lengths, which within the modelling are seen to dissipate quickly and have been considered in the context of wider impacts. The modelling indicates that the roundabout will reduce delay for B1122 outbound movements, will at points reduce the delay and therefore impact of right turn movements onto the B1122, and the associated blocking of northbound A12 through movements and is likely to be of a road safety benefit for right turning movements. SCC considers the roundabout as acceptable mitigation with</p>

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ExQ1	Question to:	Question:
		a positive impact on B1122 movements, but with a negative impact on traffic flow for A12 southbound traffic.
TT.1.73	The Applicant	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 14: B1069 / A1094. Explain why this junction is expected to operate better following the additional modelling undertaken.
	Response	
TT.1.74	SCC, Highways England	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 21: A14 / A12 Seven Hills Interchange. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?
	Response	SCC is not satisfied. This corridor has been considered holistically, and the answer is covered in TT.1.82 below.
TT.1.75	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 22: A12 / Foxhall Road / Newbourne Road. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?
	Response	SCC is not satisfied. However, this corridor has been considered holistically, see TT.1.82 below.
TT.1.76	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 24: A12 / Anson Road / Eagle Way. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?
	Response	SCC is not satisfied. However, this corridor has been considered holistically, see TT.1.82 below.
TT.1.77	The Applicant	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 26: A12 / B1438. Explain how the refined DCO flows changes have created significant changes in junction performance.
	Response	
TT.1.78	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling

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ExQ1	Question to:	Question:
		Junction 26: A12 / B1438. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?
	Response	SCC is not satisfied. However, this corridor has been considered holistically, see TT.1.82 below.
TT.1.79	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 27: A12 / B1079 Grundisburgh Road. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?
	Response	SCC is not satisfied. However, this corridor has been considered holistically, see TT.1.82 below.
TT.1.80	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 29 A12 / New Road / Woodbridge Road. Paragraph 9.5.133 states that “SZC Co. propose that the traffic flow, driver delay and road safety performance of this junction be monitored during the construction of Sizewell C via the Transport Review Group (TRG), and impacts managed in alignment with the construction phase management plans. The Draft Section 106 Agreement (Doc Ref. 8.17) [PDB-004] sets out transport contingency effects funds that would be available to the TRG to address any identified issues, should they arise. Are you satisfied with the suggested approach at this junction?
	Response	Considering the modelling outputs and road safety history of this location, as well as an aim to avoid unnecessary highway works along this corridor, SCC is satisfied with this approach.
TT.1.81	The Applicant, SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 38: A12 / B1125 Angel Lane, Blythburgh. Paragraph 9.5.137 states that “The Refined DCO forecast flows at this location have changed very little, however visibilities in the model have been adjusted to address comments made by SCC. This results in RFCs changing by +/- 0.13 and delays changing by +/- 15s per vehicle.”. Explain these comments and the adjustments to visibilities made.
	Response	SCC was concerned that the original measurement for forward visibility was from a location that vehicles would potentially not occupy due to the layout of the junction, as vehicles would need to sit further back in order to undertake a right turn in manoeuvre. In order to provide a robust assessment of the junction’s operation we requested that the

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		<p>forward visibility for right turn movements was reduced. The Applicant reduced it to 50m, which, although potentially slightly higher than what we believe may be the actual figure (in the order of 40 to 50m), had little effect on the overall operation of the junction and any further small reductions would have even less of an effect. The model of this junction is considered acceptable.</p>
TT.1.82	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling A12 Corridor Assessment. Paragraph 9.6.20 states that “Based on the VISSIM assessment, no perceivable impact is predicted and therefore no mitigation in the form of highway improvements is considered to be required for the A12 corridor between Seven Hills and Melton. SZC Co. will implement a Construction Traffic Management Plan and Construction Worker Travel Plan to monitor and manage the impacts of Sizewell C freight traffic and workforce movements during the construction of Sizewell C. A Transport Review Group (TRG) will be established to review these plans and review the monitoring report produced each quarter. A transport contingency fund will be made available to the TRG to be used if necessary, to implement any further mitigation measures and remedial actions.” Do you agree with this analysis and the suggested approach to any necessary mitigation?</p>
	Response	<p>SCC do not agree with the conclusion that mitigation is not required on this corridor. SCC recognises that issues along this corridor are both pre-existing and worsened by general background growth, but that these issues will be further exacerbated by Sizewell C traffic. In particular, the Applicant’s modelling, for which there is inherent risk within the results, has identified that the increase in traffic will result in the following impacts:</p> <ul style="list-style-type: none"> a) In the early years average delay per vehicle will increase by 3 to 5 seconds and total delays on the corridor by 24 to 43 hours as a result of Sizewell C traffic. North to south journey times along the entire length of the corridor would increase by between 1 and 18 seconds depending on the hour and direction as a result of Sizewell C traffic. However, as noted under c), there are notable significant impacts of delay in specific location. b) For Peak Construction, a number of scenarios have been modelled, but average delay per vehicle would increase by between 5 and 13 seconds and total delay would increase between 56 and 152 hours as a result of Sizewell C traffic. North to south journey times would increase by between 1 and 62 seconds depending on the hour

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ExQ1	Question to:	Question:
		<p>and direction as a result of Sizewell C traffic. However, as noted under d), there are notable significant impacts of delay in specific location.</p> <p>c) Some examples of noticeable impacts in the Early Years scenario include the following:</p> <ul style="list-style-type: none">o An approximate 17min increase in the queue length on the A12 north approach to the A12 / A1214 roundabout.o An approximate 43min increase in the queue length on the Foxhall Road approach to the A12 / Foxhall Road roundabout.o An approximate 24min increase in the queue length on the Barrack Square approach to the A12 / Barrack Square roundabout. <p>d) Some examples of noticeable impacts in the Peak Years scenario include the following:</p> <ul style="list-style-type: none">o An approximate 113min increase in the queue length on the A12 south approach to the A12 / B1438 roundabout.o An approximate 76min increase in the queue length on the A12 south approach to the A12 / B1079 roundabout.o An approximate 82min increase in the queue length on the A12 north approach to the A12 / A1214 roundabout.o An approximate 104min increase in the queue length on the Anson Road approach to the A12 / Anson Road roundabouto An approximate 91min increase in the queue length on the A12 north approach to the A14 / A12 Seven Hills roundabout <p>e) Although the methodology and therefore the outputs of the environmental assessment of road traffic have not been agreed, there are a number of locations along the corridor where the Applicant has identified a Major Adverse impact on Fear and Intimidation.</p> <p>f) Outside of the impacts identified above, which are averages, there are the less quantifiable impacts associated with reduced capacity and increased journey times associated with AILs and increased incidents.</p> <p>These impacts will result the following:</p> <ul style="list-style-type: none">a) Negative impacts on the Suffolk economy, including on tourism, as a result of increased journey times (real and perceived);b) Reduced resilience along the corridor;

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		<p>c) Negative impacts on road safety as a result of increased congestion and driver frustration;</p> <p>d) Increased severance along the corridor; and</p> <p>e) Reduced vulnerable road user amenity along the corridor, particularly for pedestrians on the A12 at Woodbridge, and cyclists along the corridor.</p> <p>While large vehicles cannot deviate from the A12 or B1122, significant delays or disruption on this route will displace light vehicles to other routes such as the A1152/B1069 or B1078 preferable for workers. This may then result in additional impacts elsewhere.</p> <p>Notwithstanding the comments made on the modelled results, the modelling within the Transport Assessment relies on the assumption made regarding the volumes of construction traffic using the network particularly during peak hours. For example, the assumed shift patterns for workers places most journeys outside peak hours, and the number of peak hour HGV movements are currently not proposed to be capped. SCC considers this a significant risk and is requesting suitable monitoring and controls to ensure that the theoretical numbers assumed in the modelling are not exceeded. See LIR [REP1-045].</p> <p>SCC are preparing a bid for funding improvements to the A12 corridor east of Ipswich. These are primarily to support local growth over and beyond the duration of the Local Plan but would reduce delays and mitigate some of the impacts resulting from SZC. SCC as the local Highway Authority expects the Applicant to provide a proportional financial contribution towards Major Road Network (MRN) improvements, to mitigate Sizewell C's impacts on capacity, economic impacts of congestion, impacts on fear and intimidation and road safety along this part of the A12.</p> <p>The economic impacts of congestion as a result of Sizewell C construction traffic for this corridor is evidenced by a high-level assessment by Aecom commissioned by SCC, which is submitted as SCC Appendix to ExQ SE.1.42. Accepting the limitations of this assessment in terms of it not being able to provide an exact prediction of the economic impact, SCC considers that the assessment clearly indicates a significant negative cost on the economy for the A12 corridor between Seven Hills and A1152 Woods Lane as a result of increased congestion from Sizewell C construction traffic. It should be noted that these calculations do not include any assessment as a result of disruption caused by traffic management as a result of highway works nor as a result of abnormal loads. The</p>

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ExQ1	Question to:	Question:
		<p>identified range of the economic impacts based on the high level assessment method needs to be considered alongside the other impacts on this corridor, and supports the case for Sizewell C to provide a proportionate contribution towards the MRN improvements.</p> <p>The proposed MRN improvements may also make the A12 a more attractive route in terms of journey time and reliability for workers than cross country routes such as the B1078, thus may reduce the impact of Sizewell C on these routes.</p> <p>If the MRN bid is unsuccessful the LHA will be looking to secure localised highway improvements funded by the Applicant to mitigate the specific SZC transport impacts on the A12 corridor.</p> <p>SCC considers that the Applicant needs to contribute to the mitigation as suggested above, and disagrees that reliance on the contingency fund to provide mitigation would be appropriate in this case. If mitigation was reliant on the contingency fund, the mitigation would be reactive, i.e. an impact occurring would trigger a need for mitigation which would at that point still need to be designed and delivered. Thus, mitigation on the A12 corridor would only be delivered after the impact or would not be possible to deliver it due to the combined impact of construction traffic and disruption of the construction of the mitigation itself.</p>
TT.1.83	The Applicant	<p>Transport Assessment Addendum [AS-266] – Journey Times</p> <p>Paragraph 14.2.15. What are the daily variations of journey times along this section of the A12?</p>
	Response	
TT.1.84	SCC	<p>Transport Assessment Addendum [AS-266] – Road Traffic Collision Forecasts</p> <p>Section 10.2 sets out the Applicant’s approach to assessment of future road traffic collisions. Do you agree with the assessment approach used and also in general where they suggest improvements these are required?</p>
	Response	<p>The assessment method is considered by SCC to be acceptable, and those locations identified are considered to be reasonable given the road collision histories and relevant modelling. However, road collisions will need to be monitored through the Transport Review Group to identify any potential unforeseen issues.</p>

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ExQ1	Question to:	Question:
		<p>In particular, given the modelled operation of the B1078/B1079 junction, SCC considers the works proposed by the Applicant here to be necessary and continued operation of the junction needs to be reviewed.</p>
TT.1.85	<p>SCC, ESC, Wickham Market Parish Council</p>	<p>Transport Assessment Addendum [AS-266] – Road Traffic Collision Forecasts</p> <p>Paragraph 10.3.8 states that “In Wickham Market, between Border Cot Lane and the River Deben bridge, proposals have been developed in consultation with Suffolk County Council, East Suffolk Council and Wickham Market Parish Council. They include footway widening around the Border Cot Lane / High Street junction, kerb build-outs and parking rationalisation over this length. There would be no change to the existing 30 mph speed limit.” Paragraph 10.3.10 in the first bullet point sets out that B1078 safety measures would hope to reduce vehicle speeds. Given there is a section of the B1078 that passes through a residential section of Wickham Market could you explain whether a reduction of the speed limit to 20mph was considered here?</p>
	<p>Response</p>	<p>SCC is still considering whether a 20mph zone is appropriate for some or all of the residential areas of Wickham Market. This will depend on compliance with SCC’s speed limit guidance (https://suffolkroadsafe.com/speeding/speed-limits) and details of the design. A 20mph speed limit is not favoured as it is normally only considered in exceptional circumstances for B class roads, and because of the intrusive signage within a conservation area. A 20mph zone would need to be largely self-enforcing and this will be dependent on the detail design of the mitigation.</p>
TT.1.86	<p>The Applicant</p>	<p>Transport Assessment Addendum [AS-266] – Walking and Cycling Routes</p> <p>References to Access and Rights of Way Plans. Confirm:</p> <ul style="list-style-type: none"> (i) Paragraph 12.2.7 wrongly references new bridleway being shown on Access and Rights of Way Plans [AS-013] should this be submitted with the Applicant’s change request [AS-113]? and (ii) Paragraph 14.3.16, wrongly references changes being shown on Access and Rights of Way Plans [AS-013] should this be submitted with the Applicant’s change request [AS-113]?

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ExQ1	Question to:	Question:
	Response	
TT.1.87	The Applicant, SCC	<p>“Rat Running” Traffic Routes</p> <p>Numerous Relevant Representations have raised concerns around rat running through less suitable routes by workers and traffic associated with Sizewell C. Explain measures that are proposed or that could be employed to ensure compliance with recommended routes including any signing and digital navigation services proposed.</p>
	Response	<p>It is important to note that for a large number of workers’ journeys, the natural route for them to travel from their home either to the Main Development Site, or the Park and Ride sites will not be via the A12, B1122 or Sizewell Link Road, and so vehicle movements by workers, whilst not reasonably considered as rat running, will increase along the vast majority of local roads. Vehicle movements will also increase as non-home bound workers undertake other non-work journeys.</p> <p>For workers travelling by car or motorcycle, no measures are proposed by the Applicant to control their routes as these will largely be dependent on the point of origin. The combination of large construction vehicles and workers using the main routes in the area may also result in local drivers seeking alternate routes on minor roads. Thus, SCC considers that it is likely that many workers and local drivers will switch to minor routes ‘rat running’ through local communities. Experience gained during temporary road closures is that these issues can be hard to predict and the impacts are not solely related to the increase in traffic. The nature of the roads often have a considerable importance in local residents’ perception of the issues.</p> <p>There are a number of measures that the Applicant has proposed to reduce the potential impacts of worker vehicle movements; these include:</p> <ul style="list-style-type: none"> a) Provision of the accommodation campus and LEEIE caravan park (both by ensuring they do not need to drive to site and providing facilities meaning that in some cases they will not need to travel off-site) b) The Park and Rides (including the postal consolidation facility) c) The Lowestoft Bus service

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		<p>d) The Ipswich Bus Service e) The Woodbridge Bus service</p> <p>Further to the bus services modelled above, as part of the bus strategy, as the development builds out, locations that could support a bus service to reduce impacts on rural communities will be identified and investigated through the Transport Review Group. The current aim through the CWTP is for approximately 80% of the workforce to travel by either walk, cycle, direct bus or park and ride to/from the site.</p> <p>In order to ensure that staff travel to the site by the correct bus (i.e. their nearest bus), the proposals include a parking permit system, an electronic reader for bus passengers and allocation of model of travel. These details will be further updated in a revised submission of the Construction Workforce Travel Plan, and forms a continued area of engagement between SCC and the Applicant.</p> <p>Additional controls for Sizewell C should include:</p> <ul style="list-style-type: none">• Monitoring and enforcement of controls on HGVs and LGVs as stated in the management plans.• Effective management of the parking controls for workers• Setting of rules for good behaviour for workers when travelling to work• Signage strategy for freight vehicles and workers. To date these have been of a strategic nature focusing on the A14 and A12 directing traffic o SZC, the FMF or the park and ride sites. <p>Where reports of rat running are received during the construction of SZC the TRG must have clear guidance to evaluate the issues raised and where necessary instigate action. This could include:</p> <ul style="list-style-type: none">• Modification or enforcement of management plans• signage such as unsuitable for traffic signs• Temporary speed control or other legal or physical restrictions on the highway, local self-help (VAS) or enforcement (subject to suitable resources being provided) <p>SCC is conscious that the nature of the intervention needs to be flexible and fitting to the circumstances.</p>

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ExQ1	Question to:	Question:
		While tracking of HGVs, buses and potentially LGVs by GPS appears to SCC to be a practical method this may not be the case for workers travelling to the park and ride site. Journeys to a place of work i.e. starting at the park and ride site are undertaken as a private individual and it is difficult to see how tracking can be imposed on workers when they are not at work.
TT.1.88	The Applicant	Transport Assessment (TA) [AS-017] – Rail Paragraph 2.7.10 explains that Sizewell Halt was last used for the decommissioning of Sizewell A but is not currently used. However, paragraph 2.7.8 also states that the East Suffolk Line carries occasional nuclear flask trains for Sizewell A and B. Explain the current operation used for occasional nuclear flask movements and if this relates to any usage of Sizewell Halt.
	Response	
TT.1.89	The Applicant	Transport Assessment (TA) [AS-017] – Rail Was the use of Sizewell Halt considered in relation to construction of Sizewell C?
	Response	
TT.1.90	The Applicant	Transport Assessment (TA) [AS-017] – Rail Rail siding in LEEIE. Will this be used after the opening of the Green Rail Route? If not, will it remain until all of the LEEIE is reinstated?
	Response	
TT.1.91	The Applicant	Sizewell Link Road -Traffic Analysis In [APP-450] the consideration of the alternatives in paragraph 3.2.50 does say initial traffic modelling was done on alternative alignments but presents no findings. Table 3.1 does not have transport as a key environmental factor. Given routes further south could potentially provide alleviation of development traffic on other routes through Knodishall, Leiston and Saxmundham. Provide a more detailed response on the various possible route

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ExQ1	Question to:	Question:
		alignments with reference to the initial modelling undertaken and include any initial modelling assessment
	Response	
TT.1.92	The Applicant	<p>Sizewell Link Road -Traffic Analysis</p> <p>In the case of the preferred route of the Link Road a number of Relevant Representations question the legacy benefit of the proposed alignment. In Tables 8.5, 8.7 and 8.9 of the Transport Assessment [AS-017] it can be derived the traffic levels on the combined B1122 / Sizewell Link Road corridor return to early years levels on the B1122 during operation. Given this level of traffic is considered acceptable on the B1122 in the early years of construction, explain the legacy benefit of the proposed link road in this context?</p>
	Response	
TT.1.93	The Applicant	<p>Sizewell Link Road -Traffic Analysis</p> <p>Paragraph 3.2.64 [APP-450] states that Stage 4 consultation preferences were expressed for the D2 route as it was considered by respondents that this would have provided more of a legacy benefit, a safer route for HGVs, catered better for HGVs coming from the south, and reduced amenity impacts to villages. Provide more detail on the transport analysis in this respect for the alternative routes.</p>
	Response	
TT.1.94	The Applicant	<p>Sizewell Link Road -Traffic Analysis</p> <p>85% of HGV's are assumed from the south in the Transport Assessment. Using the same basis of analysis, for all remaining traffic including workers on the main site what is the proportion of traffic from the south of the Sizewell Link Road junction on the A12?</p>
	Response	
TT.1.95	The Applicant	<p>Sizewell Link Road -Traffic on B1122</p>

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ExQ1	Question to:	Question:
		<p>Given that traffic levels on some routes such as the B1122 are predicted to be highest in the early years (2023) ahead of completion of the mitigation schemes, explain why:</p> <ul style="list-style-type: none"> (i) The works on the main development site are started in advance of all the mitigation projects being completed; and (ii) no mitigation is proposed on the existing B1122 to mitigate the increase in traffic during the early years other than highway maintenance.
	Response	
TT.1.96	The Applicant	<p>Sizewell Link Road - Pretty Road Vehicle Severance</p> <p>A number of Relevant Representations are concerned about the severance created by the loss to Pretty Road to vehicular traffic. Explain in detail why vehicle movement cannot be retained on Pretty Road?</p>
	Response	
TT.1.97	The Applicant	<p>Sizewell Link Road – Route for Abnormal Indivisible Loads (AIL)</p> <p>Figure 2.4 [APP-449] suggest that AIL will use the Middleton Moor Link road to access the Sizewell Link Road. Explain:</p> <ul style="list-style-type: none"> (i) Why they will not use the whole length of the Sizewell Link Road; and (ii) Will the new roundabout on the B1122 be designed to accommodate AIL?
TT.1.98	The Applicant	<p>Transport Assessment Addendum [AS-266] - Two Village Bypass</p> <p>Tables 8.4 shows total daily traffic. On the A12 in the vicinity of the Marlesford and Farnham, they peak in the early year’s scenario at an increase due to Sizewell traffic of 2000 vehicles/ day. Given the traffic levels through Farnham how will this be managed in the early years especially given the limitations relating to the ‘Farnham’ bend?</p>
	Response	
TT.1.99	The Applicant	Transport Assessment Addendum [AS-266] - Two Village Bypass

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ExQ1	Question to:	Question:
		In the case of Little Glenham and Marlesford how will the traffic increases shown in these Tables be mitigated throughout the construction programme?
	Response	
TT.1.100	The Applicant	Northern Park and Ride, Darsham Given the proximity of the site to the Darsham railway station and the narrow footway provision along the A12 from the site entrance to the station explain what consideration has been given to a direct connection to the eastern platform of the station?
	Response	
TT.1.101	The Applicant	Northern Park and Ride, Darsham Have improvements to the existing footway connection to the station been considered?
	Response	
TT.1.102	The Applicant, Network Rail	Northern Park and Ride, Darsham Two RR's [RR-0244 and RR-0908] have raised the issue relating to the safety of the level crossing at the station. Their concern is based on Network Rail's classification of the crossing safety being exacerbated by the additional traffic. Has the impact of the proposed development on this level crossing safety been assessed and discussed with Network Rail?
	Response	
TT.1.103	The Applicant	Southern Park and Ride, Whickham Market Explain why the use of the existing Park and Ride site at(or adjacent to) Martlesham was not considered as part of the assessment of alternatives?
	Response	
TT.1.104	The Applicant	Southern Park and Ride, Whickham Market Explain why the existing layout on A12 northbound carriageway would be changed from two lanes to one lane before the northbound slip road from the B1078 joins the A12?
	Response	
TT.1.105	The Applicant	Southern Park and Ride, Whickham Market

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ExQ1	Question to:	Question:
		Has an initial road safety audit been undertaken for the new site entrance / exit on the A12 slip road? If so either signpost in the submission or provide it
	Response	
TT.1.106	The Applicant	<p>Southern Park and Ride, Wickham Market</p> <p>In the case of the Traffic Incident Management Area (TIMA) provide:</p> <ul style="list-style-type: none"> (i) More detail on the number of HGV's that could use the TIMA including maximum occupancy in the event of any traffic incident; and (ii) Details on how its use would be controlled in the DCO so that it would only occur in the event of a clearly defined traffic incident.
	Response	
TT.1.107	The Applicant	<p>Southern Park and Ride, Wickham Market</p> <p>In the case of the Postal Consolidation Facility provide:</p> <ul style="list-style-type: none"> (i) Details of whether postal consolidation facility will be used for the main site and Sizewell accommodation provision; and (ii) Details of vehicle type to take consolidated deliveries to main site.
	Response	
TT.1.108	The Applicant	<p>Freight Management Facility (FMF)</p> <p>On Felixstowe Road, the national speed limit applies on this road. Has an initial road safety audit been undertaken for this access junction? If so either signpost in the submission or provide it</p>
	Response	
TT.1.109	The Applicant	<p>Freight Management Facility (FMF)</p> <p>Several Relevant Representations comment that closure of the A14 Orwell Bridge is a regular occurrence and this site would be severely affected by such a closure. Explain how this was considered in the analysis of the suitability of this site?</p>
	Response	

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ExQ1	Question to:	Question:
TT.1.110	The Applicant	<p>Freight Management Facility (FMF)</p> <p>Also, in relation to the FMF provide:</p> <ul style="list-style-type: none"> (i) The peak times of activity for HGVs entering and leaving the site; and (ii) The anticipated direction of travel of the vehicles entering and leaving the site.
	Response	
TT.1.111	The Applicant	<p>Freight Management Facility (FMF) – Temporary Construction Access</p> <p>Paragraph 2.4.11 [APP-511] states that “It is anticipated that a temporary construction access point would be provided to the site off the A12 until construction of the site access road is completed.” This infers that there will be two accesses created, one for the main road and a more temporary construction access. The Schedule of Accesses submitted [AS-297] identifies only one access for the FMF. Explain:</p> <ul style="list-style-type: none"> (i) This anomaly and if necessary, update the Schedule and any related plans; and (ii) Confirm whether similar temporary site access arrangements will be in place at other Associated Development Sites and if so, identify the sites and amend the Schedule of Accesses and relevant plans.
	Response	
TT.1.112	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Paragraph 10.2.23 states that “For peak construction the representative hour was initially identified as 22:00- 23:00 when ‘daytime hours’ of 07:00-23:00 were considered. Given the assessments are to primarily assess impact on vulnerable road users, it is important that the representative hour is a reflection of when vulnerable road users are likely to be on the network. As such, the representative hour for peak construction has been taken to be 07:00-08:00”. Explain why this “representative” hour was chosen if it is meant to be a period when vulnerable road users are on the network.</p>
	Response	

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ExQ1	Question to:	Question:
TT.1.113	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT / ES ADDENDUM [AS-181]</p> <p>The Institute of Environmental Management (IEMA) Guidance also recommends that the period of highest environmental impact should also be considered. This could be time around the beginning or end of school when children are going to school for example. Why has the period of highest environmental impact not been considered?</p>
	Response	
TT.1.114	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Paragraph 10.6.8 sets out that screening has been undertaken using 24hr AAWT. In the IEMA Guidance Paragraph it acknowledges that, “for many impacts such as noise and severance it is considered that average or total daily traffic flows provide insufficient information for any real understanding of environmental effects.” Understanding this, what are the implications for the screening process if the hours of greatest change or the hours of greatest impact are used on the screening?</p>
	Response	
TT.1.115	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>In Table 10.16 the assessment of pedestrian amenity is undertaken on the selected representative hour 07.00 to 08.00 which is the hour of greatest change but has there been consideration of the hour of greatest impact when there are likely to be more pedestrians present? By way of example Table 7.4 in the Transport Assessment [AS-017] shows that the hour of greatest HGV movement is between 15.00 and 16.00.</p>
	Response	
TT.1.116	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>In terms of Fear and Intimidation the IEMA Guidance suggest that consideration should also be given to areas exposed to higher than average levels of school children and / or vulnerable users that should be separately identified. Has this been considered?</p>

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ExQ1	Question to:	Question:
TT.1.117	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Given that speed limits on most roads in the area are a minimum of 30mph, explain how in the assessment of the effects on Fear and Intimidation that traffic speeds seem not to have been considered, as recommended in both the IMEA Guidance and Table 10.2, where speeds of +20mph are considered part of the high impact category?</p>
	Response	
TT.1.118	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Explain why given the major adverse impact on pedestrian amenity which is considered a significant effect that no mitigation is proposed on sections of the B1122 in the early years of construction prior to the opening of the Sizewell Link Road</p>
	Response	
TT.1.119	SCC, ESC	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Do the Council's agree with the Applicant's assessment of the early years environmental traffic effects along the B1122 in the early years of construction? If so please explain the details of any concerns you have about the assessment.</p>
	Response	<p>Please refer to paragraphs 16.75/76 and 36.20 in the LIR [REP1-045] identifying the B1122 in early years as a matter of concern to SCC.</p> <p>The methodology of assessment as set out in Chapter 10 of the ES [APP-198] and the ES Addendum [AS-181] is still to be agreed and therefore the conclusions drawn cannot be considered acceptable at this stage. Further discussions are ongoing.</p> <p>Based on current conclusions in ES and ES Addendum for the early year impacts on B1122, there are significant impacts (moderate to major) in relation to amenity which are dismissed i.e. 'albeit this effect would be of a temporary nature and last until the Sizewell</p>

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ExQ1	Question to:	Question:
		<p>link road is operational.' These are noted as short term impacts but are related to Heavy Duty Vehicles (HDVs) increases. The definition of short term impacts is a matter of professional judgment and must consider the extent of impacts. From Plate 5.1 of the Planning Statement (Original DCO Document) it has been calculated that the impacts on the B1122 would last for 2.5 years (from 2022 to midway to 2024). Of the total 12-year construction period, 2.5 years could be considered short term, though this does equate to 20% of the construction period. 2.5 years of impacts occurring is for local residents a significant time period, especially as it relates to increases in HDVs (24hr Annual Average Weekly Traffic and in the representative hour 0700-0800) which would have more negative impacts than an increase in cars.</p> <p>As an example (from Table 1.19 in ES Addendum [AS-181]), the 24-hour AAWT increases on the B1122 through Theberton in 2023 increase by 278%, 600 HDVs across the day (216 HDVs in base year increasing to 816 HDVs). In 2023 in the representative hour (0700-0800) (Table 1.20 in ES Addendum [AS-181]) on the B1122 through Theberton, the increase is 440%, 44 HDVs within the hour (10 HDVs in base year increasing to 54 HDVs). This is considered to a significant increase during this hour (an additional HDV almost every 1 minute).</p> <p>The Applicant's proposed mitigation for B1122 includes driver education as part of the tertiary mitigation with the ES stating that there is limited scope for secondary mitigation to reduce the short-term adverse effects on the B1122. Funding of road maintenance is also proposed by the Applicant to mitigate amenity effects. SCC considers that these measures do not mitigate the effects and the impacts are still considered significant.</p> <p>A CTMP is proposed to be implemented by the Applicant to monitor these impacts, especially in unsociable hours, with mitigation proposed where impacts exceed the threshold identified in the CTMP.</p> <p>SCC considers that there are three options to mitigate this impact and these would be:</p> <ul style="list-style-type: none">• To deliver the Sizewell Link Road prior to construction.• To control HGV movements on the B1122 to a level that is deemed acceptable prior to delivery of the Sizewell Link Road.• To provide adequate short-term mitigation on the B1122 to sufficiently mitigate these effects. At the Stage 2 Consultation for the development, and prior to the introduction of the proposed Sizewell Link Road, a number of highway schemes

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ExQ1	Question to:	Question:
		<p>were suggested to mitigate impacts on the B1122. The proposals included speed limit changes, Mill Street junction improvements, improvements for vulnerable road users within Theberton, and some minor carriageway alignment works. The proposals were put forward by the applicant for a scenario with an average day of 450 HGV movements and a peak day of 900 movements (which compare with the 600 HDVs assessed in the Early Years scenario). These proposals, depending on considerable further detail and assessment, might be considered applicable and acceptable to mitigate the stated early years impacts.</p>
TT.1.120	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT Paragraphs 10.6.14 to 10.6.17 identify four routes in the early years that are said to have adverse impacts that are identified but none are judged to be significant effects. This in the case of 3 routes is said to be because in the selected representative hour, other activity of the routes would be relatively light. Has the hour of greatest impact been considered in regard to severance when there is likely to be much more activity on these sensitive routes?</p>
	Response	
TT.1.121	The Applicant	<p>ES ADDENDUM [AS-181] – Pedestrian Delay Methodology Paragraph 2.5.4, explain: (i) Why the methodology has changed; (ii) Explain how pedestrian delay is now calculated; (iii) Whether any comparison has been undertaken of how this has changed the analysis, if so, provide such evidence; and (iv) Why this is apparently contrary to the methodology outlined in paragraphs 1.3.46 to 1.3.48 Volume 1, Chapter 6, Appendix 6F of the ES [APP-171].</p>
	Response	
TT.1.122	SCC, ESC	<p>ES ADDENDUM [AS-181] – Severance 2023 Early Years Table 2.10 Link 11 B1125 Westleton, this changes from minor adverse to major adverse, but significance is dismissed due to absolute traffic volumes. Given this represents a 61%</p>

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ExQ1	Question to:	Question:
		<p>rise in traffic volumes in the representative hour do the Councils agree with this assessment?</p> <p>Response</p> <p>In the ES Addendum [AS-181], the assessment indicates that Link 11 B1125 Westleton results in an increase of 143 vehicles from 235 to 378 in the representative hour (0700-0800). This is considered to be a significant increase in vehicular trips given the village location. The conclusions drawn that mitigation is not required are not accepted at this stage. Further discussions with the Applicant's consultants are ongoing.</p> <p>In the LIR, paragraph 15.74 [REP1-045] we noted that the B1125 was a location where the conclusions were not agreed for the reasons stated at paragraph 15.73. SCC will continue to work with the Applicant to reach agreement.</p> <p>SCC notes that the methodology of assessment as set out in Chapter 10 of the ES (Volume 2 Main Development Site) [App-198] and the ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] are still to be agreed and this is another reason why the conclusions drawn cannot be considered acceptable or final at this stage.</p>
TT.1.123	The Applicant	<p>ES ADDENDUM [AS-181] – Severance 2023 Early Years</p> <p>Paragraph 2.5.23, has the hour when children are likely to be arriving or leaving the Centre and nursery been considered, i.e. the hour of greatest environmental impact?</p>
TT.1.124	The Applicant	<p>ES ADDENDUM [AS-181] – Severance 2028 Peak Construction Busiest Day</p> <p>Table 2.16 Link 4c text states the primary mitigation proposed makes this change not significant. Paragraph 2.5.53 explains the new bridleway with Pegasus crossing will mean there is no severance. The new crossing will be across the B1122 north of the proposed site entrance. This link is south of the entrance and the new bridleway seems not to reflect the overall north south desire line. Explain how the proposed bridleway alignment and crossing addresses severance.</p> <p>Response</p>

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ExQ1	Question to:	Question:
TT.1.125	The Applicant	ES ADDENDUM [AS-181] – Amenity 2028 Peak Construction Busiest Day Paragraphs 2.5.64 and 2.5.65 the assessments of amenity are based on revised traffic modelling and assumptions about bus routes. How will these bus route assumptions be controlled through the DCO to ensure any subsequent changes in bus routes does not reintroduce effects that have not been considered or screened out.
	Response	
TT.1.126	The Applicant	ES ADDENDUM [AS-181] – Fear and Intimidation 2028 Peak Construction Busiest Day Paragraph 2.5.67, Link 26 A12 Marlesford given an increased and significant effect has been identified is the Applicant proposing any mitigation?
	Response	
TT.1.127	The Applicant	ES ADDENDUM [AS-181] – Fear and Intimidation 2028 Peak Construction Busiest Day Paragraph 2.5.67, Does the refinement of the bus strategy mentioned and the reduction in vehicles travelling to the southern park and ride affect the demand at the southern park and ride? And If not why?
	Response	
TT.1.128	The Applicant	ES ADDENDUM [AS-181] – Driver Delay 2028 Peak Construction Paragraph 2.5.89, explain how is this level of delay judged to be not significant in this case?
	Response	
TT.1.129	The Applicant	Cumulative Impact Appendices [ES-201]- Appendix 10.4 Fear and Intimidation Explain why Tables 2.13 to 2.18 and Tables 3.13 to 3.18 are entitled in 24hr AAWT when original assessment methodology is undertaken on 18hr AAWT flows
	Response	

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ExQ1	Question to:	Question:
TT.1.130	The Applicant	<p>Cumulative Transport Impacts [ES-201]- Appendix 10.4</p> <p>Explain why in the cumulative assessment provided with the East Anglia projects none of the assessments have considered traffic levels in the representative hour. Using this methodology, as is used in Chapter 10 [APP-198], it could for example change the Severance assessment in the early years such that it may show a major adverse effect significance on Link 11, B1125 through Westleton, with cumulative traffic added. Provide comparable assessment methodology using the representative hour as in the original Chapter 10 so direct comparison can be made.</p>
	Response	
TT.1.131	The Applicant	<p>Cumulative Transport Impacts [AS-189] [ES-201]- Hour of Greatest Impact</p> <p>Why has there been no consideration of the hour of greatest environmental impact in the Cumulative assessment?</p>
	Response	
TT.1.132	The Applicant	<p>Cumulative Transport Impacts [ES-201]- Appendix 10.4</p> <p>Scottish Power in the assessment of the transport impacts of both EA1 North and EA2 have identified the following area of mitigation required. Provide explanation why in the assessment of the effects of Sizewell C traffic, the following mitigations are not identified:</p> <ul style="list-style-type: none"> (i) For the EA projects only footway improvements in Theberton on the B1122; (ii) Cumulative impact with SZC pedestrian improvements at Yoxford on the A12; and (iii) Cumulative impact with SZC pedestrian improvements at Marlesford on the A12
	Response	
TT.1.133	SCC	<p>Cumulative Transport Impacts [AS-189] [ES-201]</p> <p>Explain any issues the Council has with respect to how cumulative impact has been assessed and also any areas where the Council considered mitigation is required and the reasons for any such mitigation.</p>

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ExQ1	Question to:	Question:
	Response	<p>It is important to note that, the methodology of assessment as set out in Chapter 10 of the ES (Volume 2 Main Development Site) [APP-198] and the ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] are still to be agreed and therefore the conclusions drawn in relation to the cumulative transport impacts [AS-189] cannot be considered acceptable or final at this stage.</p> <p>A response to this is given in the LIR [REP1-045] section 32, Table 15 and 16 identify the additional highway mitigation that is considered necessary for Sizewell C.</p>
W.1 Waste (conventional) and material resource		
W.1.0	The Applicant	<p>Water Supply Strategy Appendix 2.2D [AS-202]</p> <p>Paragraph 1.3.1 sets out the options still being considered for water supply solutions. Provide:</p> <ul style="list-style-type: none"> (i) An update on progress of these options; and (ii) Confirmation that the site water supply demands can be met without any implications for water supply elsewhere.
	Response	
W.1.1	The Applicant	<p>Water Supply Strategy Appendix 2.2D [AS-202]</p> <p>Plate 1.2 seems to show that the pipeline transfer connection to Darsham will run along a part of the Sizewell Link Road. Explain:</p> <ul style="list-style-type: none"> (i) Whether the pipeline will be installed along part of the Sizewell Link Road: and (ii) How this work will be delivered and coordinated within the powers secured by the DCO.
	Response	
W.1.2	Essex and Suffolk Water Company	<p>Water Supply Strategy Appendix 2.2D [AS-202]</p> <p>Provide an update on the delivery of water supply to the Proposed Development and the expected delivery timescales.</p>

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ExQ1	Question to:	Question:
	Response	
W.1.3	The Applicant	<p>Main Development Site Chapter 8 Conventional Waste and Material Resources - [APP-193]</p> <p>Table 8.7 shows material resource requirements compared to amounts available in Suffolk and UK. Concrete is a manufactured product consisting mostly of cement, sand, aggregate and water. The Temporary Construction Area is proposed to include batching plants so concrete will be produced on site. Explain why this Table does not take this into account or show the raw materials needed to manufacture concrete?</p>
	Response	
W.1.4	The Applicant	<p>Main Development Site Chapter 8 Conventional Waste and Material Resources - [APP-193]</p> <p>Table 8.17. Will concrete used on the associated development sites be manufactured on the Temporary Construction Area or imported?</p>
	Response	
W.1.5	The Applicant	<p>Cut and Fill Balance</p> <p>Paragraph 8.6.27 [APP-193]. This states "a neutral cut and fill balance is targeted for the main development site, with any surplus excavated material to be retained on-site for re-use in landscaping." Further emphasised in Paragraph 1.2.1 [APP-185] where it sets out in the second bullet point that an objective of the Materials Management Strategy is to achieve a neutral cut and fill balance across the main development site and associated development sites. Demonstrate how this neutral balance will be achieved by way of setting out the values of the cut and fill by location either in tonnes or m³. Include all significant areas of cut and fill, including the following:</p> <ul style="list-style-type: none"> (i) The main platform area including marine shafts and cut off wall; (ii) All Associated Development sites; (iii) Borrow Pits; (iv) Stockpiles; (v) The SSSI crossing; and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(vi) Any landscape features
	Response	
W.1.6	The Applicant	<p>Materials Management Strategy Update Appendix 2.2.C [AS-202]</p> <p>Paragraph 1.2.9 sets out that “Further testing has allowed the project to assume that some of this additional crag material would now also be available for higher specification backfill material when treated with binders. This significantly reduces the amount of such backfill material that would otherwise have needed to be imported (by approximately 2.4 million tonnes). It also significantly reduces the amount of residual material that would otherwise have needed to be either exported off-site or incorporated into the permanent landscape.”. Explain in this context why the changed application:</p> <ul style="list-style-type: none"> (i) Increases the need imported backfill by 1.3 million tonnes (Table 1.20); (ii) Would it mean without the additional crag material that 3.7 million tonnes of imported backfill would be needed? (iii) This paragraph infers that previously material could have been exported off site, how is this consistent with neutral cut and fill? (iv) Is there any disposal off site of non-contaminated arisings, and if so, how much? (v) Has any export of arisings off site been considered in either the Freight Management or the Transport Strategy?
	Response	
W.1.7	The Applicant	<p>Introduction to the Environmental Statement Chapter 6 EIA Methodology Appendix 6D – [APP-171]</p> <p>Paragraph 1.1.6 states “It is acknowledged that the use of material resources and the generation and management of waste would be likely to generate adverse environmental effects, predominantly through transportation (both to and from site)”. Does the analysis of traffic generation in both the Transport Assessment [AS-017] and Chapter 10 of the ES [APP-198] include any traffic generated by the transport of waste? If so, please signpost</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		where the assumptions about waste removal trip generation from site have been included in the modelling undertaken.
	Response	
W.1.8	The Applicant	Borrow Pit Risk Assessment Report Appendix 18E [APP-296] Figure 1.1 showing the locations of the borrow pits is missing from the report. Provide this figure and also a plan showing borrow pits and stockpiles.
	Response	
W.1.9	The Applicant	Borrow Pit Risk Assessment Report Appendix 18E [APP-296] Paragraph 1.2.1 of the Materials Management Strategy Update [AS-202] states that detailed site investigations have led to a revised assumption about arisings. Given this detailed site investigation has been undertaken after the submission of the Borrow Pit Risk Assessment Report Appendix does the additional site investigation have any implications for the risk assessment undertaken?
	Response	
W.1.10	The Applicant	Borrow Pit Risk Assessment Report Appendix 18E [APP-296] Will any stockpiling take place over borrow pits?
	Response	
W.1.11	The Applicant	Borrow Pit Risk Assessment Report Appendix 18E [APP-296] Summarise the main areas of potential environmental effects from the use of borrow pits and set out how such effects will be monitored and potentially mitigated in the DCO.
	Response	
W.1.12	The Applicant	Conventional Waste and Material Resources Appendix 8A Waste Management Strategy - [APP-194]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The Environment Agency [RR-0373] Appendix A. In the table on page 35 of their representation they highlight the lack of performance indicators and the consequent lack of a monitoring process. Respond to their concerns.
	Response	

SA.1. Section 106 Agreements

Question to:

Question:

SA.1.0

All the questions below are addressed to the Applicant. In addition, many are addressed to East Suffolk Council (ESC), Suffolk County Council (SCC) and West Suffolk Council (WSC). One question is also addressed to Natural England.

If ESC, SCC or WSC wish to respond or comment on questions not addressed to them, they are free to do so.

Please will the Applicant, ESC, SCC and WSC note the following which is important on terminology and in relation to the law.

In this questionnaire the ExA uses the term planning obligation by reference to the tests for a planning obligation in s.106(1).

Planning obligations are entered into using a s.106 agreement. Consequently, planning obligations are contained in a s.106 agreement, and a s.106 agreement is not a planning obligation.

It is possible for a planning agreement to be made not only under s.106 but under other powers.

A s.106 agreement may include promises not made under s.106, which are therefore not planning obligations. Such promises may be enforceable as a matter of contract law, or as a result of the agreement also being made under other powers. However, those promises will not run with the land (except in the highly unusual event of them being restrictive covenants). They will not be enforceable under s.106.

SA.1. Section 106 Agreements		
Question to:		Question:
		<p>The ExA uses the term Sizewell Special Arrangements to refer to the arrangements under a modified s.106 TCPA 1990 suggested by the Applicant in the draft 106EM [PDB-009].</p> <p>Abbreviations and terms defined in the ExQ1, Introduction and Navigation Document [PD-016] are used in this questionnaire. In addition: WSC is used as an abbreviation for West Suffolk Council and draft s.106EM for the draft s.106 Explanatory Memorandum, currently document [PDB-009].</p> <p>The ExA does not consider that the term development consent obligation adds anything as s.106(14) TCPA 1990 simply states that it means a planning obligation entered into in connection with an application for a DCO. Accordingly, it follows from s.106(14) that the s.106 agreement is not a development consent obligation and that only promises which are planning obligations can be development consent obligations.</p> <p>Please will the Applicant, ESC, SCC and WSC adopt the same approach to terminology in the interests of avoiding confusion between what are planning obligations and what is a s.106 agreement.</p>
SA.1.1	Applicant ESC, SCC, WSC	<p>The ExA reminds the Applicant, ESC, SCC, WSC and other IPs that s.106 TCPA 1990 makes promises which would not normally bind the land run with that land, provided the criteria in s.106(1) are met, and gives the planning authorities the power to enter the land so as to enforce the obligations which require operations to be carried out, by carrying out the obligations at the cost of the person against whom the obligation is enforceable. See section 106(3) and (12).</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Please will the Applicant, ESC and SCC say whether they accept that and whether they consider there are any other legal purposes for s.106.</p>
Response	<p>SCC agrees with the ExA’s statement in respect of s.106 where it is not modified using the Sizewell Special Arrangements (to the extent those arrangements fall within the scope of section 120 of the Planning Act 2008). However, it is understood that Regulations which may provide for the charging of land under s.106(12) have yet to be made.</p> <p>SCC would also highlight that s.106(5) also clarifies that a restriction or requirement imposed under a planning obligation is enforceable by injunction.</p> <p>SCC also notes that s.106(7) provides a mechanism requiring prior notification to be given of an intention to use the powers in s.106(6) to enter land to enforce obligations which require operations to be carried out in, on, under or over the land to which a planning obligation requests.</p> <p>Although not the focus of the ExA’s question, SCC also notes that s.106A(1) of the TCPA 1990 sets out the only two ways in which a planning obligation may be modified or discharged, and this could also be considered relevant to the legal purposes of s.106 in providing certainty as to how planning obligations may be modified or discharged.</p> <p>In practical terms there will be health & safety issues to consider in respect of the planning authorities entering certain land i.e., the nuclear power station plant area. It might be more appropriate to secure Bonds against non-compliance.</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.2	Applicant	Please will the Applicant submit a plan showing the land within the Order Limits which it (a) owns, and (b) otherwise controls, for example by contract or option, showing which is which and which is freehold and which is leasehold.
	Response	SCC would also welcome early sight of these plans.
SA.1.3	Applicant	Please will the Applicant show which of that land it can bind by a s.106 planning obligation whether or not the Applicant currently proposes to bind such land in that way. If there is land it cannot bind, please state why.
	Response	<p>SCC would expect most, if not all, land to be bound by the s.106 agreement and SCC would welcome a clearer explanation of why the Applicant does not consider that possible in this case.</p> <p>SCC is concerned that DCO article 9(6) is no guarantee that ESC and SCC will be able to enforce the s106 agreement against a successor to the benefit of the DCO. As such, SCC would require provisions in the s106 agreement so that if SZC Co. were to transfer all or part of its interest in the DCO, the transferee of the interest in the DCO would be required to enter into a deed of covenant with SCC, and ESC, to ensure the obligations in the s106 agreement remain enforceable by the Councils. This deed of covenant would be required prior to SZC Co being released from liability under the s106 agreement. A completed deed of covenant should be a pre-condition of the transfer of the benefit of the DCO.</p>
SA.1.4	Applicant	The Applicant states in the draft s.106EM (para 2.2) that it does not own all of the land within the main development site. It is not unusual for an applicant for planning permission or a DCO not to own the whole application site. In such circumstances the landowner usually enters into the s.106 agreement. Please will the Applicant explain why that cannot be done in this case.

SA.1. Section 106 Agreements		
	Question to:	Question:
	Response	<p>SCC awaits the comments from the Applicant and is particularly interested in what land may be bound into the s.106 before the grant of any DCO and what land may be bound in the s.106 before the commencement of development on a particular part of the Sites (which could perhaps allow an obligation in the DCO to not commence development on a part of the Site until that part of the Site is bound into the s.106 agreement).</p> <p>SCC would also welcome clarity on what the 'Main Development Site' is. This is referred to in the s.106 agreement. Can a plan be provided to show this?</p>
SA.1.5	Applicant	If the consent of third parties to bind the land is also necessary, please identify the land so affected and explain the nature of the consent (e.g., that of a mortgagee).
	Response	SCC would also welcome clarity on this issue.
SA.1.6	Applicant ESC, SCC, WSC	Has title to any land yet been deduced to ESC, SCC or WSC? What are the current conclusions of ESC, SCC and WSC on their title investigations?
	Response	No title has yet been deduced to SCC in respect of the draft s.106.
SA.1.7	Applicant ESC, SCC, WSC	What consents would the Applicant need to obtain in order to enter into the modified s.106 arrangements it describes in its draft s.106EM [PDB-009]? What consideration and conclusions have been given or reached by ESC, WSC and SCC on this issue?
	Response	SCC would welcome clarity from the ExA on the consents referred to in this question. Subject to this clarification, SCC's response is set out below.

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>No conclusions have been reached by SCC as to the acceptability of the proposed Sizewell Special Arrangements and SCC requires further explanation of why this approach is necessary in this case.</p> <p>At present, SCC is not aware of the ownership position of all of the redline land proposed for the s.106 and requests that the Applicant deduces title. In the first instance this should relate to any land owned or controlled by the Applicant and any land owned or controlled by any associated or linked company or other corporate entity so as to better inform consideration of what parts of the site could be readily made subject to a conventional s.106 agreement.</p> <p>For the Applicant’s proposed deeming provision (set out at paragraph 2.6.1 of the Applicant’s draft EM as <i>“For the purpose only of Section 106 (1) of the Act the undertaker shall be deemed to be a person interested in the Order land or any part of it and for the avoidance of doubt Section 106(3)(a) shall include any transferee under Article 8 of this Order”</i>) to operate this will require the Secretary of State to rely on section 120(5) of the Planning Act 2008. SCC would welcome any precedent, further explanation or comfort the Applicant can provide that such modification is within the powers of s.120(5) PA 2008. SCC has concerns that the deeming for the purposes of s.106(1) only will not address the operation of s.106(3)(b), s.106(4), s.106(9)(b), or s.106(9)(c) Town & Country Planning Act 1990, all of which require an actual interest in land in order to function. SCC is also concerned that the deeming could create confusion as to whether the enforcing authority could rely on s.106(6) or the offence in s.106(8), and how any such offence would be compatible with s.120(8) of the Planning Act 2008.</p> <p>The Sizewell Special Arrangements also appear to rely on the Applicant (or any entity that is transferred the benefits or rights of the DCO pursuant to Article) being the only entity that may construct and subsequently carry on the operations</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>authorised by the DCO within the Order Limits to ensure that there will always be an entity against which ESC and SCC may enforce (e.g. so the Applicant/transferee as a corporate entity is not simply wound down to make enforcement of the obligations impossible). SCC note that Article 7 of the DCO “authorises” the Applicant to operate and use the authorised development (presumably relying on section 140 of the PA 2008). SCC considers that this Article 7 is permissive rather than expressly preventing any other entity from carrying on such activities and SCC questions whether consideration should be given to amending Article 7 in light of this.</p> <p>SCC also have concerns (separate and in addition to those expressed above and in the event the Applicant’s proposed deemed amendment to s.106(1) was considered acceptable) that the Applicant’s proposed wording in Article 9 (i.e. <i>“subject to the same restrictions, liabilities and obligations (including development consent obligations within the meaning of section 106 of the 1990 Act (Planning obligations)) as would apply under this Order if those benefits or rights were exercised by the undertaker”</i>) would mean that enforcement of a breach of the s.106 would be possible pursuant to s.106(3) and there would be no privity of contract between the transferee and SCC/ESC. SCC consider this could prevent enforcement of the s.106 under any other local government powers. SCC’s view is that a pre-requisite of any transfer under Article 9 of the DCO should be that a transferee must enter into a Deed of Adherence to the s.106 and provide an executed copy of the same to SCC and ESC. This would give greater comfort on this point and also have the practical effect of ensuring that any transferee would then clearly demonstrate that they are aware of its obligations under the s.106, particularly if only part of the benefit of the DCO is transferred under Article 9. It is also considered that Article 9 should include a requirement to notify the Councils prior to any intended transfer (e.g., 28 days’ notice) and also to provide a copy of the completed s.106 agreement to any proposed transferee.</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>SCC also consider particular care should be taken with regards to transfers of the benefit of the DCO which may take place before commencement (i.e., before the time that the s.106 may be entered into by the Applicant). SCC note that the "Undertaker" is defined in the DCO as being the Applicant <u>or</u> any person having the benefit of the DCO after a transfer under Article 9. Notwithstanding the s.111 agreement proposed as part of the Sizewell Special Arrangements (which would only enforceable against the Applicant), if the Applicant transferred some of the obligations before commencement and then entered into the s.106 then SCC question whether the transferee would then also be required to enter into the s.106 before commencement too.</p> <p>SCC also consider that the new Article proposed for the s.106 to be entered into before the development beings pursuant to s.155 of the 2008 Act is too broad. The s.106 should be in place before any works whatsoever are carried out under the DCO as the s.106 itself has its own carve outs for the definition of "Commencement".</p>
SA.1.8	Applicant ESC, SCC, WSC	How will the Sizewell Special Arrangements be enforced in the event of a breach, whether by the Applicant or a subsequent Undertaker?
	Response	<p>The approach to enforcement in the event of a breach would need to be considered on the circumstances relating to that breach at the time of the breach.</p> <p>Depending on the nature of the breach SCC may consider it appropriate to engage in discussions with the Applicant (or subsequent Undertaker) outside of any formal enforcement procedure and as a precursor to enforcement action in the event that a breach cannot be resolved informally.</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>SCC also notes that the draft s.106 includes a clause (Clause 6) relating to the resolution of disputes. It is understood that this clause may be subject to further amendment by the Applicant in due course but in principle it may be appropriate for the parties to any alleged breach to engage in the procedure set out in such a clause.</p> <p>If the s.111 agreement is breached by the Applicant, it is expected that this would require enforcement using contractual remedies which may also include seeking a mandatory injunction. Subject to the points raised in SCC’s response to SA.1.7, failure to adhere to the s.111 by not entering into the s.106 before the commencement of development under the DCO may also be enforced under the proposed new article in the DCO that the s.106 must be entered into before commencement.</p> <p>Depending on the nature of the breach (e.g. whether it relates to a failure to pay monies, failure to submit a scheme/specification for approval or a failure physically to deliver certain mitigation/compensation works/measures on land) then SCC may consider enforcing the s.106 by way of an injunction, contractual remedies for payment of monies or by entering the land to carry out the operations required on that land and recovering the expenses of doing so from the Applicant under s.106(6).</p> <p>SCC request that the Applicant confirm its views on whether not binding any landowners of land within the Order Limits would affect the ability of SCC and ESC to enforce against breaches of the s.106 using the provisions in s.106(6).</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>Whilst it is understood that bonded obligations were not required for Hinkley Point C, SCC consider that in light of the Sizewell Special Arrangements that the Applicant again considers the provision of providing bonds to guarantee the performance of obligations in the s.106 and also considers when such bonds could be provided. In addition, SCC (and ESC) have no control over the entity that may receive a transfer of the benefit of the DCO and that entity may not be an owner of any of the land within the Order Limits. If bonds can be provided against the performance of obligations this would provide SCC (and ESC) with a clear mechanism under which the obligations could be enforced.</p> <p>A further approach which may be considered by the Applicant where appropriate is for an obligation to procure the transfer (which would need to be negatively worded and restrictive to prevent e.g. Commencement until such a transfer has taken place to ensure this is enforceable) of land on which mitigation is to be delivered to SCC for £1 which would then ensure that SCC had access to that land in order to step in and carry out the works on that land if the Applicant defaulted. The transfer arrangements would need to include provisions obliging the Applicant to carry out such works (and SCC's consent for this) and arrangements (if appropriate) about the transfer of this land back to the Applicant once the relevant obligations are discharged.</p>
SA.1.9	Applicant, ESC, SCC, WSC	<p>What will be the enforcement position under the Sizewell Special Arrangements in the event that the Applicant or a subsequent Undertaker becomes insolvent?</p> <p>Please include what will happen if the Applicant becomes insolvent and the SoS were to make the DCO without knowing that.</p>
	Response	The approach to enforcement in the event of a breach would need to be considered on the circumstances relating to that breach at the time of the breach. This

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SA.1. Section 106 Agreements	
Question to:	Question:
	<p>remains the case if the Applicant or a subsequent Undertaker became insolvent and indeed that insolvency may have implications on whether construction/operation of the scheme would continue in the same way.</p> <p>Consideration should be given to this risk when setting trigger points in the s.106 and SCC are aware of this issue when considering the provisions of the draft s.106.</p> <p>For example, payments of monies may be required before the commencement of development which may then be held and applied by SCC and ESC. Save for the input of any governance arrangements into the distribution of those funds (which may include the Applicant or subsequent Undertaker) that would ensure that SCC and ESC would not need to deal with the issues of taking action against an insolvent entity.</p> <p>SCC’s response to S.1.7 is also relevant here. The Sizewell Special Arrangements also appear to rely on the Applicant (or any entity that is transferred the benefits or rights of the DCO pursuant to Article) being the only entity that may construct and subsequently carry on the operations authorised by the DCO within the Order Limits to ensure that there will always be an entity against which ESC and SCC may enforce (e.g., so the Applicant/transferee as a corporate entity is not simply wound down to make enforcement of the obligations impossible). SCC note that Article 7 of the DCO “authorises” the Applicant to operate and use the authorised development (presumably relying on section 140 of the PA 2008). SCC considers that this Article 7 is permissive rather than expressly preventing any other entity from carrying on such activities and SCC questions whether consideration should be given to amending Article 7 in light of this – including who could construct and carry on the project in the event of the insolvency of an Undertaker.</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>SCC reiterates that bonded obligations should be considered by the Applicant in order to ensure that SCC (and ESC) have a mechanism by which to enforce obligations in the event of insolvency by the Applicant or subsequent Undertaker.</p> <p>If the Applicant became insolvent before the SoS made the DCO SCC notes that under the Sizewell Special Arrangements the Applicant would still be required to enter into the s.106 before the development commenced. Depending on the nature of the insolvency it may not be possible for the Applicant to then enter into the s.106 in its certified form before commencement.</p> <p>The Applicant may perhaps consider whether it could agree to a requirement under the s.111 agreement (and an article of the DCO) to provide a clear bankruptcy search immediately before the completion of the s.106 and that this is also a pre-requisite of commencement of the development under the DCO.</p> <p>Seeking bonded obligations (as per SCC’s point above) is key here. If SCC is concerned by the Applicant company’s financial position (and this concern can be explained and justified), it could also consider seeking bonds for (say) site restoration works and for early decommissioning in the event the Applicant becomes insolvent post grant of DCO or in the event the project ceases or is abandoned before the end of its proposed lifespan.</p>
SA.1.10	Applicant	Please will the Applicant supply copies of the Thames Tideway Tunnel and Aquind s.106 agreements as executed and their DCOs. Please point the ExA to the relevant parts and any corresponding provisions in the DCO (or final draft DCO in the case of Aquind).
	Response	This question is similar to DCO.1.135 where the Applicant is asked to take account of any comments made by the Wylfa ExA when preparing the next drafts of the

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SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>DCO and the Explanatory Memorandum and to explain why it proposes or rejects them.</p> <p>SCC will see what the Applicant comes back with and then (if necessary) comment on any significant omissions / departures at Deadline 3. It would be sensible to follow the same approach in respect of SA1.10.</p>
<i>Arrangements requiring third party involvement</i>		
SA.1.11	Applicant, ESC, SCC, WSC	<p>There are many proposals in the schedules which require the participation and involvement of third parties. Take for example the Economic Review Group in Sch 7 para 2.9. It is to have seven members. Whilst three are drawn from persons who are parties to the s.106 agreement, three are not. They are to be nominated by the New Anglia LEP, the Tier 1 Contractors and the Suffolk Chamber of Commerce. There is no requirement on those three parties to nominate members though presumably an obligation on the Councils to do so could be incorporated in the Sizewell Special Arrangements and with careful drafting a planning obligation to secure participation by the Applicant could be imposed.</p> <p>(i) What is to happen if the third parties fail to nominate, or later do not contribute to the group?</p> <p>(ii) The group is given various tasks by para 2.9.3 such as meeting quarterly. What is to happen if the Group fails to do so? What enforcement is envisaged?</p> <p>(iii) The group is not quorate unless five members are present. It cannot therefore function without the participation of the third party members. How are they to be compelled to participate?</p> <p>(iv) Can the group fulfil the functions and address the issues for which it is required if the third parties do not participate as envisaged?</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>Other examples of these types of issues include:</p> <ul style="list-style-type: none"> • the Community Safety Working Group (Sch 4 para 5) which needs the participation of Suffolk Constabulary, Suffolk Fire and Rescue Service and East of England Ambulance Service Trust; • the Health Working Group (Sch 6 para 4) which needs the participation of Public Health Suffolk and the Ipswich and East Suffolk Clinical Commissioning Group; • the Environment Review Group (Sch 11 para 9.2) requires participation of the Environment Agency and Natural England; • the Natural Environment Awards Panel (Sch 11, para 12.2) requires participation of Natural England and the Area of Outstanding Natural Beauty Partnership; • Sch 14, para 1.1 - Suffolk Community Foundation (a registered charity) to appoint a Community Fund Project Officer; • the Tourism Working Group (Sch 15, para 12.2) requires The Suffolk Coast Ltd, Visit Suffolk, Suffolk Coast and Heaths AONB Partnership (is this the same as the Area of Outstanding Natural Beauty Partnership referred to at para 12.2 of Sch 15) and the New Anglia Local Enterprise Partnership to appoint representatives; • Sch 16, para 1.1 envisages Marlesford and Little Glemham Parish Councils (sic) and Wickham Market Parish Council to participate in working groups; and • Sch 16, para 3.1.3 also requires third party involvement - Highways England to nominate a representative to the Transport Review Group.

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>(v) Please will the Applicant explain in relation to all of these how the promises it makes and the involvement of the third parties is secured and delivered</p>
Response	<p>Further detailed discussions are required with the Applicant to agree the governance arrangements. It is suggested that terms of reference for each group are agreed and included in the Deed.</p> <p>(i) If third parties fail to nominate then SCC/ESC would nominate suitable alternative representatives to sit on the groups. Similarly, if nominated representatives do not turn up and/or fail to contribute to the groups then SCC/ESC would nominate suitable alternative representatives. [See below comments regarding the Deeds of Covenant]</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>(ii) The Applicant, SCC and ESC will be parties to the Deed, so are legally bound by the terms. Enforcement could be secured in various ways e.g., trigger payment of contributions by the Applicant. Reference to Arbitration. [See below regarding Deeds of Covenant. Some of these arrangements would not make the payment of contributions or reference to arbitration a suitable remedy – e.g., the Applicant might not be responsible for the failure of the Environment Agency to engage or be able to compel them to do so.]</p> <p>(iii) Quorate – SCC/ESC nominate suitable alternative representatives. Participation by proxy arrangements may also be considered. See also answer to ExQ TT.1.23 regarding Transport Review Group: “SCC also proposes a proxy voting arrangement in the group’s constitutional arrangements, so that if one of the “other stakeholders” (not appointed by the Applicant) referred to in the question above does not attend a meeting, one of the attendees can vote as a proxy.”</p> <p>(iv) SCC/ESC would step in to fulfil these roles. However, it would be sensible to seek the input of those with different statutory responsibilities e.g., Highways England for trunk roads etc.</p> <p>(v) It is proposed to have a Deed of Covenant with third parties – ideally agreed with the third parties prior to the completion of the Deed. Deed of Covenant format to be attached to the Deed. However, currently this Deed of Covenant relates to payment of monies to third parties and not the working group arrangements. It would be sensible to consider a requirement that third parties participating in working groups need to also sign up to a Deed of Covenant (required pre-commencement) to agree to the terms of the working group and allow direct enforcement if they fail to perform. SCC consider that any funds relevant to the operation of the working groups and to be administered by the working groups</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		should be deposited with SCC/ESC as appropriate and fall-back arrangements could be put in place which oblige the relevant Host Authority to step in and deliver the works should the working group arrangements fail to operate as envisaged.
<i>Allocating tasks / functions to bodies which are not legal persons</i>		
SA.1.12	Applicant, ESC, SCC, WSC	<p>By Sch 7 para 2.2.1 and 2.5.5 respectively the Regional Skills Coordination Function is to submit a draft Annual Workforce Delivery Implementation Plan and to allocate funds. The "Regional Skills Coordination Function" does not appear to be a legal entity. What happens if the task is not performed?</p> <p>Similarly, at Sch 17 the Governance schedule, various groups are required to do various things. For example the Delivery Steering Group is to consider reports submitted to it, monitor Groups, assist them, identify risks, and facilitate communication. This group is made up of representatives of ESC, SCC and SZC Co. Where is the obligation on those bodies to nominate and perform? Presumably this can easily be rectified by a covenant from each of them in the s.106 to do so.</p> <p>The same goes for the Oversight Partnership (to be established by ESC and SCC). But what obligations will there be on the members of that Partnership?</p> <p>There are also to be a Planning Group and a Social Review Group – see Sch 17 and the visual representation of the governance structure on p.100 (electronic page 103) of the draft s.106.</p> <p>Please will the Applicant explain in relation to all cases where tasks are allocated to bodies which are not legal persons how the delivery of the tasks is secured and delivered</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	Again, ESC, SCC and WSC may also wish to respond.
Response	<p>It is proposed to have a Deed of Covenant with third parties – ideally agreed with the third parties prior to the completion of the Deed. Deed of Covenant format to be attached to the Deed. However, currently this Deed of Covenant relates to payment of monies to third parties and is not currently proposed to deal with participation in working groups etc. It would be sensible to consider a Deed of Covenant (required pre-commencement) from these third parties to perform tasks. This will need to cover the costs of those parties attending meetings and performing. As a fallback, SCC/ESC could stand in as proxy.</p> <p>With regard to the Regional Skills Coordination Function, SCC agrees that the s.106 should provide more clarity, and requests, aligned with discussions with the Applicant, that that Regional Skills Coordination Function would be hosted by SCC who would be responsible to submit a draft Annual Workforce Delivery Implementation Plan and to allocate funds.</p>
<i>Giving tasks to individuals</i>	

SA.1. Section 106 Agreements	
Question to:	Question:
SA.1.13	<p>Applicant, ESC, SCC, WSC</p> <p>Accommodation Co-ordinator(s). Their tasks are set out at Sch 3 para 1.1. But there is no mechanism for enforcing performance by the Accommodation Co-ordinator(s). They are not parties to the agreement. The Accommodation Co-ordinator(s) are appointed by SZC. Would a solution be to give the tasks to SZC who can then find an employee or contractor to discharge their promise? If not, how are any failures to deliver the tasks set out at para 1.1 enforced?</p> <p>There are similar issues at for example Sch 11 para 12.5 (Natural Environment Improvement Project Officer to attend meetings of the Natural Environment Awards Panel); Sch 15 paras 1.1 and 4.1 (Tourism Programme Manager to prepare Annual Tourism Fund Implementation Plan and other duties set out in (a) to (d) of the definition in para 1.1); Sch 16, paras 3.5 and 4 (Transport Co-ordinator will carry out the eight functions listed at para 3.5 of Sch 16. Other functions are added, e.g. to attend the Community Safety Working Group at para 4.1 and other groups at para 4, with responsibility for making the meetings of those groups happen. There are other functions allocated to the Transport Co-ordinator in other schedules. The Transport Co-ordinator is a SZC Co appointee. Why not simply put the obligation straight on to SZC Co?)</p> <p>Please will the Applicant explain in relation to all cases where tasks are allocated to individuals how the delivery of the tasks is secured and delivered.</p> <p>Again, ESC, SCC and WSC may also wish to respond.</p>
Response	<p>It is proposed to have a Deed of Covenant with third parties – ideally agreed with the third parties prior to the completion of the Deed. Deed of Covenant format attached to the Deed. Need to review each function. However, currently this Deed of Covenant relates to payment of monies to third parties and is not currently proposed to deal with participation in working groups etc. It would be sensible to</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>consider a Deed of Covenant (required pre-commencement) from these third parties to perform tasks. This will need to cover the costs of those parties attending meetings and performing. As a fallback, SCC/ESC could stand in as proxy.</p> <p>It is considered that where tasks are placed on individuals in the s.106 that there should be an obligation on the Applicant to procure that such a person performs against these obligations. In addition, consideration should also be given to a mechanism requiring an alternative arrangement (e.g., the Applicant stepping in to perform) if that individual does not perform.</p>
<i>The s.111 agreement</i>		
SA.1.14	Applicant, ESC, SCC, WSC	<p>Definition of Development Consent Obligation.</p> <p>(i) This terms the s.106 agreement as a Development Consent Obligation. As the Applicant, ESC, SCC and WSC will realise from the opening remarks above, this is a misnomer. Please, for clarity, could a different term be found? Please carry this through to other occasions when the phrase is used to describe the agreement whether in the s.111 agreement or the s.106 agreement.</p> <p>(ii) The s.106 agreement is to be in the Certified Form "subject only to such minor changes to references etc. as are necessary to reflect the Development Consent Order as granted". This creates uncertainty notwithstanding the short timescale for execution by the Applicant and dispute resolution procedure.</p> <p>In a normal situation where an applicant is prepared to enter into a s.106 agreement in connection with a DCO application the s.106 would be executed</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		before the end of the Examination. Is this provision for minor changes therefore justified in this case?
	Response	<p>(i) SCC suggest the following term is used: "Deed of development consent obligations" (which is actually the title of this document anyway).</p> <p>(ii) SCC anticipate that there should be no need for changes to be made (as the final form should be annexed to the s.111) but if they are required they should only be as agreed first in writing with SCC and ESC e.g. <i>"subject only to minor changes to references as may be necessary to reflect the Development Consent Order as granted and as first agreed in writing with both East Suffolk Council and Suffolk County Council"</i></p>
SA.1.15	Applicant	<p>Definition of Implementation. Please will the Applicant explain how the exception for the Relocated Facilities Works is intended to operate and the result it is intended to achieve. How does this interact with the definition of Commencement in the s.111 agreement and the s.106 agreement?</p> <p>In recital F might it be better to say that by virtue of Art [x] the Undertaker will be prohibited from Commencing the Project?</p>
	Response	If the Relocated Facilities Works are an integral part of this application and Work No. 1D and/or Work No. 1E do not cover precisely the same works as under planning permissions DC/19/1637/FUL and DC/20/4646/FUL then carrying out these works ought to constitute Commencement under the s.106 agreement.

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>Need to be content that the Work No. 1D and/or Work No. 1E in Schedule 1 to the Development Consent Order covers the same works as under planning permissions DC/19/1637/FUL and DC/20/4646/FUL.</p> <p>As an aside, SCC considers it would be helpful for a requirement to notify SCC and ESC of the anticipated and actual commencement and completion of the Relocated Facilities Works. This is particularly so as SCC is not a party to the s.106s associated with those works.</p>
SA.1.16	Applicant, ESC, SCC, WSC	<p>Interpretation – are there any EIA issues as a result of the deemed approval provisions in Cl 1.2.7. The Applicant ESC, SCC and WSC are reminded of the litigation in Wells v. Secretary of State [2005] All E.R. (EC) 323 and other cases in relation to multi-stage consents and deemed approvals under the review of mineral planning permissions.</p>
	Response	<p>SCC would also draw the ExA’s attention to paragraph 6 of Schedule 1 in the s.106. SCC is not content with the proposed deemed approval provisions in Clause 1.2.7 (or paragraph 6 of Schedule 1 in the s.106). It is understood that the Applicant intends to discuss these further with SCC and ESC. Matters for approval under the s.106 are expected to be relevant to delivering mitigation set out in the EIA and automatic approval of schemes may undermine SCC’s ability to control this. There may be some approvals which would not have such an effect, but this will need to be considered when the Applicant has provided further detail about the substantive provisions.</p> <p>Substantive schemes will not be approved under the s.111 and it is not considered necessary to include Clause 1.2.7 in the s.111 as a result. The Applicant still would have the benefit of Clause 9.2 relating to not unreasonably withholding or delaying approvals (to the extent any are required under the s.111).</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
SA.1.17	Applicant, ESC, SCC, WSC	Conditionality – Cl 2 - when is it envisaged that the s.111 agreement will be dated?
	Response	Before the close of the examination (06 October 2021).
SA.1.18	Applicant ESC, SCC, WSC	<p>Execution of the s.111 agreement – Cl 4</p> <p>(i) There does not appear to be any obligation by ESC, SCC or WSC actually to execute the s.111 agreement. Is this intentional? The obligation in Cl 4.1 is only on ESC and then it is an obligation to coordinate. It is also difficult to see how ESC can compel SCC and WSC to execute.</p> <p>(ii) Please comment on whether such an obligation would be a fetter on their discretion and therefore unlawful.</p> <p>(iii) Please comment on whether in the event for example of a change of control by any of ESC, SCC or WSC any of them could lawfully decline to enter into the s.106 agreement.</p> <p>(iv) Does not Cl 8 suggest that Cl 4, if it does require ESC, SCC and WSC to enter into the s.106 agreement, is indeed a fetter on their discretion?</p> <p>(v) Is it envisaged that Cl 1.2.7 applies to the execution by ESC, SCC and WSC?</p>
	Response	<p>The obligations in Clause 4 of the draft s.111 agreement relate to the execution of the s.106 agreement, not the s.111 agreement.</p> <p>(i) There should be an obligation on SCC to execute the s.111 agreement. WSC will be removed as a party. SCC can agree to an obligation to execute the s.106 on receipt of the S.106 duly executed by the Applicant. Timescales for doing this need to be discussed with ESC and the Applicant. Whilst subject to further</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>discussion between SCC and WSC, it is envisaged that SCC may be able to agree to enforce the planning obligations relevant to WSC’s administrative area and therefore WSC would not need to be a party to the s.111 or s.106. In addition, SCC note that there is no obligation on the Applicant to complete the s.106 on receipt (only authorisation to do so under Clause 4.3). SCC consider that either SCC or ESC should be the party completing the s.106 rather than this being left to the Applicant and that there should be an obligation in the s.111 that this must be in place before the commencement of development by the Applicant and within a certain time period following the grant of any DCO.</p> <p>(ii) SCC would have agreed to the form of the s.106 to be entered into under these provisions and it is not considered that such an arrangement entered into under s.111 should be considered a fetter on discretion. SCC would not enter into the s.111 unless it was content with the form of s.106 to be appended to this.</p> <p>(iii) The SCC Cabinet Report (dated 22 September 2020) granted the Executive Director of Growth, Highways and Infrastructure in consultation with the Leader and the Cabinet Member for Environment & Public Protection the delegated authority “to fully engage with the Pre-examination and Examination stages of the Development Consent Order process” with specific reference to “Submit signed planning obligations if required.”</p> <p>(iv) Yes, the provisions in Clause 4 are an exercise of the Councils discretion to agree to enter into the s.106 in due course.</p>
SA.1.19	Applicant ESC, SCC, WSC	Jurisdiction – Cl 11. This states that English law applies and that the courts of England and Wales shall have exclusive jurisdiction. Will this not make

SA.1. Section 106 Agreements		
Question to:	Question:	
		enforcement in foreign jurisdictions difficult if not impossible? For that reason, was it not normal to give the courts of England and Wales non-exclusive jurisdiction?
	Response	It is not anticipated at this stage that enforcement in foreign jurisdictions would be necessary, but SCC would be content with a non-exclusive jurisdiction clause. However, in the event of a claim against SCC, SCC would not expect to agree to a clause which included the possibility of such a claim being brought in a jurisdiction outside of England and Wales and therefore SCC request the Applicant considers whether an asymmetrical jurisdiction clause reflecting this may be appropriate.
<i>The s.106 agreement</i>		
SA.1.20	Applicant, ESC, SCC, WSC	"Councils", Cl 1.1 – should this not include WSC? There are a number of other places where the inclusion of WSC as a party suggests consequential amendments are necessary, for example Cl 1.2 – successors to ESC and SCC are referred to but not successors to WSC.
	Response	The proposal is to remove WSC as a party, with SCC acting on their behalf. Whilst subject to further discussion between SCC and WSC, is envisaged that SCC may be able to agree to enforce the planning obligations relevant to WSC's administrative area and therefore WSC would not need to be a party to the s.111 or s.106.
SA.1.21	Applicant ESC, SCC, WSC	"Qualifying Interest", Cl 1.1 – this appears to include SZC's land ownership, whatever it is. That would be the norm for a s.106 agreement, is consistent with Cl 2.2 and the ExA has not seen any reason why that should not be the case, notwithstanding the other provisions of the Sizewell Special Arrangements, if it is decided to go down the s.106 route. Please will the Applicant insert the necessary provision to comply with s.106(9)(c)?

SA.1. Section 106 Agreements		
	Question to:	Question:
	Response	SCC understands that the Applicant's proposed Sizewell Special Arrangements are that the Applicant's "interest" in the land would be its interest as Undertaker under the DCO. SCC's views on this are set out in response to S.1.7.
SA.1.22	Applicant, ESC, SCC, WSC	<p>Cl 1.2.16 - restriction on commencing certain activities prior to payments. The ExA is grateful for the Applicant's confirmation that this is intended to be a restriction under s.106(1)(a) (and its comment on the inevitability of the passage of time).</p> <p>Given that it is a s.106(1)(a) restriction might it not be better in a different part of the agreement, such as Cl 4, rather than in the definitions and interpretation clause?</p>
	Response	SCC has already informed the Applicant of its view that whilst helpful, this provision does not deal with triggers requiring actions based on time (e.g., payments on anniversary dates). SCC considers that this provision is an aid to interpretation of the triggers in the s.106 and is content for this to remain at Clause 1.2.16. Indeed, it is considered that its position at Clause 1.2.16 is helpful given that Clause 4 is conditional on the "Commencement Date" occurring (subject to the proviso of objections which must be complied with before the Commencement Date. As an aside, SCC would prefer covenants to be drafted as follows: <i>"Not to Commence or allow Commencement unless and until..."</i> .
SA.1.23	Applicant, ESC, SCC, WSC	Clause 2.2 Should the non-planning obligations also be stated to be enforceable?
	Response	SCC agree with this. However, the ExA's attention is drawn to the response at SA.1.7 above and the position of enforcement against transferees under the provisions of Article 9. Based on the proposed Sizewell Special Arrangements (and subject to SCC's other concerns about these), the s.106 would only be enforceable

SA.1. Section 106 Agreements		
	Question to:	Question:
		under s.106(3) as there would be no contractual relationship between SCC/ESC and the transferee outside of this.
SA.1.24	Applicant, ESC, SCC	<p>CI 2.3 "... the provisions of the Second Relocated Facilities Section 106 Agreement shall apply (save as modified by the Development Consent Order) as if ... "</p> <p>(i) Please will the Applicant enlarge on what is said in the draft 106EM about what this clause is seeking to achieve, and explain what the clause delivers and how?</p> <p>(ii) Please direct the ExA to the parts of the Second Relocated Facilities Section 106 Agreement which limit it to the works permitted by the Second Sizewell B relocated facilities permission.</p> <p>(iii) Is this a variation of the Second Relocated Facilities Section 106 Agreement which ought to be dealt with under s.106A TCPA 1990?</p>
	Response	<p>SCC consider that these are points for the Applicant to provide a response on. SCC note that no similar provisions appear in connection with the First Relocated Facilities Section 106 Agreement and would welcome the Applicant's explanation of why such provisions are not relevant to that agreement too. The draft s.106 cannot vary the Second Relocated Facilities Section 106 Agreement.</p> <p>In any event, SCC are not a party to the Second Relocated Facilities Section 106 Agreement and consider that Clause 2.3 should be between ESC and the Applicant, not SCC.</p>
SA.1.25	Applicant, ESC, SCC, WSC	CI 3.1.1 – drafting point; is not the effect with the words in square brackets ["with the exception of this clause 3 and clauses [●] and clause 4 insofar as it relates to obligations in the Schedules that must be complied with ... etc] circular? How can there be a requirement to comply if that requirement is in a part of the agreement which is conditional? It may be better to put this in the opening of CI 3.1.

SA.1. Section 106 Agreements		
Question to:	Question:	
	Response	SCC would be agreeable to including this in the opening of Clause 3.1. However, SCC considers that the intention is that any obligations which need to be complied with before the Commencement Date would not be condition on the Commencement Date.
SA.1.26	Applicant, ESC, SCC, WSC	<p>CI 3, conditionality, legal proceedings and redetermination. The drafting for any agreement dealing with this often presents difficulties. Please will ESC, SCC, WSC all consider it carefully and ensure that however it is drafted, if a DCO is in place and implemented following the exhaustion of however many rounds of challenge and redetermination take place, brought by whomsoever, the development is bound by the s.106 agreement. The ExA would be grateful for the express confirmation of ESC, SCC and WSC prior to the conclusion of the examination that they are satisfied that this has been achieved in any s.106 agreement which is presented, whether under the Sizewell Special Arrangements or otherwise.</p> <p>The ExA is sure that the Applicant is fully aware that it is in its interest also to ensure this and the ExA expects that it has access to suitable precedents.</p> <p>In relation to CI 3.2.3 and 3.3 the ExA draws attention to the words "subject to any variations to its terms necessitated through the redetermination process". How would that work? Can the s.106 agreement be automatically amended? Is it necessary to use s.106A? If the Applicant is concerned that changes may be necessary is it not protected by not Commencing the Project until the variation has been agreed?</p> <p>Does Clause 3.4.1 cover the situation where there is a right of appeal against the refusal of permission to appeal?</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
	Response	<p>SCC notes the ExA's request and will keep this under review as the drafting of the s.106 progresses.</p> <p>SCC's position is that any variations "necessitated through the redetermination process" would need to be dealt with under s.106A.</p> <p>SCC considers that Clause 3.4.1 can be clarified to include the disposal of a right of appeal against the refusal of permission to appeal but notes that Clause 3.4.1 does currently refer to "any appeal" and that "no further" appeal may be made.</p> <p>SCC has previously raised with the Applicant whether the ability to reopen a final determination of any appeal under CPR 52.30 should be referred to or expressly excluded and would welcome the Applicant's further views on that.</p>
SA.1.27	Applicant	CI 4.1 – please will the Applicant explain how the development consent obligations can bind the Sites when the Applicant owns only part of them?
	Response	SCC would welcome an explanation from the Applicant on this point and also clarification over which parts of the "Sites" it owns now, will own at the close of the examination, will own at the point any DCO is granted and will own before any works under the DCO are commenced on such parts of the Sites.
SA.1.28	Applicant	CI 5.1 – release. The ExA notes also para 2.8 of the draft 106EM which states that the release operates only on transfer of the whole benefit to another party pursuant to Art 9 of the DCO, and the response to Observation 17 set out at the Appendix to the draft 106EM. Those contemplate transfer to only one party. Art 9 on the other hand allows transfer of parts to different parties. Clause 5.1 is ambiguous on this. What is proposed? The ExA notes that the Applicant is not

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SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>released until all the benefit of the DCO has been transferred, which is the correct position under s.106(4).</p> <p>The ExA notes in passing that in Art 9 of the DCO the word “undertaker” is used to describe both the transferor / lessor undertaker and the transferee / lessee undertaker. Thus under Art 9(6)(b) a transferred benefit of the DCO is not enforceable against the transferor because they are the undertaker nor against the transferee because they too are the undertaker by virtue of Art 9(5). Please will the Applicant tidy up Art 9?</p>
	Response	SCC highlights its response to SA.1.7 on this question.
SA.1.29	Applicant, ESC, SCC, WSC	<p>CI 8.2. The Applicant states in the Appendix to the draft 106EM, addressing Observation 19, that the dispute resolution procedure from CI 9.2 (now 8.2) onwards is permissive and therefore not compulsory. However, CI 8.2 does not appear to the ExA to be permissive. It allows any party to a dispute to serve notice referring the matter to binding expert determination. There is no option for the other parties to decline and, importantly, there does not appear to be the possibility thereafter to apply to the court for an injunction or other remedies. The expert’s decision is final and binding – CI 8.6.</p> <p>How in these circumstances can the process be said to be permissive and how can the host authorities obtain injunctions pending the expert’s determination?</p> <p>As the Applicant states that “SZC Co. does not consider that compliance with this Clause 9.1 would interfere with the Council’s ability to enforce the obligations in the s106 Agreement by injunction or a claim for payment, nor has this been raised in negotiations with the Councils” should that not be made clear in the drafting.</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
	Response	<p>SCC notes that the dispute resolution provisions are subject to further discussion. SCC also notes Clause 18 which states that nothing in the s.106 which states that nothing in the s.106 shall fetter the statutory rights, powers or duties of the Councils.</p> <p>SCC agrees with this suggestion by the ExA. Clause 9 (the dispute resolution clause, which is subject to further discussion) should be updated to reflect the ExA's point that this does not interfere with the Councils' ability to enforce by way of injunction or a claim for payment.</p>
SA.1.30	Applicant, ESC, SCC, WSC	<p>CI 9.2 and other instances of a requirement for reasonability or deemed approval (such as para 6 of Sch 1). Are there any EIA issues as a result of a requirement for reasonability the deemed approval provisions in CI 9.2? The Applicant ESC, SCC and WSC are reminded of the litigation in Wells v. Secretary of State and other cases in relation to deemed approvals under the review of mineral planning permissions.</p>
	Response	<p>SCC refer the ExA to SCC's response to SA.1.16.</p> <p>SCC draws the ExA's attention to paragraph 6 of Schedule 1 in the s.106. SCC are not content with the proposed deemed approval provisions in Clause 1.2.7 (or paragraph 6 of Schedule 1 in the s.106). It is understood that the Applicant intends to discuss these further with SCC and ESC. Matters for approval under the s.106 are expected to be relevant to delivering mitigation set out in the EIA and automatic approval of schemes may undermine SCC's ability to control this. There may be some approvals which would not have such an effect, but this will need to be considered when the Applicant has provided further detail about the substantive provisions.</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		Substantive schemes will not be approved under the s.111 and it is not considered necessary to include Clause 1.2.7 in the s.111 as a result. The Applicant still would have the benefit of Clause 9.2 relating to not unreasonably withholding or delaying approvals (to the extent any are required under the s.111).
SA.1.31	Applicant, ESC, SCC	Cl 12.3, notice of disposal of the Pakenham site. Why is such notice only to be given to WSC? Is it not of significance to ESC and SCC in whose areas the fen meadow to be lost is situated?
	Response	WSC have confirmed that they are content for SCC to deal with the Pakenham scheme on their behalf. It is therefore suggested that WSC are not a party to the s.106. SCC agree that notice should be served on ESC and SCC (and indeed that WSC may not be a party to the s.106 where it is agreed that SCC will enforce these obligations).
SA.1.32	Applicant, ESC, SCC, WSC	Clauses 12.2 and 12.3. What is the purpose of these clauses?
	Response	SCC considers that these clauses are useful for the Councils to remain aware of the ownership of land within the Order Limits but notes the current approach of the Sizewell Special Arrangements with regard to binding land and awaits the Applicant's response to SA.1.27.
SA.1.33	Applicant, ESC, SCC, WSC	Cl 12.4 – variation of trigger points. The proviso begins to address the EIA issue inherent in tailpieces; the ExA's questions in relation to that in the ExQs (DCO.1.73) apply here also.

SA.1. Section 106 Agreements	
Question to:	Question:
Response	<p>In respect of DCO 1.73</p> <ul style="list-style-type: none"> - SCC considers the ExA’s proposal helpful under sub-para (iii) in particular. Similarly helpful is ESC’s request in their draft response for the inclusion of a provision like Article 44 of the Northampton Gateway DCO; - SCC waits to see the Applicant’s response (and the revised drafting in the forthcoming draft DCO) and comments on the updated text at Deadline 3. <p>SCC considers that with this provision the Applicant is appropriately trying to limit the amount of changes that can be made to the authorised development once consented, however SCC agrees that the wording is perhaps not as clear as it could be. The provision is intended to mean that any approvals given can only be given to activities within the scope of the environmental assessment. SCC suggests the following wording would be more appropriate:</p> <p>“(3) Where an approval of details or other document is required under the terms of any requirement or where compliance with a document contains the wording “unless otherwise agreed” by the discharging authority, such approval of details or of any other document (including any subsequent amendments or revisions) or agreement by the discharging authority is not to be given except in relation to changes or deviations where it has been demonstrated to the satisfaction of the discharging authority that giving such approval would not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the environmental statement.”</p> <p>(ii) It is not considered appropriate for the authorised development to be subject to an ongoing assessment which compares any potential new effects to a changing baseline. The future changing baseline is taken into account in the ES: the ES assesses the likely significant effects of the authorised development and predicts</p>

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SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>the expected changes to the baseline in the cumulative effects section.</p> <p>(iii) SCC would welcome an approach to subsequent approvals similar to that set out in the Northampton Gateway Strategic Railfreight Interchange DCO, as made. In particular, Article 44 of that DCO gives clarity to the process for subsequent approval under the Requirements. It makes it abundantly clear what can and cannot be given approval, and it references an appropriate procedure within Schedule 2 'Requirements' for applying for and obtaining such approval. SCC notes that Schedule 23 of the draft DCO appears to be an attempt on behalf of the Applicant to set out a similar procedure, but SCC would welcome the Applicant reviewing this procedure in light of the approach and the procedure in the Northampton Gateway Strategic Railfreight Interchange DCO.</p>
SA.1.34	Applicant, ESC, SCC, WSC	<p>Cl.14 – NPS policy tests for development obligations.</p> <p>Cl 14 only applies to obligations which are development consent obligations. However, the Applicant acknowledges that there are obligations in the s.106 agreement which are not development consent obligations. Although para 4.1.9 of EN-1 is expressed to apply only to development consent obligations, please will the Applicant consider whether the non-development consent obligations it has included in the s.106 comply with the policy and modify Cl 14 as necessary.</p> <p>Please will the Host Authorities state if there are any parts of the agreement, whether or not they are development consent obligations, which they consider are not policy compliant.</p> <p>Notwithstanding this declaration, the Applicant should address each of the obligations against the policy tests in the Certificate of Compliance, Execution and Enforceability which the ExA has requested in Observation 27. The declaration</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
		alone cannot make something which does not comply with the NPS policy tests compliant
	Response	SCC notes the request of the ExA and considers that at this stage it cannot provide a judgement as to whether any parts of the agreement are policy compliant or not. The sums payable and detail of schemes/works to be carried out have yet to be finalised or negotiated in detail with the Applicant and it simply is not possible to provide the statement requested at this point.
SA.1.35	Applicant, ESC, SCC, WSC	<p>CI 15. The ExA notes the changes made in response to Observation 22. However, in the event that the third party persists in refusing to enter the deed of covenant, the mitigation – payment of money to that third party for a particular purpose – will not be delivered and alternative mitigation is to be devised under CI 15.3.3 thereby raising a tailpiece-like issue. Please will the Applicant and the host authorities continue to work to address this issue satisfactorily.</p> <p>The ExA notes that the deed of covenant provides for the return of unspent contributions. Whilst the ExA is familiar with such provisions, if the money is not spent at the appropriate time the mitigation it secures will be lost. As the mitigation will be required, should there not be an obligation on the recipient to spend it on the mitigation?</p>
	Response	The contributions are to be spent on the intended purpose(s), albeit there must be reasonable flexibility in the agreement to cover suitable alternatives.

SA.1. Section 106 Agreements		
Question to:	Question:	
		SCC notes the ExA's request. Subject to considering the request on an obligation by obligation basis, SCC agree in principle that a mechanism to ensure sums paid are spent on the mitigation may be agreed. However, SCC observes that this would not <i>guarantee</i> that the monies would actually be spent by a certain time but just that the funds would continue to be available.
SA.1.36	Applicant, ESC, SCC, WSC	<p>CI 17. This new clause is a large carve out for potential breaches of data protection law.</p> <p>It also relieves the parties of any responsibility to do anything required by the s.106 agreement if that would be contrary to "any other applicable legal requirements" of whatever nature.</p> <p>The ExA questions the appropriateness of this clause. Its presence removes the incentive on the parties and their legal advisors to draft so as to ensure the obligations can be performed without infringing other laws.</p>
	Response	SCC has raised this point with the Applicant previously.
SA.1.37	Applicant, ESC, SCC, WSC	<p>CI 21 – jurisdiction. Please see the ExA's comments on the equivalent clause in the s.111 agreement.</p> <p>This point also applies to the jurisdiction clause in the deed of covenant (CI 9.2).</p>
	Response	<p>Please see SCC response to SA.1.19.</p> <p>It is not anticipated at this stage that enforcement in foreign jurisdictions would be necessary, but SCC would be content with a non-exclusive jurisdiction clause.</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		However, SCC in the event of a claim against SCC, SCC would not expect to agree to a clause which included the possibility of such a claim being brought in a jurisdiction outside of England and Wales and therefore SCC request the Applicant considers whether an asymmetrical jurisdiction clause reflecting this may be appropriate.
SA.1.38	Applicant, ESC, SCC, WSC	Sch 1, para 4.1 – return of unspent contributions. Whilst the ExA is familiar with such provisions, if the money is not spent at the appropriate time the mitigation it secures will be lost. As the mitigation will be required, should there not be an obligation on the relevant host authority to spend it on the mitigation?
	Response	<p>Contributions will be spent on the agreed mitigation measures – plus flexibility in the agreement.</p> <p>SCC would anticipate a minimum spend period of 10 years. In some instances, a longer spend period might be appropriate e.g., mitigation on the AONB.</p> <p>Please see SCC response to SA.1.35. Subject to considering the request on an obligation by obligation basis, SCC agree in principle that a mechanism to ensure sums paid are spent on the mitigation may be agreed.</p>
<i>General questions on the schedules:</i>		
SA.1.39	Applicant, ESC, SCC, WSC	Sch 4 generally. Please will the Applicant explain how the payments and provisions in this schedule are justified in both policy and legal terms. The ExA would appreciate it if the response would consider also the cases of Hall v. Shoreham UDC [1964] 1 WLR 240 and R v. Hillingdon ex p Royco [1974] Q.B. 720 and how they apply, or not. This question also applies to Schedules 5, 6, 7, 8, 10, 11, 12, 13, 14, 15.

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Response</p> <p><i>Hall v Shoreham</i> dealt with a planning condition requiring the provision of a public road and held that such a condition would be invalid if its effect was to destroy private proprietary rights in this way as it would require dedication as a highway without compensation.</p> <p><i>R v. Hillingdon ex p Royco</i> held that a condition that is imposed solely or primarily to serve a non-planning purpose is invalid. This involved conditions requiring that dwellings should first be occupied by persons on the local authority’s housing waiting list, and occupation limited for ten years to tenants having statutory security of tenure, held to have been imposed for the purpose or relieving the authority of the burden of their statutory duty as housing authority, and not for planning purposes. Subsequent case law has held that a condition or planning obligation can require the provision of affordable housing notwithstanding that this would to some extent be meeting a responsibility of a housing authority and whether such an approach is a legitimate planning requirement or an unreasonable demand shifting a public burden to a developer is a question of fact: see <i>R v Tower Hamlets LBC ex parte Barratt Homes Ltd</i> [2000] JPL 1050. However, the key point of distinction between <i>Hall</i> and <i>Royco</i> and the Schedules of the Sizewell Special Arrangements is that they related to planning conditions and not to obligations (or putative obligations, bearing in mind the separate issues as to nature of the Applicant’s Sizewell Special Arrangements). SCC does not therefore consider that <i>Hall</i> or <i>Royco</i> are applicable to the Sizewell Special Arrangements.</p> <p>SCC is continuing discussions with the Applicant as to the legal and policy justifications for the provisions in these schedules.</p>
<i>Specific questions on the Schedules and remainder of the s.106 agreement</i>	

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.40	Applicant, ESC, SCC, WSC	<p>Sch 1, para 5.1. – this imposes an obligation on the host authorities to register the deed as a local land charge.</p> <p>A development consent obligation is a local land charge – see s.106(11). The local authority will normally register it. But in addition, a local land charge binds persons acquiring the land, whether or not the charge is registered (s.10, Local Land Charges Act 1975).</p> <p>Please will the Applicant and Host Authorities reflect on the implications of this and respond.</p>
	Response	<p>SCC note the ExA’s point and consider that binding those acquiring the land under the local land charge is useful. SCC awaits further comment from the Applicant as to the parts of the Sites it owns currently and will own before and after the commencement of the works under the DCO. SCC also notes that Schedule 1 paragraph 5.1 is solely an obligation on ESC, not SCC.</p>
SA.1.41	Applicant, ESC, SCC, WSC	Sch 1 para 6 – please see the ExA’s earlier question on this paragraph and CI 9.2
	Response	<p>SCC refers the ExA to SCC’s response to SA.1.16.</p> <p>SCC draws the ExA’s attention to paragraph 6 of Schedule 1 in the s.106. SCC are not content with the proposed deemed approval provisions in Clause 1.2.7 (or paragraph 6 of Schedule 1 in the s.106). It is understood that the Applicant intends to discuss these further with SCC and ESC. Matters for approval under the s.106 are expected to be relevant to delivering mitigation set out in the EIA and automatic approval of schemes may undermine SCC’s ability to control this. There may be some approvals which would not have such an effect, but this will need to</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>be considered when the Applicant has provided further detail about the substantive provisions.</p> <p>Substantive schemes will not be approved under the s.111 and it is not considered necessary to include Clause 1.2.7 in the s.111 as a result. The Applicant still would have the benefit of Clause 9.2 relating to not unreasonably withholding or delaying approvals (to the extent any are required under the s.111).</p>
SA.1.42	Applicant, ESC, SCC, WSC	Sch 2 – The ExA notes from the footnote 7 that Sch 2 is subject to further consideration and engagement with the Councils. The ExA would prefer to comment on a more settled draft
	Response	Agreed – work in progress.
SA.1.43	Applicant	Sch 3, para 2.1 – ambit of the Housing Fund. By whom is the promise at para 2.1 given?
	Response	Will need to include specialist and supported housing issues. Covenant is for benefit of ESC.
SA.1.44	Applicant, ESC, SCC, WSC	<p>Sch 3 – the Housing Fund – this seems to be a fund held by SZC Co and from which payments are made to ESC under e.g. paras 2.6.2, 2.7.2 and 2.7.1</p> <p>(i) Please explain how payment is enforced.</p> <p>(ii) Please explain how the fund is held pending payments and what would happen on insolvency.</p> <p>(iii) The same questions arise in relation to other funds, e.g. the Emergency Services Contribution in Sch 4. Please will the Applicant address these issues in relation to each and every fund.</p>

SA40

SA.1. Section 106 Agreements		
	Question to:	Question:
	Response	It is considered that ESC is the appropriate Host Authority to comment here.
SA.1.45	Applicant, ESC, SCC, WSC	Sch 3 – para 3.1 – this is an obligation to use reasonable endeavours to deliver the Accommodation Campus in accordance with the Implementation Plan? (i) Is reasonable endeavours an adequate obligation? (ii) In the event of failure, the relevant host authority would normally have a right of entry to do the work and recharge the person responsible. (a) Is the Accommodation Campus on land owned or controlled by the Applicant? (b) How does the Applicant propose that the obligation to deliver the Accommodation Campus is enforced?
	Response	(i) Avoid use of ‘reasonable endeavours’. SCC’s position is that the obligation to use “reasonable endeavours” is not acceptable. This provides no certainty that this mitigation will be delivered and could make enforcement difficult. (ii) SCC await the Applicant’s response to this question and SA.1.27 which SCC consider is linked to this question. One alternative method of enforcement may be for ESC/SCC to seek an injunction to stop works (depending on the content of the Implementation Plan) but again, note that the inclusion of the “reasonable endeavours” wording may make this more difficult.
SA.1.46	Applicant	Sch 3 para 6.1. How is this promise to establish the Accommodation Working Group enforced? It does not appear to be a promise within s.106(1).
	Response	SCC has previously raised this with the Applicant. SCC’s view is that the use of the land should be expressly restricted (i.e., commencement may not occur) until the AWG is established.

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.47	Applicant	Sch 3 para 6.2. Monitoring of accommodation matters. How is this obligation to survey and to produce a report to be enforced?
	Response	This is considered an ESC matter to comment on.
SA.1.48	Applicant	Sch 4 – para 2 and definitions. Where is the actual role and content of the On Site Security and On Site Fire and Rescue set out? How will it be known if it has been delivered and is performing?
	Response	<p>It is suggested that the role and content needs to either be set now and annexed as a specification or be subject to approval (before commencement) in accordance with some parameters to be defined in the s.106.</p> <p>The Applicant needs to clarify how the performance of these services will be monitored, reviewed and enforced if necessary (e.g., will these provisions be directly enforceable against the Applicant?).</p>
SA.1.49	Applicant	<p>Sch 5. This schedule requires “third sector support for specific issues which the County Council considers (acting reasonably) are required as a result of potential effects arising from the Project and the Sizewell C Construction Workforce. There are other instances of community benefits across the s.106 agreement.</p> <p>Please will the Applicant consider and explain how are they consistent with R (oao Wright) v. Forest of Dean [2016] EWHC 1349 (Admin) affirmed in the Court of Appeal ([2017] EWCA Civ 2102 and upheld in the Supreme Court at [2019] UKSC 53 and any subsequent relevant caselaw?</p>

SA.1. Section 106 Agreements	
Question to:	Question:
Response	<p>This case was in the context of a conventional planning application (rather than a DCO) and the key principles can be summarised as follows:</p> <ul style="list-style-type: none"> • “Material” in s.70(2) TCPA 1990 and also in s.38(6) of the Planning and Compulsory Purchase Act 2004 means material to the development which is proposed. • To be material, the considerations must (a) serve a planning purpose and (b) fairly and reasonably relate to the development permitted (i.e the “Newbury criteria” from the case of <i>Newbury District Council v Secretary of State for the Environment</i> [1981] A.C. 578. • A planning purpose is one which relates to the character of the use of land • Whether a consideration is material or immaterial is a question of law. Local or national policies cannot make relevant what otherwise would be irrelevant. • The Supreme Court in <i>Wright</i> made the following point: <i>“A principled approach to identifying material considerations in line with the Newbury criteria is important both as a protection for landowners and as a protection for the public interest. It prevents a planning authority from extracting money or other benefits from a landowner as a condition for granting permission to develop its land, when such payment or the provision of such benefits has no sufficient connection with the proposed use of the land. It also prevents a developer from offering to make payments or provide benefits which have no sufficient connection with the proposed use of the land, as a way of buying a planning permission which it would be contrary to the public interest to grant according to the merits of the development itself.”</i> <p>The contributions secured by Schedule 5 (and elsewhere in the Schedules to the Sizewell Special Arrangements) are all directed at addressing or offsetting impacts</p>

SA43

SA.1. Section 106 Agreements		
	Question to:	Question:
		that the Application proposals will have on elements of the receiving environment (including the human population resident within that environment), and in the assessment of the Councils are part of the mitigation that would be necessary to make the development acceptable in planning terms. The Councils are satisfied that all of the contributions have a sufficient connection with the proposed development and its land use consequences for the receiving environment that they are material to any assessment of the acceptability of the proposals.
SA.1.50	Applicant	Sch 7, para 2.1 – this contains the phrase “On or before Commencement SZC Co shall ...”. Is this intended to be a restriction in development contemplated by s.106(1)(a)? If so, should it not be expressed as a restriction? The phrase appears elsewhere in the s.106. Please will the Applicant address the question for all of them.
	Response	SCC agrees with the ExA and would prefer wording such as “ <i>Not to Commence or allow Commencement unless and until...</i> ”.
SA.1.51	Applicant, ESC, SCC, WSC	Sch 7, para 3.2.1 - businesses based in a particular area, such as East of England. Please will the Applicant explain the test. For example, is a business with a registered office in Dublin and 95% of its workforce working in Lowestoft based in the East of England? Or the same scenario but only 10% of its workforce? Is an online business with a registered office at an accountant's office in Ipswich and 10,000 operatives, some salaried, some on zero-hours contracts and some on fixed term contracts, spread across Europe, Asia and Africa, based in the East of England?
	Response	SCC considers a company to be “local” if it is based in Suffolk, and “regional” if it based in Essex, Norfolk, Cambridgeshire, Bedfordshire, Hertfordshire. However, we consider the most important metric is how much expenditure remains in the county, regardless of where the company has its headquarters, and we seek the

SA.1. Section 106 Agreements		
Question to:	Question:	
		Applicant to be challenging the companies in their supply chain to demonstrate this and to monitor and report the outputs regularly through the Supply Chain Working Group.
SA.1.52	Applicant, ESC, SCC, WSC	<p>Sch 9, para 2. Para 2.1 – this is an obligation to use reasonable endeavours to deliver the Key Environmental Mitigation.</p> <p>(i) Is reasonable endeavours an acceptable standard and if so, how?</p> <p>(ii) Please will the Applicant supply the Implementation Plan referred to.</p> <p>(iii) The ExA notes this includes the Fen Meadow Works which have a ten year timescale.</p> <p>Para 2.4. This provides for review of the Implementation Programme in the event of delays. Given that the mitigation is necessary, please will the Applicant say how changes to timescale are appropriate?</p>
	Response	<p>(i) SCC’s position is that the obligation to use “reasonable endeavours” is not acceptable. This provides no certainty that this mitigation will be delivered and could make enforcement difficult.</p> <p>(ii) SCC awaits a copy of the Implementation Plan.</p> <p>(iii) See paragraph 8 of Schedule 11 which deals with a contingency fund which may be payable after 10 years.</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.53	Applicant, ESC, SCC, WSC	<p>Sch 10, leisure etc.</p> <p>(i) Is the proviso in para 2.1.1 appropriate if the Leiston Sports Facilities are necessary?</p> <p>(ii) Design of the facilities is in the hands of ESC. Given that the design will presumably have to be approved under the DCO there appears to be a dual role. Whilst being mindful of the complexities of the General Regulations (SI 1992/1492) is there a need for separation in this case and if so how should it be achieved without complexity? Is this what para 2.2 is designed to achieve?</p> <p>(iii) What is the test for the "appropriate timescale" for delivery?</p> <p>(iv) Para 2.3.2 is a restriction on occupation of the sports facilities prior to ESC submitting a management plan to SZC Co for approval. Given that the facilities are necessary, how does this restriction incentivise the Applicant?</p> <p>(v) Para 2.3.4 then provides a further restriction on occupation whilst the Applicant decides whether or not to approve the management plan. Is this an appropriate control? If it is, what is the dispute resolution procedure?</p> <p>(vi) Para 2.4.2 this states the destination of part of the Annual Maintenance Payment. What is the destination of the rest?</p>
	Response	<p>SCC considers that ESC is the appropriate Host Authority to respond to this question. The understanding is that the sports facilities will be consented under the DCO.</p>
SA.1.54	Applicant, ESC, SCC, WSC	<p>Sch 11 – Natural Environment.</p> <p>(i) Please will the Applicant supply the plan of the East Suffolk Natural Environment Improvement Area?</p> <p>(ii) "M22 fen meadow habitat". Would it be helpful to make the Rodwell document an examination document and have it certified in the DCO?</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>(iii) Natural Environment Improvement Officer – this is defined as someone employed by SCHAONB. That is an area and a designation, not a person. Please will the Applicant provide the correct organisation and incorporate it in the next draft of the s.106 agreement. Please check other places where SCHAONB is used.</p> <p>(iv) The Natural Environment Improvement Fund. Please will the Applicant direct the ExA to where this is explained in the ES?</p> <p>(v) The East Suffolk Natural Environment Improvement Fund. Is this different from the Natural Environment Improvement Fund? Looking at para 2.5, is there a possibility that what is envisaged is a purpose trust? If so, what action is needed? The Applicant may wish to consider this also in the context of para 5 – review and long term management of the fund.</p>
	Response	<p>(iii) The SCH AONB staffing team are employed by Suffolk County Council on behalf of all the constituent AONB local authorities. The Natural Environment Improvement Officer would therefore be employed by SCC as part of this SCH AONB team. The staffing team is managed by an AONB Manager and operates independently of SCC, with governance through a Joint Advisory Committee (JAC) of the local authorities and a wider AONB Partnership of stakeholders in the management of the AONB.</p> <p>(iv) and (v) of the updated S106 submission by the Applicant should answer these questions.</p>
SA.1.55	Applicant, ESC, SCC, WSC, Natural England	<p>Sch 11, para 8.</p> <p>(i) The Fen Meadow Contingency Fund. It appears that the fallback, if fen meadow is not successfully re-created, is the payment of money.</p> <p>(ii) How does this not disincentivise creation of replacement fen meadow? What other steps, incentives and sanctions are there to ensure that proper efforts are employed and implemented so that the Contingency Fund Payments do not have to be made?</p>

SA.1. Section 106 Agreements		
Question to:	Question:	
		(iii) If the fen meadow is not successfully recreated by the Applicant is it realistic to suppose that others will have any greater success?
	Response	SCC agrees with the concerns raised by the ExA in these questions. Our current position on this is set out in the LIR [REP1-045] para 8.31-8.36.
SA.1.56	Applicant	Sch 13. Resilience funds for the National Trust, Pro-Corda and RSPB. No purposes for these payments are specified as yet. When is it expected they will be set out? Earlier questions in relation to Wright v. Forest of Dean are repeated here.
	Response	ESC to hold funds. Agree that further clarification is required.
SA.1.57	Applicant	Sch 14 – the Sizewell C Community Fund (i) Please will the Applicant explain whether the intention is that the fund is taken into account as an important and relevant matter and if so address the issues in Wright v. Forest of Dean and Resilient Energy and subsequent case law. (ii) Please will the Applicant set out how it intends the funds shall be held from time to time, and the relevance, functions and reasons for the various legal mechanisms. For example, where is the Fund actually held, what is the purpose of the Deed of Transfer? If para 2.8 is triggered because SZC Co in its absolute discretion no longer wishes it to be administered by Suffolk Community Foundation, in whose hands is the fund at this stage? If held by SCF, how do SZC get it back? If it is held by SZC, how much is it? (iii) Para 2.5. Must all 10 of the criteria be met for every application?
	Response	Refer to the LIR [REP1-045] – chapter Quality of Life and Wellbeing.

SA.1. Section 106 Agreements		
	Question to:	Question:
		<p>SCC considers that the Community Fund should be seen as an important and relevant matter to offset and compensate for the residual adverse impacts on the quality of life and wellbeing of individuals and their communities. This is set out in detail in the LIR [REP1-045] (section 30).</p>
SA.1.58	Applicant	<p>Sch 15 – Transport.</p> <p>At para 2.1 this schedule requires implementation of various travel plans. Whilst the ExA is aware that it is common for s.106 agreements to address travel plans it is difficult to see that they are actually within the terms of s.106(1) TCPA 1990. The ExA has noted that the draft s.106EM asserts that compliance is not necessary owing to the modifications in the Sizewell Special Arrangements. However, the Sizewell Special Arrangements and the draft s.106 agreement propose that the Applicant enters into it by virtue not only of its status as undertaker (if the DCO is granted) but also as landowner of at least some land and the current drafting for the modification of s.106 set out in the Sizewell Special Arrangements and the DCO do not remove the necessity for the promises to fall within s.106(1) in order (a) to be “development consent obligations” as defined in the draft s.106 agreement [PBD0-004] and (b) to run with such land as is bound</p> <p>How therefore is delivery of and compliance with the travel plans ensured?</p>
	Response	<p>Travel plans could be required under the DCO and then any payment of travel plan monitoring fees / travel plan bonds/contributions (which are not in the s.106 at present) be in the s.106.</p> <p>SCC consider that an obligation to submit and secure approval to a travel plan before, say, commencement would fall within s.106(1)(a) and an obligation to adhere to a travel plan could fall within s.106(1)(b) as requiring specified operations or activities to be carried out in, on, under or over the land if the</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
		obligation was drafted to require the Applicant to procure any vehicles/persons attending the Sites adhered to the approved travel plan and that any supply contracts entered into by the Applicant should include an obligation to adhere with the travel plan to be approved. Alternatively, performance reviews against the bond could be explored with suitable triggers which would fall within the provisions of s.106(1).
SA.1.59	Applicant	<p>Sch 15 – Transport</p> <p>(i) Para 3.3 – the transport review group. Para 3.3.5 contemplates a tied vote. Is the chair not to have a casting vote? Does this apply to all the other groups and committees created by the s.106 agreement and if so what is the resolution process in those cases?</p> <p>(ii) How is paragraph 3.5.2 (duty to promote objectives and benefits of the Transport Management Plans) and following (paras 3.5.3 – 3.5.8) enforced? Failure to perform is unlikely to sound in damages. Would an injunction be issued (leaving aside for the moment the fact that that person given the duties is not a person bound by the s.106 agreement).</p> <p>(iii) the ExA’s questions above in relation to third party involvement, the allocation of functions to persons who are not a party to the agreement and to groups, SA1.10 -1.12) are also relevant here.</p> <p>(iv) Paragraphs 4.4 and 4.9 (and potentially a paragraph in the section on Marlesford and Little Glemham – 4.13 – 4.17) have considerable discretion over the schemes to be implemented. Please will the Applicant explain how this meets the policy and legal tests?</p> <p>(v) Para 5.2 – SZC Co to check road condition “regularly”? Please will the Applicant state how regularly? For example is it to be weekly, monthly or some other interval?</p> <p>(vi) How is para 6.1 and 6.2 a planning obligation?</p>

SA50

SA.1. Section 106 Agreements		
Question to:	Question:	
	Response	(i) As set out in SCC’s answer to ExQ TT1.23, SCC proposes for the Transport Review Group for Suffolk County Council (as the local Highway Authority) to chair the group, and that the Chair would have the casting vote. This is notwithstanding SCC’s acceptance that the Transport Review Group would aim to reach consensus in its decision making as suggested by the Applicant, and that the arbitration route is seen as appropriate to resolve disputes. SCC has not yet fully considered whether the same approach is appropriate across all the other groups.
SA.1.60	Applicant, ESC, SCC, WSC	<p>Sch 17 – Governance.</p> <p>(i) Definitions – para 1. Please will the Applicant explain where ESC and SCC covenant to form the Oversight Partnership.</p> <p>(ii) Para 2.1 – this may just be a drafting point, but the opening words read as though the covenant is not made until some point “on or before the Commencement Date”. Is that the intention or is it that the covenant is made on execution to establish the Delivery Steering Group on or before the Commencement Date?</p> <p>(iii) Para 2.5.1 – what happens if the DSG fails to do these things? How is it enforced? Similarly the obligations on the Oversight Partnership in para 3 and all the other groups contemplated by Sch 17.</p> <p>(iv) Para 5.1.3 quorum; in the phrase “at least one of whom is a member representing each of East Suffolk Council, Suffolk County Council and SZC Co ...”, should “each of” be replaced by “any of”? The ExA is unclear what is meant by the current wording. A similar formulation is to be found elsewhere in the schedules.</p> <p>(vi) the visual representation of the governance structure. The Community Fund, Main Site Forum and Associated Development Fora are shown but not linked to anything. The sub-bodies below the Transport Review Group and Planning Group appear to be incomplete. What are the relationships between the Executive Level</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Steering Groups and Oversight Partnerships in boxes at the head of the figure and the other groups? Please explain the colour code.</p> <p>(vii) Footnote 42. "Executive Level Steering Group is already in existence and is not constituted in this Deed. It is shown in Figure 1 for informational purposes only." Is not some provision to ensure it continues to exist necessary?</p>
Response	<p>(ii) SCC consider this should read "<i>SZC Co covenants with the Councils not to Commencement or permit Commencement unless and until the Delivery Steering Group has been established and SZC CO further covenants that the Delivery Steering Group shall remain in existence until the end of the [Construction] Period</i>". Consideration should be given to this group remaining in place beyond the construction period.</p> <p>(iii) SCC consider that a covenant needs to be included on ESC, SCC and the Applicant that the DSG (and Oversight Partnership) will perform its functions.</p> <p>(iv) The intention is that ESC, SCC and the Applicant will be at each meeting. Also, note our reference in TT1.23 which says: 'The Council also proposes a proxy voting arrangement in the group's constitutional arrangements, so that if one of the "other stakeholders" (not appointed by the Applicant) referred to in the question above does not attend a meeting, one of the attendees can vote as a proxy'.</p> <p>(vii) SCC agrees that some provision to ensure it continues to exist is necessary. SCC had advised the Applicant on 03 March that "this schedule should include reference to a commitment for regular meetings between the Council Leader and the Chief Executive with a senior executive from SZC Co., to have overall strategic oversight, ensuring senior ownership and being able to deal with top level escalations should there be any."</p>

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.61	Applicant	List of plans and annexes. The ExA notes that many of these have yet to be provided. Please will the Applicant supply them or give a timetable for when they will be submitted to the Examination.
	Response	SCC would also welcome early sight of these.
<i>The following questions relate to the draft s.106EM</i>		
SA.1.62	Applicant	The ExA thanks the Applicant for providing the draft s.106EM. In relation to the legal underpinnings, the ExA is seeking a guide, much like an EM for a DCO, of the purpose, policy compliance and legal powers for each clause, schedule and paragraph. Especially given not only the limitations of s.106 TCPA 1990 but also the approach in the Sizewell Special Arrangements, the ExA would be particularly assisted by this, however the eventual s.106 agreement turns out. Please will the Applicant include the s.111 agreement in the draft s.106EM.
	Response	Agree
SA.1.63	Applicant	Para 2.8. The current drafting of Art 9 of the DCO only makes planning obligations apply to a transferee. So, as things stand, it is necessary for the promises in the s.106 to meet the s.106(1) tests.
	Response	SCC draws the ExA's attention to its comment at SA.1.7 and the proposal for the transferee to provide a Deed of Covenant as a pre-requisite of any transfer under Article 9.
SA.1.64	Applicant, ESC, SCC, WSC	At para 4.8 the draft s.106EM states: "While it may be possible, in principle, for elements of the s106 Agreement as drafted to be pulled out into requirements, we consider that in most, if not all, cases there is considerable practical advantage

SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>and merit in placing the commitments to plans etc together with the governance arrangements for approvals or amendments, and procedures for resolution of disagreements, which relate to them and which it would not be appropriate to draft into the DCO.”</p> <p>Please will the Applicant explain further why it is advantageous to deal with these matters in the s.106 agreement rather than in the DCO.</p>
	Response	<p>By virtue of section 161 of the Planning Act 2008, a breach of a requirement is likely to be an offence –</p> <ul style="list-style-type: none"> • by section 161(1)(a), it is an offence (without reasonable excuse) to carry out, or cause to be carried out, development in breach of the terms of the DCO, and • by section 161(1)(b), it is an offence (without reasonable excuse) to otherwise fail to comply with the DCO’s terms. <p>It is not an offence to breach the terms of a s.106 agreement (an aggrieved party can seek an injunction / sue under contract).</p> <p>SCC would welcome the Applicant’s comments on the matters raised in the question. SCC can then respond at Deadline 3.</p>
SA.1.65	Applicant	Response to Observation 6. The Observation was an open question. The ExA is aware of cases where only part of an application site is bound by a s.106 agreement and this can be made to work in some circumstances. They may turn out to be appropriate in this case.
	Response	SCC awaits further information about what land may be capable of being bound into the s.106 agreement.

SA.1. Section 106 Agreements		
	Question to:	Question:
SA.1.66	Applicant	Please will the Applicant say whether its response to Observation 25 on the effect of the Oxfordshire case (the ExA is grateful for the correction to the citation) has considered all other instances in the draft s.106 (e.g. Sch 3 para 2.3) where payments for administration, expenses and related costs are to be paid to any of ESC, SCC and WSC?
	Response	This reinforces the importance for SCC to secure sufficient resourcing that it will require to comply with its requirements under and monitor its performance of the s.106.
SA.1.67	Applicant, ESC, SCC, WSC	<p>Observation 27 and title investigation by the Host Authorities. The ExA notes that the SZC Co's solicitors are willing to provide the confirmation document sought by the ExA. The ExA looks forward to the submission of the draft at the earliest possible opportunity.</p> <p>In relation to title investigation, the ExA notes that the Applicant is discouraging the Host Authorities from carrying out title investigation. As the Applicant observes, the Sizewell Special Arrangements are a new approach. It is evidently evolving. In addition the final position on the s.106 agreement is not yet settled. The ExA will be asking the Host Authorities for their confirmation that they are satisfied with all of the provisions of any s.106 agreement, including its enforceability throughout the construction and operation of the Project, should the DCO be made. Therefore to allow and to carry out title investigation would seem prudent.</p>
	Response	SCC draws the ExA's attention to the response to SA.1.7 and awaits title details from the Applicant.

SA55

SA.1. Section 106 Agreements		
Question to:		Question:
		SCC also notes that it will not be possible for the Applicant to provide confirmation as to the execution and enforceability of the s.106 where that will not be entered into until <u>after</u> the grant of any DCO pursuant to the Sizewell Special Arrangements.
SA.1.68	Applicant	<p>Please will the Applicant state how a future undertaker would know of the existence of this extensive s.106 agreement. Such an undertaker might only be a transferee of part of the benefit of the DCO and not acquire any land.</p> <p>How would a lender or an investor who is not an undertaker know of the existence of the s.106 agreement?</p>
	Response	<p>SCC draws the ExA's attention to its comment at SA.1.7 and the proposal for the transferee to provide a Deed of Adherence as a pre-requisite of any transfer under Article 9.</p> <p>SCC also observes that it is proposed that the s.106 will be registered as a local land charge (which a lender/investor could then pick up, notwithstanding that these parties would not actually be bound under the Sizewell Special Arrangements unless they were a transferee under Article 9) and SCC question whether the s.111 should also be registered as a local land charge by ESC for the same reason and given the potential delay in entering into the s.106 post DCO but pre-commencement.</p>
SA.1.69	Applicant, ESC, SCC, WSC	The ExA draws attention to s.106(6) which, where there is a breach of a requirement in a development consent obligation, gives the authority by whom it is enforceable the right to enter the land to carry out the operations. The host authorities, on the scheme in the Sizewell Special Arrangements, are the enforcing

SA.1. Section 106 Agreements		
Question to:	Question:	
		authorities of a s.106 agreement which is expressly stated to bind the Sites, i.e. the Order lands (see clause 4.1). Will they be able to exercise this power in relation to all the Sites?
	Response	SCC awaits the Applicant’s response to question SA.1.27 before finalising its position on this question. As set out in the SCC response to SA.1.8 there are other mechanisms of enforcement which could be utilised but in any event SCC has yet to receive suitable explanation as to why at least parts of the Sites could not be bound into the s.106 before the commencement of development on those parts of the Sites even if the Applicant does not own those Sites now. SCC also highlights its request to the Applicant to consider providing bonded obligations.
SA.1.70	Applicant, ESC, SCC, WSC	Would execution of the s.106 agreement in escrow, with the making of a DCO pursuant to the Application being the escrow condition, be an appropriate alternative to the proposed s.111 route, or are there obstacles to that route? If so, please explain what they are.
	Response	SCC would need to consider the detail of the form of any such escrow condition before a view could be finalised on this. SCC would have concerns that if the escrow was not to be satisfied until all relevant land was under the Applicant’s control, then there would be a lengthy period before the s.106 agreement would be effective. Conversely, if the escrow only related to some portion of the relevant land this would leave unresolved the question of whether and how the s.106 agreement was to be enforced against the remainder of the land. The condition would need to be legally binding. Unlike the s.111 route this would not appear to involve a mechanism to allow disputes to be resolved informally (or at least outside of litigation as Clause 6 of the s.111 may facilitate) or clarify how notices may be served in respect of completing the s.106 (as Clause 7 of the s.111 may facilitate). It would also need to be agreed which party would deal with the completion of the s.106 should the escrow condition be fulfilled. SCC also observes that notwithstanding its present concerns with the Sizewell Special Arrangements,

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SA.1. Section 106 Agreements		
	Question to:	Question:
		the s.111 document itself would perhaps be helpful in comprising a document which could be on the public record as clearly setting out the obligations of the parties and which could annex the agreed form of s.106.
SA.1.71	Applicant, ESC, SCC, WSC	<p>The ExA makes the following further observations:</p> <ol style="list-style-type: none"> 1. This s.106 agreement is expressed to bind all the Sites (see Cl 4.1 and Cl 2.1 where it is said to do this by virtue of the Applicant’s Qualifying Interest, which is its status as undertaker if the DCO is made and its status as a person with an actual interest in parts of the Sites. The status as undertaker would deem the Applicant to be interested in the whole Order land – see the new article for the DCO set out at para 2.6.1 of the draft 106EM. 2. The Sizewell Special Arrangements and s.106 agreement seek to create development consent obligations which are free floating and which do not bind the land. 3. The ExA has drawn attention to s.106(6) which, where there is a breach of a requirement in a development consent obligation, gives the authority by whom it is enforceable the right to enter the land to carry out the operations. The host authorities, on the scheme in the Sizewell Special Arrangements, are the enforcing authorities. It is not clear that they would be able to exercise this power in relation to the s.106 agreement for Sizewell. 4. The Applicant proposes that it enters into the s.106 both as undertaker with a deemed land interest and also as a landowner – see the definition of Qualifying Interest and clauses 4.1 and 4.2. Thus any promises which are development consent obligations because they fall within s.106(1) will run with the Applicant’s title, whatever it is. 5. The development consent obligations in the s.106 agreement bind the Sites, that is to say the Order land. That is clearly stated at clause 4.1.

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>6. The s.106 agreement refers to development consent obligations and planning obligations. By Clause 2 they are expressly made to run with the Applicant’s land.</p> <p>7. The Applicant might propose further modifications to s.106, changing the extent of s.106(6) and changing s.106(11) so that its floating development consent obligation is not a local land charge.</p> <p>8. The Applicant states its intention for the s.106 agreement at para 4.3 of the draft s.106EM “... we do not intend the s106 Agreement to bind successors in title. It should be binding only upon SZC Co as the ‘undertaker’, being the only party who may lawfully implement the development authorised by the DCO, and anyone to whom the benefit of the DCO is transferred under article 9 of the DCO” (para 4.3).</p> <p>9. The ExA would summarise the aim as being to make the s.106 agreement run with the DCO rather than run with the land. To achieve this, major modifications are to be effected to s.106 TCPA 1990. But if the provisions were incorporated into the DCO they would run with it anyway.</p> <p>10. Given that the legal purpose of s.106 is to make promises run with the land it seems strange to choose that power but then to modify it so as to remove its legal purpose. The ExA does not understand the Applicant’s apparent aversion to using the DCO.</p> <p>11. Of course there may still be a need for s.106 agreement if there are things which are needed which cannot be done in a DCO, in which case please will the Applicant explain which they are. That is something which could be looked at if it arises and conventional means of securing development consent obligations when only part of the land is controlled by an applicant could be explored.</p>
	<p>Response</p> <p>SCC notes the observations made by the ExA and has already expressed its own reservations about the Applicant’s current approach as set out in the Sizewell</p>

SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Special Arrangements. SCC is also familiar with the conventional approach of combining DCO requirements and a properly secured package of planning obligations in a conventional s.106 agreement and that would be the default position in this case. However, SCC is also aware that the scale and duration of the proposals and the multiplicity of issues requiring mitigation and potentially affected parties could merit a bespoke approach; and is therefore content to continue further dialogue with the Applicant on such an approach with a view to seeing whether such an arrangement can deliver the required outcomes with the necessary degree of security and enforceability to be an acceptable alternative way forward.</p>

Impact management

Better monitoring for better impact management: the local socio-economic impacts of constructing Sizewell B nuclear power station

John Glasson

Drawing on a comprehensive longitudinal research monitoring study of the construction of Sizewell B nuclear power station in the UK, the article highlights local socio-economic impacts and approaches to their better management. It explores local employment and expenditure impacts and ways to maximise local benefits. Approaches to the internalisation of some impacts, for example, on the housing market and on health services, to live within the capacity of local services, are also examined. Monitoring and controlling the impacts of a major project on the neglected area of crime provides another facet to the research. The paper concludes with an exploration of several barometers of local opinion of impacts, providing social constructions of the reality of the power station development. It provides examples of how the management of a major construction project in its local community can be clearly improved through a long running monitoring programme.

Keywords: longitudinal monitoring; socio-economic impacts; nuclear power station construction; managing benefits; impact internalisation; capacity constraints

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MAJOR ENERGY PROJECTS generally make unwelcome neighbours for local communities, but such projects are a fact of life in most countries. Local communities are persuaded, or often given no alternative, that such projects are needed in the national interest. There may also be promise, or expectation, of some local socio-economic benefits flowing from the project. These, for example, might be in the form of employment, improved services and a general boost to the economy and infrastructure. Such factors increasingly figure in environmental assessments for these projects, but do the predicted socio-economic benefits materialise in practice, and are socio-economic impacts necessarily beneficial?

The focus of this article is on the local socio-economic impacts of the construction stage of energy project development — a particularly disruptive phase in the life cycle of such projects. The focus is also on perhaps the most contentious form of energy project — a nuclear power station. The specific project is the Sizewell B nuclear power station, on the coast of East Anglia in the UK.

The UK electricity generation industry had a total capacity, in 2002, of 68 gigawatts (GW).¹ The fuel sources for this capacity were: gas (39%), coal (32%), nuclear (22%), other fuels/primarily renewables (4%) and imports (3%) (DTI, 2003a). There has been a major shift over the last decade from coal to gas, allowing the UK to meet its Kyoto obligations (DTI, 2003b). Nuclear capacity has been relatively stable, contributing approximately 20–25% of UK supply, and also making a valuable Kyoto contribution.

The UK has 26 nuclear reactors, including power stations and research reactors, but many of these were commissioned in the 1960s/early 1970s.

Decommissioning activity is underway, or planned, for many of the Magnox reactors, of approximately 400 MW, now coming to the end of their 35- to 50-year operational lives. Such decommissioning is in itself a major process, which has led to special environmental assessment procedures (see for example, Bond *et al*, 2003, and BNFL, 2002).

In anticipation of the reduction in the ageing nuclear capacity, the industry, via the previously state-run Central Electricity Generating Board (CEGB), had planned a programme of seven pressurised water reactor (PWR) nuclear power stations to be built in the 1990s and into the 21st century. Sizewell B was the first. Construction started in 1987, and the station was fully operational in 1995.

The PWR programme was aborted, however, in the 1990s, largely on cost grounds, and following the privatisation of the electricity supply industry. Also, there was a growing demand to accelerate the proportion of renewable capacity in the UK. Fortunately, the fact that Sizewell B might be the last nuclear power station to be built in the UK did not deter the CEGB and its successors from supporting a comprehensive follow-up research study of the socio-economic impacts of the construction of the project.

This article draws on findings from the study. It discusses approaches to maximising the positive and minimising the negative socio-economic impacts. In so doing, it highlights issues of internalisation of impacts within the development project, of the constraints and opportunities of local socio-economic capacity, of the roles and partnerships between key stakeholders, and of ways of engaging with the local public to provide barometers of public opinion on socio-economic impacts.

This article focuses on the socio-economic dimension in the follow-up stage of the assessment cycle. As noted by Baines *et al* (2003, page 9), this is often a particularly weak element in the generally weak follow-up stage:

“Ex-post monitoring and evaluation of any kind for major projects, programmes and policies has been slow to evolve in practice. SIA [social impact assessment] is generally not a component when it does take place.”

It also draws on a substantial longitudinal research study. Taylor *et al* (2003) stress the importance of undertaking such longitudinal research to produce comparative studies, and a grounded basis for future predictions. They quote Freudenberg and Keating (1985) that:

“The frequent failure to make use of the relatively straightforward technique [of extrapolation from comparative cases] may not be due to oversight, but to the fact that the previous knowledge is often not available. Scientists cannot extrapolate from guesses alone; they need valid, reliable, empirical data.”

Taylor *et al* (2003) note that “[Freudenberg and Keating’s] call for a stronger research base to SIA over 15 years ago seems largely to have gone unheard”. One notable exception is the study by Storey and Jones (2003) on the social impacts of oil platform construction in Newfoundland. The first step here is to provide a more specific context to, and overview of, the research methodology.

Context and methodology

Context

The construction of Sizewell B had the potential to produce a range of significant local socio-economic impacts (DoEN, 1986; CEGB, 1987). It was a major construction project — one of the largest civil engineering projects in Europe during the late 1980s and early to mid 1990s. The total cost was over £2 billion and almost 20,000 individual jobs were created on site over its duration. Peak employment was over 5,000, and the presence of a large in-migrant workforce was a particularly sensitive issue (Glasson and Chadwick, 1995).

Following one of the longest Public Inquiries ever in the UK, consent was finally granted for the project in 1987. Although the impact predictions were not formally packaged in an environmental impact statement, but rather as a series of reports based on the Inquiry, the research was extensive and comprehensive (DoEN, 1986). Several conditions and recommendations were associated with the consent, some of which related to local labour recruitment and traffic matters. For example, CEGB was keen that a large number of construction employees should be recruited locally and that local firms should benefit from the construction project (CEGB, 1987).

Construction was initially led by the CEGB (later Nuclear Electric) Project Management Team. Many civil, mechanical, electrical and other contractors were involved in the various phases of the programme. John Laing Construction was the main civil works contractor (Glasson and Chadwick, 1995).

The host locality was the local authority district of Suffolk Coastal, in the county of Suffolk in East Anglia. The nearest small town was Leiston, with a population of about 5100, at the time, two miles to the west of the coastal Sizewell B construction site. The larger settlements of Lowestoft and Ipswich were more distant, at about 20 miles north and south respectively of Sizewell B (Figure 1).

Whilst a predominantly rural area, the immediate location was not unused to manufacturing and to public utilities. For many years, Leiston was home to a major agricultural engineering firm. Indeed, it was the demise of the latter that was important in the positive local reaction to the advent of the 400 MW Sizewell A nuclear station in the 1960s. The experience of, and reliance on, the nuclear industry have been significant in the local responses to the larger

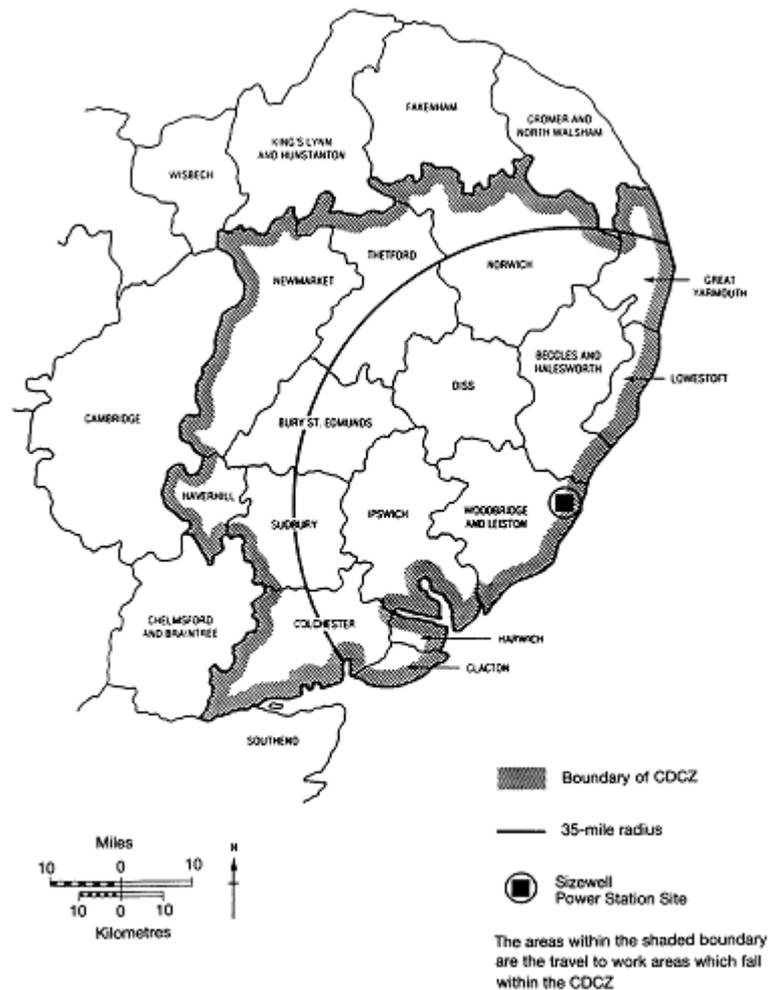


Figure 1. Location map and boundaries of the construction daily commuting zone (CDCZ) for Sizewell B

1200 MW Sizewell B development (Glasson and Chadwick, 1995).

The nature and significance of the local socio-economic impacts flow from the relationship between the parameters of the construction project and those of the locality (Glasson *et al*, 2005). Conditions at the time of consent sought to avoid and/or reduce adverse effects but also to encourage beneficial effects; this juxtaposition of both elements is a particular feature of this case and of socio-economic effects follow-up (CEGB, 1987). As noted by Vanclay (2003):

“Today, the objective of SIA is to ensure that the developments (or planned interventions) that do occur maximise the benefits and minimise the costs of those developments, especially those costs borne by the community.”

Sizewell B also raises several other facets of socio-economic follow-up, including the constraints and opportunities associated with host community capacity, for example, in housing, medical facilities, schools and in the labour market (Glasson and Chadwick, 1995). It raises issues about the scope for the internalisation of impacts within the construction

project itself, thereby reducing the local impacts. The methodology employed in the study provides examples of approaches to stakeholder involvement, through a dynamic interpretation of events and monitoring of short-term impacts as a “continual source of evaluation or check on the direction of forecasts made about social impacts” (IOCGP, 2003).

Methodology

The Sizewell B Local Socio-Economic Impacts Monitoring Study (Glasson and Chadwick, 1995;

Sizewell B raises several facets of socio-economic follow-up, including the constraints and opportunities associated with host community capacity, for example, in housing, medical facilities, schools and in the labour market

1989–95 annual) is relatively unique in its longevity and scope. It began in 1988, and, with some early operational stage studies, ran for almost a decade. It was undertaken by the Impacts Assessment Unit, a research team based in the School of Planning at Oxford Brookes University in the UK. The main objectives of the monitoring study were:

- to provide updated and improved data on the impacts of power station construction projects, to allow better informed assessments to be made for future projects, in particular for the then planned programme of PWR stations;
- to assist the management of the Sizewell B project in the local community context, including the provision of information to the local authorities in the area and to the wider community;
- to monitor compliance with some of the local conditions and undertakings associated with permission to proceed with the development; and
- to test the accuracy of earlier predictions concerning the local socio-economic effects of Sizewell B construction, presented at the public inquiry.

The focus on this article is on the second objective. The emphasis of the monitoring study was on the identification, description and, wherever possible, quantification of a wide range of local economic and social impacts of the construction programme. Those discussed here include impacts on employment, expenditure and the wider economy, accommodation, local services (education, health and police services), and local perceptions. The latter are regarded as particularly important, as noted by IOCGP (2003):

“Social constructions are not mere perceptions or emotions, to be distinguished from reality; rather, how we view a social situation determines how we behave. Furthermore, social constructions of reality are characteristic of all social groups, including the agencies that are attempting to implement change as well as the communities that are affected.”

A wide range of data sources, relating to various key stakeholders, was used during the course of the monitoring study. It included regular data collection by Nuclear Electric and its contractors on various topics, most importantly on the number of construction workers employed on site, and some of their characteristics (for example, occupations and whether local or non-local). It also included induction records for all employees at Sizewell B, data from local organisations and agencies, such as the local police and the local authorities, plus information from various published official data sources, such as the Census.

In addition, there were several primary data

surveys including two-yearly surveys of major samples of the construction workforce, to provide snapshots of construction worker characteristics (expenditure patterns, use of local facilities and so on), and of the local Leiston population, to provide snapshots of the changing perceptions on the impacts of the construction programme. Such data allowed a characterisation of social attitudes, and complemented, and to some extent reduced, the reliance on a quantitative approach — the “checklist approach”, “technocratic approach” highlighted by Vanclay (1999). The data analysis raised several issues, including the disaggregation of changes as a result of the project from those that would have happened without the project, the identification of indirect socio-economic impacts flowing from the direct impacts, and the distribution of impacts.

Distributional issues raise important questions about who gains and who loses from a project. There has been growing concern in recent years about the impacts of projects on the most vulnerable sections of society, for example, those suffering from long-term unemployment (Vanclay, 1999; 2003).

In addition to group identification, distributional issues have spatial dimensions. One important geographical area used in the study was the construction daily commuting zone (CDCZ). An employee was defined as ‘local’ if he/she had his/her permanent or home address within daily commuting distance of the Sizewell B site immediately before being recruited to the project. Employees recruited from outside this area were not regarded as ‘local’ and it was assumed that they would either move into the area or commute to the site on a weekly basis.

The CDCZ extended to about 35–40 miles from Sizewell, including all of Suffolk, a considerable part of Norfolk and part of north east Essex (see Figure 1). However, socio-economic impacts involve a whole range of users/customers, with differing market areas, and data collection included a composite of geographical areas — local authorities, Department of Employment ‘travel to work areas’, health authorities, police authorities and several others.

Another feature of the research was an attempt to engage with a range of stakeholders, and to seek to broker partnership arrangements where applicable and possible. As noted in IOCGP (2003):

“monitoring and mitigation should be a joint agency/proponent/community responsibility; and both activities should occur on an iterative basis throughout the project life cycle.”

A variety of approaches was used to engage the public in the process, as will be outlined later. Throughout the research, the study team produced independent annual monitoring reports (Glasson and Chadwick, 1989–1995 annual; 1995). Socio-economic impacts follow-up does have the potential for surprise — for highlighting issues not anticipated

Socio-economic impacts follow-up has the potential for surprise, for highlighting issues not anticipated in prediction studies: these were part of the reporting process, with the reports being freely available to all interested parties

in prediction studies — and these were part of the reporting process, with the reports and summaries being freely available to all interested parties.

Maximising the economic benefits in practice

Economic impacts are normally assumed to be the beneficial impacts. They represent economic growth, bringing jobs and a range of indirect benefits for local firms and agencies. However, often this is far from the truth when developers bring their own construction workforce, and there is major local leakage of employment benefits (Western and Lynch, 2000). This is especially pertinent in areas where there are high levels of unemployment, which is often the case in rural areas suffering from rationalisation in the primary sectors.

Thus, the actual achievement of such benefits during project development is seen as important for many stakeholders. A major project, such as Sizewell B, has the potential to have major economic impacts. However, the very magnitude and speed of growth of such projects can have inherent problems and can lead to conflicting views. What is an appropriate level of local recruitment to a project? If it is too low, there may be local resentment about the leakage of benefits; if it is too high, there may be inflationary pressures and severe impacts on other local businesses. The area may be then heading for a dangerous 'boom-bust' scenario (Rodriguez-Bachiller and Glasson, 2004).

Much depends on the capacity of the local economy to meet the demands of the project. This relates not only to labour for the new project, in a range of skills, but also to the supply of goods and services from local firms. A major project can be an opportunity for expansion, but it can also increase competition. Much of the impact in practice depends as much on the policies associated with the development, as with its direct quantitative characteristics.

Peak employment at Sizewell exceeded 5,000 for almost a year, and was over 3,000 for over four years; the annual recruitment of new employees exceeded 3,500 for about four years (Glasson and Chadwick, 1995). The project brought together a mix of skills ranging from highly skilled project

Table 1. Pattern of local and non-local labour on site during the early/mid-years of the programme

Month (end)	Local labour	Non-local labour	Total workforce	% local
6.88	569	314	883	64
6.89	965	879	1844	52
6.90	1840	1783	3623	51
6.91	2212	1984	4196	52
6.92	2105	2533	4638	45

Source: Glasson and Chadwick (1989–1995 annual)

management to unskilled/semi-skilled civil engineering labouring jobs. During the life of the project, there was a shift towards more skilled professional/management and mechanical and electrical engineering jobs and away from civil engineering.

Tables 1 and 2 provide a snapshot of the local impact during the early years of the project. Annual monitoring of recruitment data, by the research team, showed that local labour, recruited from within the CDCZ, made up over 50% of the total workforce for much of the project, bringing substantial local employment benefit, but fell as the skills demands of the construction programme increased. Table 2 shows that local people also filled proportionately more of the unskilled/semi-skilled jobs than the non-local employees.

The relative success in maintaining a high level of local recruitment in a predominantly rural location, with limited employment capacity, was underpinned by an effective array of employment and training initiatives. On site, Nuclear Electric set up a Job Centre at Sizewell B to deal with employment enquiries and applications during the construction process (Glasson and Chadwick, 1995). It dealt with almost 3,000 enquiries in the first month alone, with the majority of interest coming from local people. By mid-1994, the Job Centre had placed 5,500 job applicants in employment, of whom over 60% had been unemployed prior to starting on the project.

The company also established a Local Training and Employment Committee with the aim of early

Table 2. Extent of local labour by contractor type (as at end of 1991)

Type of contractor	Local labour	Total workforce	% local
Civil engineering	920	1505	61
Mechanical and electrical engineering	837	2182	38
Site services and security	271	281	96
Project management (PPG)	138	417	33
Total workforce	2166	4385	49

Source: Glasson and Chadwick (1992 Annual Monitoring Report)

matching of job opportunities, local supply and training provision. This was complemented by a skills audit of the local labour market. Nuclear Electric, and several of the contractors, also sponsored local school leavers to undertake apprenticeships in various construction trades. Also, with the local authorities, they funded the establishment of Leiston Training Centre. A priority for the Training Centre, and for many of the local employment initiatives, was to support training, and subsequent on-site employment, for the local unemployed. Almost 1,000 trainees passed through the Centre, and approximately one-third were from the local unemployed. A modelling of actual and expected (without Sizewell B) unemployment trends revealed the positive impact of the project (Glasson and Chadwick, 1995).

Other positive economic impacts flowed from the workforce expenditure and from local placement of Sizewell B contracts. Additional workforce expenditure in Norfolk and Suffolk topped over £75 million during the project, generating important additional business for a range of services, including pubs, restaurants, shops, garages and providers of accommodation. Further, although by the nature of the high-technology project, most of the £1.6 billion of the so-called hardware contracts for the plant equipment and services went elsewhere, at least £72 million went to Suffolk and Norfolk contractors (Glasson and Chadwick, 1995). Mechanisms to achieve even this limited benefit included a 'Meet the Sizewell buyers' event, early in the process, and a regularly updated register of local businesses with potential services to offer the project.

The downstream multiplier impacts of the project generated further local employment. Nuclear Electric also made other financial contributions locally. Following from a post Public Inquiry "Social policy statement for Sizewell" (CEGB, 1987), Nuclear Electric supported various mitigation measures agreed with local authorities (relating to road improvements, education, fire and police services) in recognition of the disturbance caused by Sizewell B construction. In addition, there was a package of 'ameliorative measures', including many village hall improvement projects, in general recognition of the pressure placed on local facilities by the project. The developer also funded a refurbishment of Leiston Cinema, and the full capital cost of a new swimming pool in Leiston.

Nevertheless, not all economic impacts are positive. One of the concerns often expressed about large construction projects is that their high salaries attract away employees from existing local employers. If these are skilled staff, local employers may experience difficulties in finding suitable replacements, especially at a time of skill shortages. During the early years of the project, it was estimated that approximately 600 employees annually were drawn to the site from local employees. However, somewhat contrary to expectations, a survey of 160 local companies indicated that only 10% found that the project

had made it more difficult to retain or recruit staff (Glasson and Chadwick, 1995).

A final economic concern relates to the potential damaging impact on the local economy of the end of construction and the transfer to a much lower operational project employment regime. A study on post-redundancy experiences of locally recruited Sizewell B construction employees suggested that, in general, even in a rural location in a period of recession, there was within 12 months a major adaptation for over two-thirds of the former construction workforce back into local economic activity (Glasson and Chadwick, 1997). Predictably, older people, and those with fewer skills, had the greater problems in securing replacement employment.

Accommodation and local services impacts – capacity issues and internalisation measures

A major influx of in-migrants to a sparsely populated locality is likely to cause serious disturbance to the local accommodation market. It can raise capacity issues in various sectors of the market and be a cause for potential conflict with the ongoing housing needs of the host population. Such conflicts may relate to the absolute levels of accommodation supply and demand, in particular sectors, but also in particular locations; they may be evident too in the price of accommodation.

Impact assessment can anticipate such issues, because some of the parameters are predictable. It can also provide for mitigation, including internalisation of impacts within the project to reduce disproportionate impact on sections of the host population. Such mitigation measures can hopefully contribute to distributional equity in impact assessment and follow-up (Becker, 1997).

The Sizewell B construction programme had a large in-migrant workforce, totalling between 2,000 and 3,000 for over three years, and with high levels also in the project shoulder periods. Two-yearly workforce surveys, reinforced by surveys of other local stakeholders in housing — bed and breakfast operators, real estate firms, and local camping and caravan sites — provided a valuable longitudinal picture of the evolving local housing market (Glasson and Chadwick, 1995). At peak construction, 35% of incoming workers were housed in the private rented sector, 13% in bed and breakfast, 11% on caravan/camping sites, 10% in owner occupation, and 31% in the purpose built site hostel.

The general pattern of shared private rented accommodation helped to reduce housing impacts, but the major mitigation measure was the Sizewell B site hostel. The hostel was purpose-built for the project. The initial capacity was 600 rooms, but this was quickly increased to 900 following feedback from monitoring. The hostel consisted of single bedrooms, and an amenity building; limited facilities for outdoor recreation were also available on site. Hostel

occupancy was monitored on a daily basis. At peak construction it was full, with a substantial waiting list. On average, occupancy was 85%, and approximately 40% of the incoming workforce used the facility. There was a generally high level of satisfaction with the hostel accommodation and facilities, although less so with the level of charges (Glasson and Chadwick, 1992 annual report).

Not all incoming worker housing demands and responses constitute capacity issues to be constrained. Indeed, a site hostel appropriately located can be a future resource for the local community after construction. In this respect, internalisation of the facility within the perimeter of the operational project, can constitute a mixed blessing. The impact on the rented and especially the bed and breakfast/guest house, accommodation sectors can also be positive, if it helps to spread high occupancy levels over time.

This was the case at Sizewell B where incoming workers filled up the weekday capacity, but often went home at weekends when there was compensating tourism demand. Similarly, the workforce helped to achieve high occupancy levels across the seasons. Sizewell B workers constituted up to 50% of weekday bed and breakfast lettings, and 80% of winter lettings (Glasson and Chadwick, 1995).

The research also monitored prices in the local owner-occupied markets. Project-related demand was not high and was quite spread geographically. It was difficult to identify significant impacts on local house prices, although the additional demand may have helped to stabilise prices at a time in the early 1990s when house prices were falling a little. This obviously had differential benefits depending on an individual's position in the local housing market.

Other services, such as education and health, experienced some issues and responses similar to those for accommodation. Impacts on local education provision proved to be relatively minor. Less than 20% of the in-migrant workforce brought their families into the area; as a consequence there were only about 300 additional children. Of these, 60% were of primary school age. There was some limited impact on the accommodation and teacher capacity of two schools in Leiston, where much of the extra demand was concentrated. However, at peak construction, the extra pupils were spread over 33 schools and the average increase in pupil numbers was less than 3%. In some of the more rural locations the extra numbers were a welcome addition to offset falling school rolls.

Mitigation of the impact on local health services provided another example of internalisation. A Medical Centre was provided on the construction site. It operated on a 24-hour basis and was staffed by qualified nurses on a shift system. A rescue vehicle and ambulances were also located at the site. During the year of peak construction (1992), Medical Centre attendances totalled just over 21,000. This provision took a considerable potential load off local health services (Glasson and Chadwick, 1995).

Mitigation through monitoring – controlling worker crime

Major construction projects can lead to an increase in levels of crime and other behavioural problems in the host locality, yet the potential for such problems is often underplayed in impact assessments. The Sizewell B monitoring study sought to measure systematically the trends in such problems; this proved to be a valuable tool for mitigation, with the timely introduction of effective responses.

Information was supplied by the Suffolk Constabulary on arrest levels in the Leiston Police Division (including Leiston, and the adjacent small towns of Saxmundham and Aldeburgh). The data allowed the identification of Sizewell B construction employees in the local arrests, with a distinction being made between locally recruited and in-migrant employees. It should be noted, however, that the number of arrests does not always accurately reflect the number of offences committed (because many offences go unreported and many arrests do not result in convictions); this should be borne in mind by the reader (Glasson and Chadwick, 1995).

During 1987, in the first year of construction, a total of 188 arrests had been made in the Division for all arrest categories. However, by 1990, the annual number of arrests had more than tripled to 572, yet the population of the Leiston Police Division had increased (temporarily) by no more than 25%. The national increase in the number of recorded criminal offences over the same three-year period was just less than 20%. Figure 2 details the trends in offences for drink-driving and drunkenness. They show a marked decline in the number of arrests from the 1990/1991 peak (Glasson and Chadwick, 1995),

Sizewell B employees featured strongly in the drink-driving and drunkenness categories. Figure 2 also shows the marked variation between the arrest records of the in-migrant and local Sizewell B employees. In all categories, the bulk of the arrests was attributable to the in-migrant workforce. What was particularly surprising from the data was the increase in numbers of arrests for non-Sizewell B employees. There may have been indirect effects on local crime levels arising from the construction project, with local people being more likely to commit certain offences or be arrested as a result of the presence of a large construction project in the vicinity. Increased levels of arrest may also have resulted from the targeting of specific offences by the local police. Although no additional police officers were recruited specifically in response to the construction of Sizewell B, three officers were redeployed from elsewhere in Suffolk at the start of the construction project to supplement the Leiston Division staff of 16.

The identification of these worker-related behaviour problems, through the monitoring process, raised considerable concern amongst the stakeholders and was instrumental in generating some timely mitigation responses including:

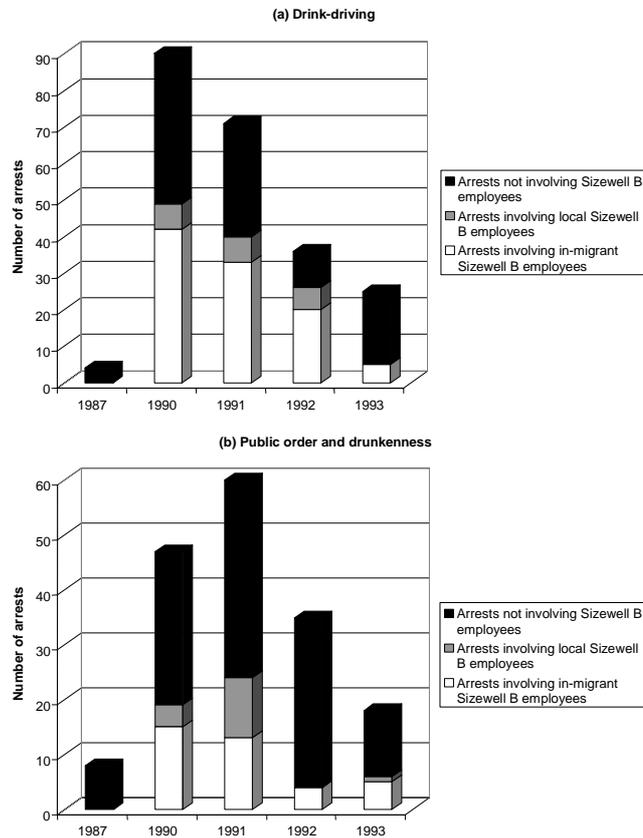


Figure 2. Trends in arrest, for categories of offence, in the Leiston Police Division, 1987-1993
 Source: Glasson and Chadwick (1995)

- site induction procedures for all new employees, which stressed the need for employees to be sensitive to the local community: these procedures included involvement from the local police;
- a free shuttle minibus service operated in the evenings between the site hostel and Leiston town centre;
- provision of attractive facilities on site, such as the site hostel bar, reducing the need for residents to travel to Leiston in the evening; and
- regular monitoring of behaviour by Nuclear Electric Staff in Leiston during the evenings, especially around the town's pubs.
- police targeting of certain offences during the course of the construction programme including speeding and drink-driving.

Figure 3 suggests that such measures may have contributed to a reduction in the worker-related behavioural problems. It shows a substantial fall in the

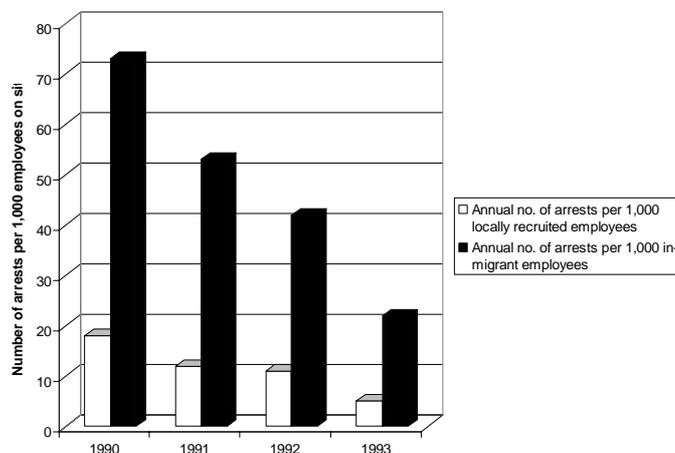


Figure 3. Changes in involvement of Sizewell B employees in arrests made in the Leiston Police Division (per 1000 recruited employees)
 Source: Glasson and Chadwick (1995)

arrests per 1,000 employees between 1990 and 1993 — a period when the total workforce increased from 4,000 to 5,000. Overall, representatives of the local police on the Sizewell B Local Consultative Committee consistently expressed the view that the construction workforce had been relatively trouble free, with few serious incidents.

Perceived impacts via barometers of local public opinion

The host community of a major project is a key, composite stakeholder in the construction programme. While many of the local socio-economic impacts can be quantified, there can also be a more qualitative dimension to the analysis reflecting local perceptions and opinions (Burningham, 1995). As noted earlier (Vanclay, 1999; IOCGP, 2003), the local ‘social construction(s) of reality’ can be very significant in determining the nature of local responses to a project. Various barometers of local opinion were used during the course of the Sizewell B monitoring study, ranging from the indirect proxy of local press coverage, via more direct local complaint procedures, through partnership local liaison arrangements, to direct sample surveys of local residents’ views (Glasson and Chadwick, 1995).

Press coverage can be a powerful influence on local views about a particular activity. The study included an annual analysis of all newspaper articles and letters concerning the project, to identify the ‘magnitude’ and ‘direction’ of the issues considered to be most worthy of news coverage. The analysis used the data collected by the Sizewell B Information Centre, which maintained copies of all project-related material appearing in the national, regional and local press.

A crude ‘measure of favourability’ (MOF)² was constructed for key topic areas, on an annual basis, using the column centimetre coverage of the topic in the press. An MOF with a positive score of over 0.0 indicated, to varying degrees, a favourable press

coverage. In the early years of the project, traffic issues received a particularly bad press. In contrast, project employment opportunities were well received. Environmental impacts of the project, including noise from the site and effects on the beach and coast, also had a negative MOF.

Over time, the coverage changed; there was a short-lived wave of coverage (both local and national) concerning the perceived behavioural problems of the workforce and more concern about the pressure on local services. Later in the programme, there was more coverage of power station operational matters, particularly about the safety of the operational station, and the effects of construction rundown on local employment and businesses.

Another barometer was provided by the developer’s local complaints procedure. Nuclear Electric received a total of just over 350 telephone complaints from local residents concerning Sizewell B construction between 1987 and 1993. Over 40% related to road traffic matters. The level of complaint fell year-on-year, and the mix changed (see Figure 4), with construction project noise and worker behaviour issues becoming proportionately more significant in later years.

However, such telephone contact is predominantly a one-way channel of communication. More effective mechanisms are community liaison/consultative committees (CLC). For Baines *et al* (2003), the CLC

“provides a means to (a) build personal relationships and mutual trust, (b) continuously review the operations and impacts, and (c) adopt a proactive approach to manage any issues of community or operator concern.”

The Sizewell B Local Consultative Committee provided another barometer on local issues. It met on a quarterly basis throughout the life of the construction programme and provided an opportunity for the representatives of the various groups (Nuclear Electric, local authorities and other local bodies) to

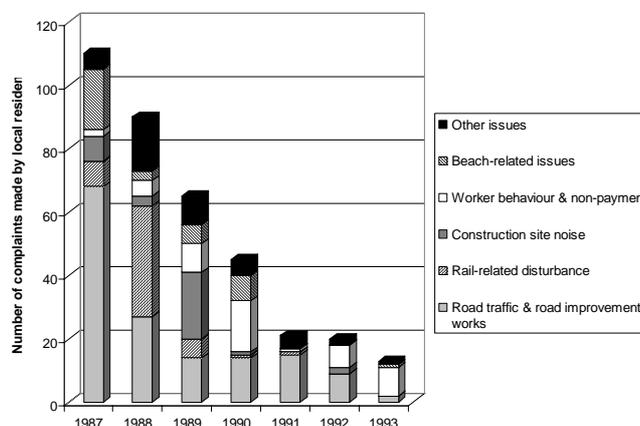


Figure 4. Changes in the nature of complaints made by local residents to Nuclear Electric, 1987–1993

Source: Glasson and Chadwick (1995)

raise concerns. Transport issues were again predominant, followed by issues about local employment opportunities, including training provision, worker behaviour and pressures on local accommodation.

The most direct barometer on local views was provided by sample surveys of local residents (approximately 250 per survey), carried out in association with sixth formers (senior pupils) from Leiston High School, that sought to explore the views of local residents about a range of Sizewell-related issues. Figure 5 shows the changing views of residents over the first half of the construction programme. Positive views are very much employment and expenditure related, and there is not too much change over the period. The negative impacts are more revealing, showing the trend away from traffic and accommodation issues, and towards worker-related issues.

The various barometers of local opinion reveal some interesting trends in the nature of community responses. Overall, there is evidence of an adjustment to the impact of the construction of Sizewell B on the locality. This process — learning to live with Sizewell B — may partly reflect an acceptance of the inevitability of the project and an adjustment to its impacts; it may also reflect the better management of the impacts of the project on the community. There is also evidence that the emphasis of

Local opinion adjusted to the impact of the construction of Sizewell B on the locality: this may reflect an acceptance of the inevitability of the project and an adjustment to its impacts, and also the better management of the impacts of the project on the community

perceived socio-economic impacts shifts during the construction programme, and that such shifts can be monitored, as also identified by Storey and Jones (2003).

Conclusions

The Sizewell B Socio-Economic Impacts Monitoring Study provided a valuable opportunity to research the local impacts of the construction of a major energy project over a long period of time. The

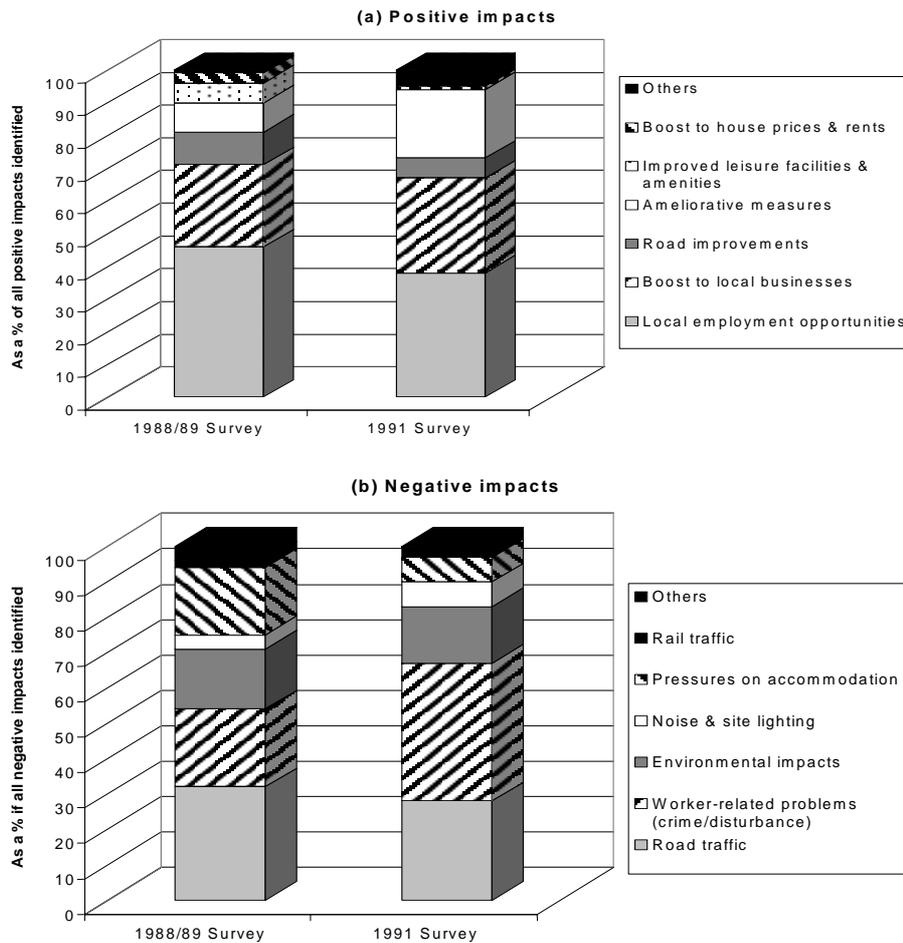


Figure 5. Pattern and changes in nature of impacts identified by local respondents to the survey of local respondents (1988 and 1991)
 Source: Glasson and Chadwick (1995)

research had several objectives, one of which was better to inform assessments for future PWR nuclear power stations. The abandonment of the PWR programme early in the research reduced the relevance of this objective, at least in the then foreseeable future, for the developer, Nuclear Electric. However, the research support continued and this helped to achieve the other objectives.

The testing of the accuracy of earlier predictions concerning the local socio-economic effects of the project, as presented at the Public Inquiry, has been discussed elsewhere (see Chadwick and Glasson, 1999). This article has focused on one of the remaining two objectives of the monitoring study — “to assist the management of the Sizewell B project in the local community context, including the provision of information to the local authorities in the area and to the wider community”.

The contention is that ongoing monitoring, involving key stakeholders, can help to manage the implementation of the project better in the local community. The monitoring exercise provides evidence of approaches to maximising local employment and expenditure impacts, including support for the particularly vulnerable unemployed group. Targeted training programmes can help to support ‘low power’ groups and, in passing, can extend the employment capacity of the local economy. Capacity issues can also be significant constraints and the cause of potential problems. The internalisation of the potential externalities can help to take the pressure off local markets. The site hostel, and the site Medical Centre, provide examples of effective internalisation in this case study.

Yet, however good the initial assessment of project impacts, and socio-impacts still tend to be the poor relations in such assessments at least in the UK (Chadwick, 2002), there will invariably be ‘surprises’ during the implementation stage of the project. To some extent, the issue of crime and worker behaviour was a surprise at Sizewell B. There was a growth in certain types of arrest following the start of construction, but the monitoring process, with the valuable support of another key stakeholder, the local police, quickly highlighted this — in the publicly available monitoring documentation. Management responses followed, to good effect, in several of the problem areas.

The issue of worker behaviour was also picked up in the various barometers of public opinion used in the research. Local ‘constructions of reality’ did mirror to a large extent some of the more quantitative data on local socio-economic impacts. They also showed some interesting trends over the course of the construction programme.

Impact assessment follow-up is still an Achilles’ heel in contemporary practice. In Europe, the 1997 revision of the EIA Directive (CEC, 1997) failed to get agreement on the need for mandatory monitoring, and the recent review of the implementation of that revised Directive (IAU, 2003) shows that this is

a continuing weakness. Yet such monitoring can achieve much to enhance the value of assessment, as exemplified by the Sizewell B study. Better management of the project in its local community, through better monitoring, is a particularly important objective and outcome for all the stakeholders involved.

Notes

1. Equals 68,000 megawatts (MW), equals 68,000,000 kilowatts (kW).
2. MOF, the measure of favourability = $(F-U)/T$, where F is favourable, U is unfavourable, and T is total column-cm.

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Technical Skills Legacy Report

Brief Introduction and Outline of
Contents



[To access the Full Report & Technical Annexes click here](#)

Our Region

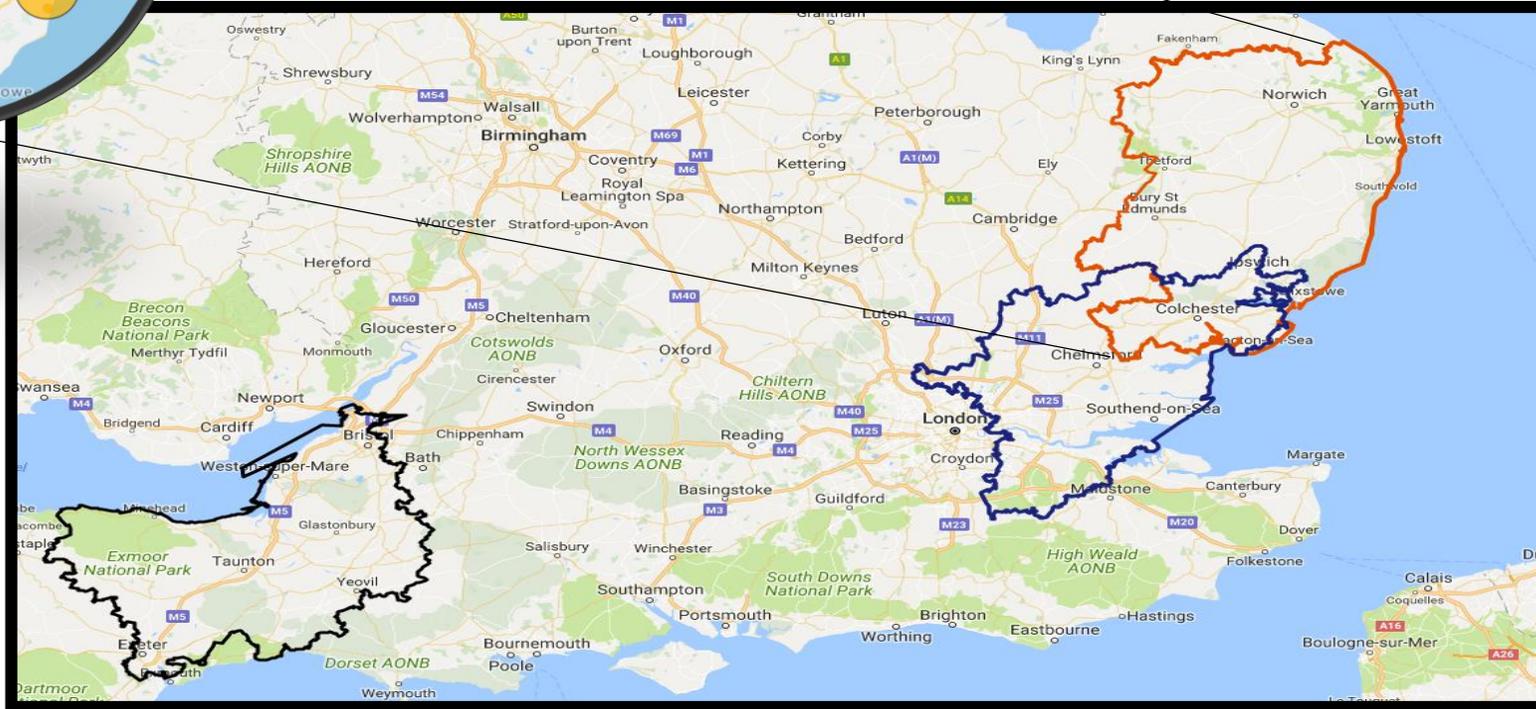
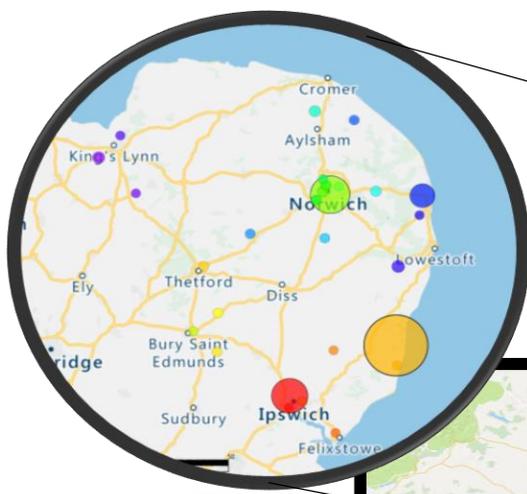
INFRASTRUCTURE PROJECTS 2020-2035

- Heavy Civil Construction
- Industrial Building Construction
- Oil and Gas
- Power, Distribution and Communications
- Residential Building and Construction
- Transport
- Water, Flood and Sewerage



Report was commissioned by the Suffolk Growth Programme Board and Norfolk County Council. With high levels of infrastructure development planned to take place over the coming years there was a need to better understand what skillsets are likely to be required, to help ensure a sufficient supply, to enable growth and mitigate against any displacement.

The Bigger Picture...



Development in Norfolk and Suffolk will not happen in isolation. Several Nationally Significant Infrastructure projects due to take place within relatively close distances to Suffolk and the surrounding region – e.g. HS2, Heathrow Expansion, new nuclear at Bradwell Essex and the Thames Tideway Tunnel. Important to consider how our local skills requirements and the skills we create fit with the national picture. The diagram above demonstrates the new nuclear projects and where they are expected to draw labour from.



The Technical Skills Legacy for Norfolk and Suffolk

March 2020

The Technical Skills Legacy for Norfolk and Suffolk

2	Counties
7	Different types of infrastructure project
14	Broad legacy job roles (three-digit SOC level)
15	Year span of study
£28bn	Projected cost for top 20 projects
£36bn	Total projected infrastructure cost (2020-2035)
66	Job roles (four digit SOC level)
91	Main education and training providers
410	Relevant courses
1,600	Planned projects
98,000	Technical infrastructure workforce (2020)
129,000	Total technical workforce in Norfolk & Suffolk (2020)

The report focuses on Norfolk and Suffolk across a 15 year span. It considers 7 types of infrastructure project totalling an estimated £36bn across that timeframe, identifying 14 job roles for which there is a current key need and a long-term application.



- A review of the main infrastructure **projects** likely to happen;
- A review of the infrastructure **workforce** in the two counties and of the skills needed by planned infrastructure;
- A description and assessment of the infrastructure **legacy skillsets** in terms of types and volumes;
- A review of provision;
- A set of **key messages** emerging from the study;
- A detailed set of “**Skillfiles**” which set out the parameters surrounding the sixteen job roles which constitute the legacy skills for the two counties.

**The Technical Skills required
over next 5, 10, 15 years**

The report pulls together insight and information from across several sources and pieces of work to provide a ‘best guess’ as to which legacy skillsets will be required going forward. The report is provided in ‘layers’ – an overarching report, an annex outlining the consultants ‘workings’ and the raw information gathered. From this readers can determine if they agree or disagree with the assumptions made by Pye Tait in producing the report and by changing these assumptions (e.g. the co-efficients in some of the working documents) can use the work to arrive at a different conclusion based on a different scenario.

Top Ten areas of expenditure (by value)

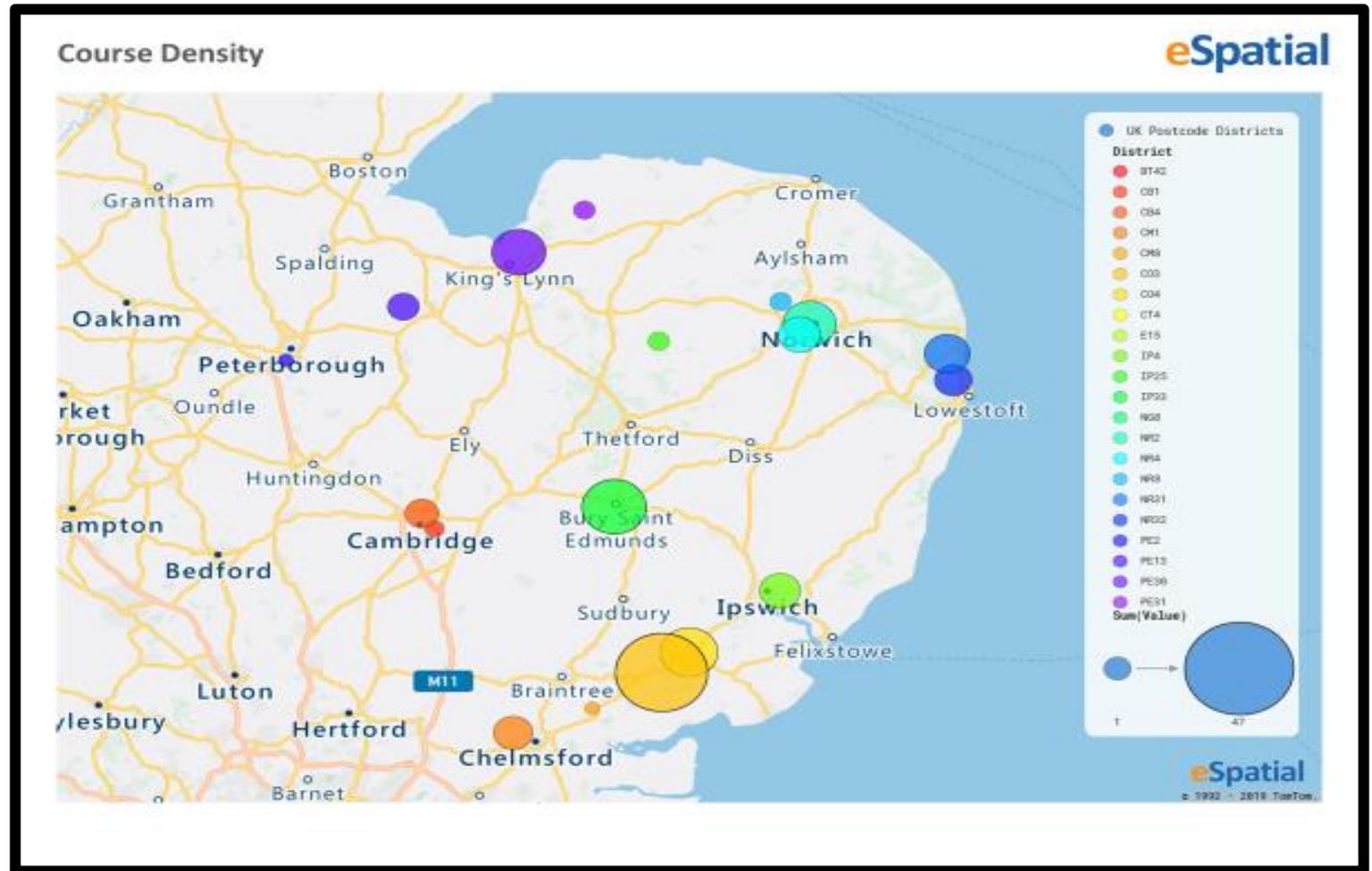
(table also listed in Annex 2, section 3, page 6)

Project / contract name http://wix.to/z0DLBS0
Sizewell C (nuclear energy: currently at Stage 4 Consultation)
East Anglian Hub (wind energy: EA3 granted, EA1N and EA2 in planning)
Anglia Route Strategy CP6 (Rail)
Norfolk Vanguard (wind energy: decision expected June 2020)
Norfolk Council Highway Services 2014-2021 (roads: contract awarded)
UK Power Networks – East (assumed 50% split to Norfolk)
UK Power Networks – East (assumed 50% split to Suffolk)
Suffolk Council Construction Framework
Highways Maintenance Block Funding (SR10 allocation – assumed 50% split to Norfolk)
Highways Maintenance Block Funding (SR10 allocation – assumed 50% split to Suffolk)

Course Provision

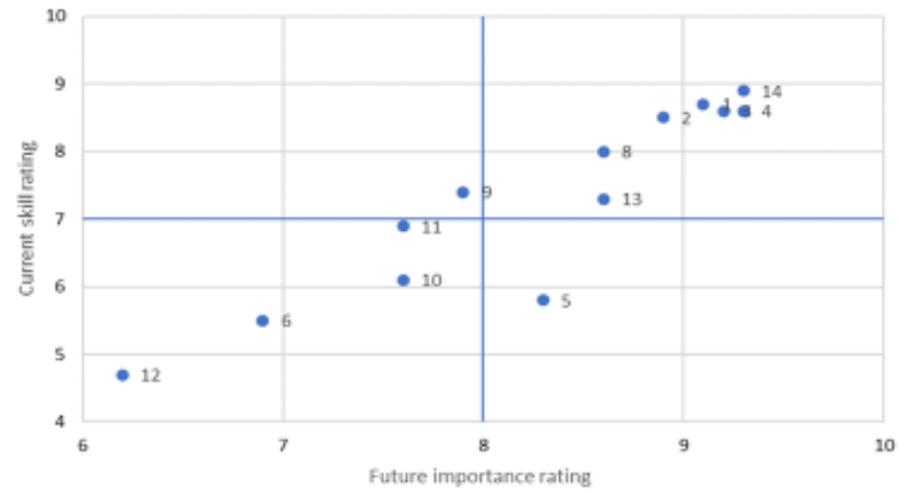
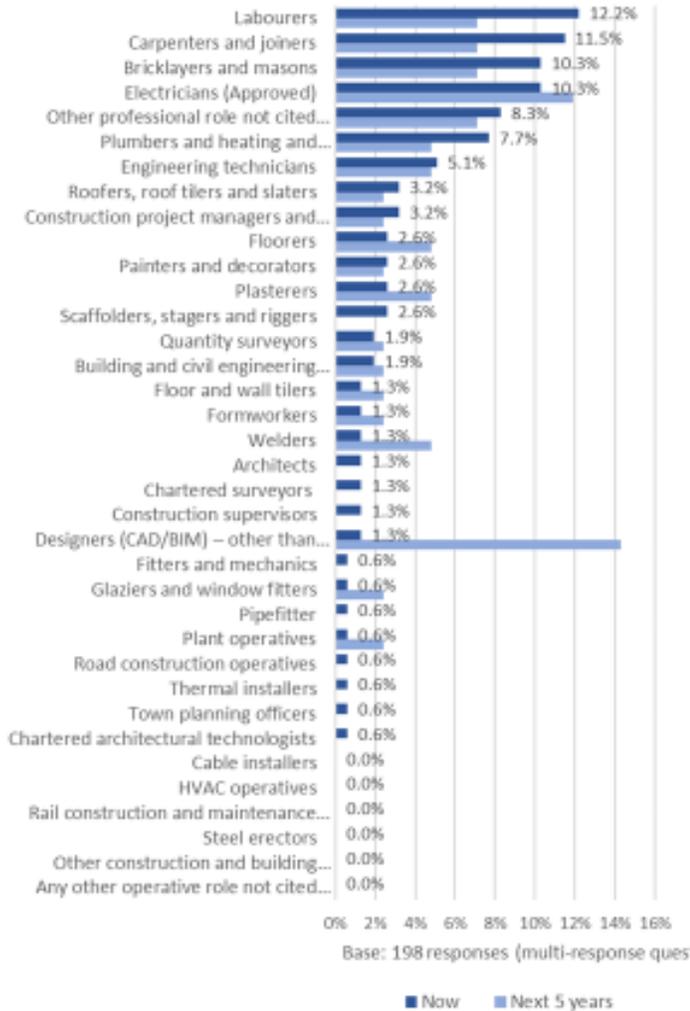
*In subjects relevant to the forthcoming infrastructure projects **Norfolk and Suffolk** provide over 400 relevant courses through 91 HE, FE, and private providers.*

Most courses in Norfolk and Suffolk are aligned to skilled occupations (122) - followed by associate professional/technical (85) and process/operative roles (75 courses).



The report considers how well the current local training offer serves the requirements of these infrastructure projects and what additional provision is likely to be required. It is estimated that a demand for a cumulative total of around 3,000 additional education and training places (around 150-250 per year) across the range of technical job-roles will be needed to furnish enough additional people to fill the technical roles. This would be at an additional cost of training of between £410,000 and £890,000 per year.

Employer Consultation



Pye Tait undertook a significant amount of new employer consultation to produce a range of insights including employers perspectives on the changing need for certain job roles, the likelihood of recruitment difficulties now and in the future and the reasons for any reported skills gaps/shortages in their workforces.

Future Drivers

They include:

- Advanced digital changes – AI, VR, etc
- Increasingly vital applications – BIM, GPS, drones, etc.
- Robotics – from bricklaying to exoskeletons
- Additive manufacturing – likely to impact on everything from the replacement of bricks, paving and some roofing structures to stronger and lighter bridges and interior structures
- Zero-carbon – driving considerable change in materials and methods
- Other government policy and legislation – for example, the latest planned immigration restrictions for low-skilled workers implying a policy to replace labour with technology. Almost all large construction and infrastructure companies are starting out along this road.
- The clear trend towards a high-skilled workforce and the disappearance of many low-skilled jobs.



Skills in infrastructure being driven by broad contextual changes and these must be included when considering changes in demand for technical skills

The report also explores likely changes in technology and politics and factors this in to conclusions on future skills requirements

Key Messages

The report provides a set of headline key messages that are explored in greater detail within other areas of the document

- 1. Unprecedented Investment of c.£36bn** - combined impact on the two counties of £60-£90bn – but need for additional spending to support that growth – roads, schools and skills provision
- 2. Skills Shortages and Gaps** - too few entering STEM occupations, low entry and conversion rate = shortage of skills
- 3. Critical Skills** - urgent need to enhance provision in terms of volume and sufficiency in advance of demand in specific areas – welding, steel-fixing, concreting, electricians and some of the traditional construction trades.
- 4. Addressing Sufficiency** - over next 5 years c.3000 additional training places will be required if conversion rates stay the same. Some means required to coordinate this increase by locality and specialism. Barriers include funding, tutor shortages, pace of change and social and cultural change.
- 5. Curriculum Development** - employers' engagement and understanding of skills needs limited, finance, information availability, tutor skills and background all hinder effective curriculum development.
- 6. Centres of Excellence** - CoE(s) could help provide some of the critical skills required however this would be most cost-effectively provided in the form of a 'distributed' college making use of current staff and resources in the two counties.

14 Technical Legacy Job Roles

Science, Engineering And Tech Professionals

[Engineering Professionals](#)
[Science, Engineering and Production Technicians](#)
[Draughtspersons and Related Architectural Technicians](#)
[Information Technology Technicians](#)

Skilled Construction and Building Trades

[Construction and Building Trades](#)
[Building Finishing Trades](#)

Skilled Metal, Electrical and Electronic Trades

[Metal Forming, Welding and Related Trades](#)
[Metal Machining, Fitting and Instrument Making Trades](#)
[Electrical and Electronic Trades](#)
Supervisors

Process Plant and Machine Operatives

[Plant and Machine Operatives](#)
[Construction Operatives](#)

Transport and Mobile Machine Drivers and Operatives

[Road Transport Drivers](#)
[Mobile machine Drivers and Operatives](#)

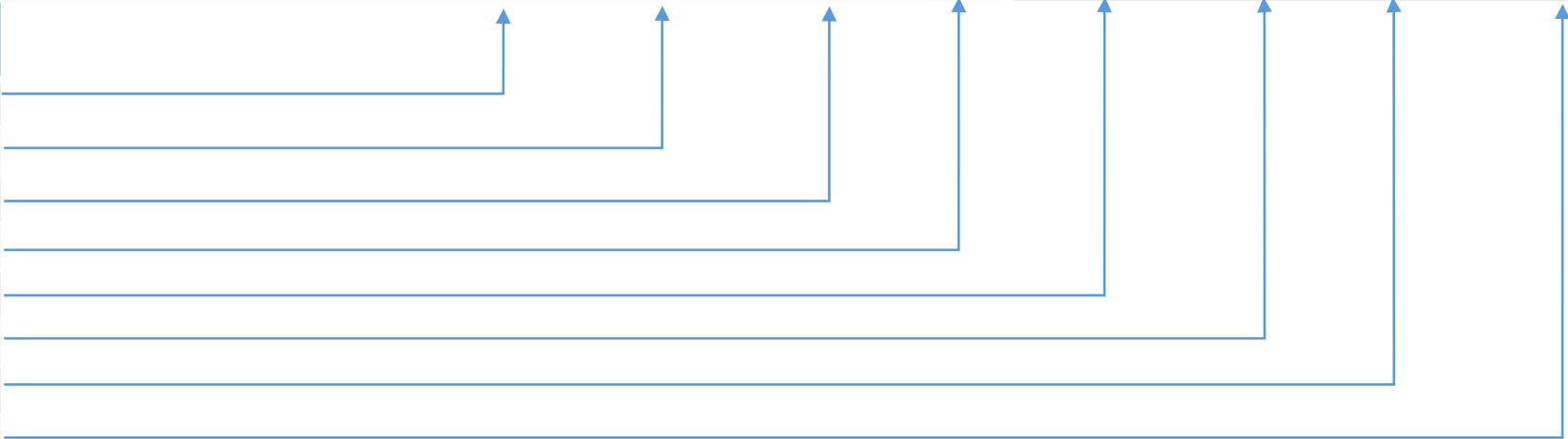
Report contains a Skills File on each containing...

- Further breakdown of the jobs involved
- Projected numbers needed including the uplift in forecast demand resulting from infrastructure projects
- Level of additional training requirement
- Identifies when demand will exceed or meet supply
- Impact of technological change on demand
- Timeline of the projects likely to require related roles and specialisms
- Usual qualification / training requirements, where that provision is being offered and any additional provision required
- A summary of any challenges, opportunities and risks related to the skillset

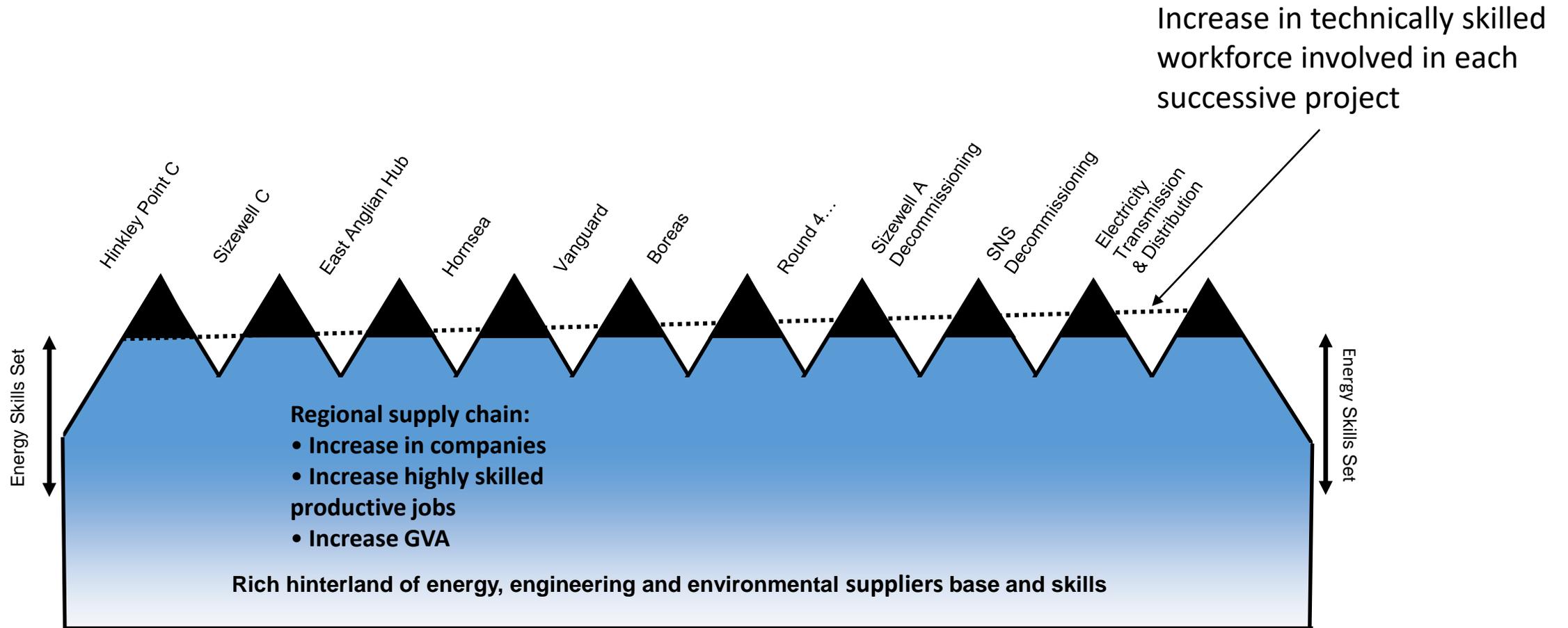
Example – Use of Data

	2021	2022	2023	2024	2025	2026	2027	2028
Hinkley Point C	[Green bar]							[Light blue bar]
Sizewell C	[Orange bar]							
East Anglian Hub	[Light blue bar]		[Dark grey bar]					
Hornsea	[Light blue bar]		[Olive bar]					[Light blue bar]
Vattenfall Vanguard	[Light blue bar]		[Dark green bar]					[Light blue bar]
Vattenfall Boreas	[Light blue bar]				[Grey bar]			

Curriculum Year	Age
Post 16	
11	15/16
10	14/15
9	13/14
8	12/13
7	11/12
6	10/11
5	9/10



Example – Use of Data



Sizewell C – Economic Assessment

Client name Suffolk County Council	Project name Sizewell C	Date 01 June 2021	Project number 60445024
Prepared by Ben Muirhead	Checked by Colin Hardie & Gemma Paget	Approved by Bevin Carey	Verified by Richard Cann

Revision History

Revision	Revision date	Details	Authorised	Name	Position
01	01/06/2021	Final Report	CH	Colin Hardie	AS

1 Introduction

The purpose of this economic assessment is to determine the potential transport user benefits or disbenefits that traffic associated with the construction and operation of the Sizewell C Nuclear Power Station, as well as any proposed infrastructure improvements, has on traffic on the surrounding road network. The calculation of these benefits or disbenefits would then be used as guidance for Suffolk County Council (SCC) on the potential financial support which would be required to mitigate against the impact of the additional traffic.

SCC commissioned AECOM to undertake two separate economic assessments, which were:

1. Estimate the economic impact of Sizewell C traffic on the A12 corridor covered by the microsimulation model (VISSIM); and
2. Estimate the economic benefits of the infrastructure being proposed to mitigate against the additional Sizewell C traffic using the strategic model (VISUM).

2 Background

Through the VISUM and VISSIM modelling that has been previously carried out by WSP, traffic associated with Sizewell C has been shown to negatively impact the performance of the road network, most notably on the A12 corridor which the VISSIM models assess (see [Table 2.1](#)). Therefore, SCC have commissioned AECOM to undertake an economic assessment to ascertain the financial impact that Sizewell C traffic and the proposed infrastructure improvements may have on the A12 corridor and the wider network.

Table 2.1: AM & PM VISSIM Network Statistics

AM (06:00 – 09:00)				
Performance Measure	2023 Reference Case	2023 'Early Years'	2028 Reference Case	2028 'Peak Construction'
Total Vehicles	27,293	27,831	26,625	27,359
Total Delay (h)	476	522	559	647
Average Speed (mph)	41	41	41	40
Average Delay (s)	63	67	76	85
PM (15:00 – 18:00)				
Performance Measure	2023 Reference Case	2023 'Early Years'	2028 Reference Case	2028 'Peak Construction'
Total Vehicles	36,767	37,028	36,460	36,995
Total Delay (h)	698	725	908	1,060
Average Speed (mph)	40	40	38	37
Average Delay (s)	68	71	90	103



Figure 2.2: VISUM Model Extents

To assess the potential benefits or disbenefits that the proposed infrastructure improvements may have on the network, the following VISUM models were assessed:

- 2028 'Busiest Day' (With Infrastructure)
- 2028 'Busiest Day' (Without Infrastructure)
- 2034 'Operational' (With Infrastructure)
- 2034 'Operational' (Without Infrastructure)

Figure 2.3 shows the location of the proposed infrastructure improvements in the VISUM models from 2028 onwards.

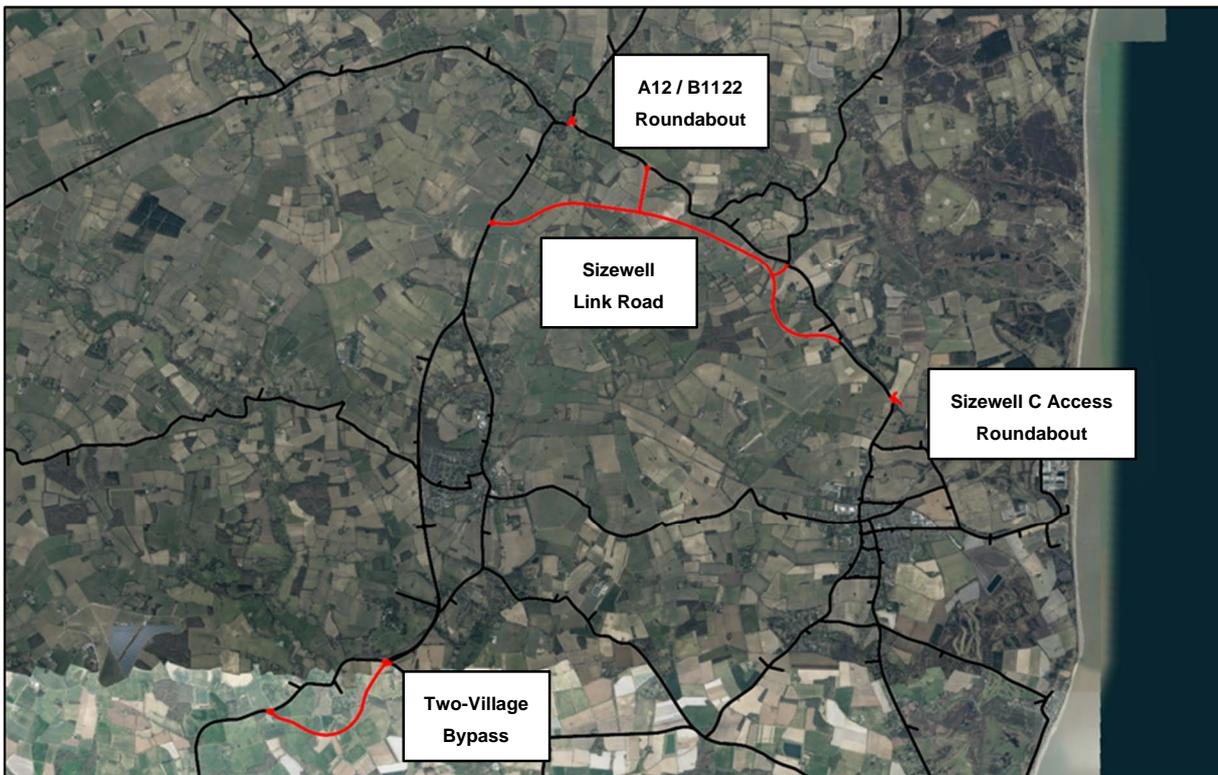


Figure 2.3: VISUM Model Sizewell C Infrastructure Improvements

The proposed infrastructure improvements associated with Sizewell C that are under assessment are:

- The Two-Village Bypass on the A12.
- The Sizewell Link Road between the A12 and B1122 north of Leiston.

- The A12 / B1122 Yoxford roundabout; and
- The Sizewell C access roundabout on the B1122.

It should be noted that not all the proposed infrastructure improvements associated with the construction of Sizewell C are under assessment, as SCC requested that the two proposed Park & Ride sites be excluded from the assessment. As a result, the full benefits or disbenefits of the infrastructure improvements cannot fully be established as the Park & Ride sites remove traffic from the road network near Sizewell C that would otherwise be required to drive directly to site and thus add to journey times.

This note will therefore present the following:

- The potential economic impact within the A12 corridor included in the VISSIM models to highlight the requirement for any mitigation measures (if necessary) within this location; and
- The potential economic benefits of the proposed infrastructure improvements associated with Sizewell C that are included in the wider Suffolk area VISUM models.

3 Economic Assessment Methodology, Assumptions & Limitations

This section details the methodology that was used to undertake the economic assessment for both the VISSIM and VISUM models, as well as any assumptions which have been made to undertake the assessment. The limitations of the assessment are also stated.

It should be stated at the outset that due to the requirement to remove infrastructure from the existing VISUM models, these new models and the existing models required re-assignment, however during this process it became clear that the assignment was producing a slightly different result to that presented by WSP, although negligible and would have no impact on the overall assessment. Further discussions with the software developers, PTV, indicated that the method of assignment (LUCE) being used for LGV and HGV demands would be dependent on the number of cores being used. AECOM ensured that the number of cores were consistent to that of the WSP model runs, however there remained some negligible changes within Ipswich.

Further to the VISUM model reassignment, the VISSIM models also required reassigning to obtain the information which had not been collected by WSP, namely the Total Travel Times which is essential for the economic assessment.

3.1 Economic Assessment Methodology

To undertake the economic assessment for the VISSIM microsimulation models of the A12 corridor, the following methodology was used:

1. Each of the four models listed previously were assigned for 10 simulation runs to obtain the average total travel time result.
2. The Network Performance statistics for each simulation run were reviewed to identify if there were any erroneous simulation runs which led to abnormal results, however there were no issues with the model runs.
3. The average 'Total Travel Time' for each background vehicle type (i.e. non-Sizewell C traffic) was extracted from the models for each modelled hour. Checks were carried out to determine the extent of any latent demand that may be present in the models which might impact travel times, however this was found to be negligible.
4. To obtain a 12 hour economic assessment, results from the 07:00 – 10:00 and 16:00 – 19:00 periods were required. Given that the microsimulation models only cover the 06:00 – 09:00 and 15:00 – 18:00 periods, it was necessary to estimate the missing hours for each peak period i.e. 09:00 – 10:00 and 18:00 – 19:00. To do this, the following steps were taken:
5. Automatic Traffic Count (ATC) data for April 2016 which was provided to AECOM by SCC was analysed and four of the ten sites were found to be within the extents of the model.
6. Factors were then calculated to uplift the 07:00 – 09:00 period to 07:00 – 10:00 and the 16:00 – 18:00 period to 16:00 – 19:00. The interpeak (10:00 – 16:00) was calculated by applying a factor to the 15:00 – 16:00 period.
7. TAG Data Book v1.13.1 (July 2020) tables including value of time, occupancy, proportion of work and non-work trips were used to calculate the dis-benefits over the assessment period.

To undertake the TUBA economic assessment for the VISUM models, the following methodology was used:

1. A check was carried out on the results from the models assigned by WSP and those assigned by AECOM. Negligible differences were observed due to the LUCE assignment for LGVs and HGVs producing different results depending on the speed and number of cores that the CPU has.
2. Given there are no models which have Sizewell C traffic without proposed infrastructure, the proposed infrastructure was removed from the 2028 'Busiest Day' and 2034 'Operational' scenario models so the assessment could be undertaken.
3. The VISUM models were then assigned.
 - a. It should be noted that the 2028 'Busiest Day' 08:00 – 09:00 model did not converge within the maximum 150 runs, therefore the criteria was loosened to produce the highest achievable level of convergence. Adjustments to the model would have been required to converge the model, however this was out with the scope of the project and would have meant a deviation from the original models.

4. The demand matrices for Cars, LGVs, HGVs, Sizewell C Cars and Sizewell C LGVs were extracted from the models.
 - a. Given that Sizewell C HGVs are coded as fixed route lines, it was not possible to extract these demands.
5. Trip time and trip distance measurements were skimmed from the models for each modelled hour for the vehicle types listed above but excluding Sizewell C HGVs given their fixed route coding.
6. The ATC data used to calculate the uplift factor in the VISSIM economic assessment was also used to uplift the 07:00 – 09:00 period to include the 09:00 – 10:00 period during the annualisation. This was also done to calculate an annualisation factor for the interpeak period as only the 15:00 – 16:00 period had been modelled. In terms of the PM peak the 16:00 – 18:00 period was uplifted to include the 18:00 – 19:00.
7. The TUBA deck was created using the TAG Data Book v1.13.1 (July 2020) in TUBA v1.9.14.
8. The TUBA model was then run to calculate the expected benefits of the 2028 to 2034 period. A further test was also carried out to calculate the expected benefits of a 60-year assessment period from 2028 to 2087.
9. The TUBA output file was investigated to determine the cause and magnitude of any errors or warnings which were present to ensure the validity of the results.

3.2 Assessment Assumptions

The following assumptions have been made during this economic assessment:

- It is assumed that all Sizewell C associated infrastructure improvements will open in 2028.
- It is assumed that traffic volumes, particularly Sizewell C HGVs, will remain the same between each modelled year e.g. 1,000 HGVs per construction day between 2028 and 2034. This is unlikely to occur in reality, given that as the construction nears completion, there will likely be a requirement for fewer HGV deliveries.
- For the analysis, a Personal LGV and Freight LGV split of 12% and 88% respectively was used which was derived from the TAG Data Book (July 2020 1.13.1). Based on WSP's analysis of the PCU factors for HGVs for use in the VISUM models, a 70%/30% split for OGV1 and OGV2 was used when analysing the HGV vehicle type. It should be noted that the Road Traffic Forecasts predict a closer split between OGV1 and OGV2, of between 53% / 47% (2028) and 51% / 49% (2034).
- It is assumed that the trip purpose for all SZC_LGV vehicles is business and that for all SZC_Car vehicles is commuting.
- It is assumed in the A12 corridor assessment that the change in traffic volume would follow a linear profile between 2023 and 2028 but then a flat profile between 2028 and 2033 i.e. traffic would increase from 2023 volumes to 2028 volumes incrementally each year but the volume of traffic between 2028 and 2033 would remain the same each year. This would not occur in reality but is an assumption for this assessment given the absence of any intermediate modelled years.
- To assess the proposed infrastructure improvements, traffic volumes remain the same in the with and without infrastructure models as required for this assessment. The Sizewell HGV and public transport vehicles, which are hard coded within the model i.e. fixed routes, have been placed onto the most likely parallel routes in the without infrastructure models, specifically the A12 in the absence of the Two Village Bypass, and Yoxford Road in the absence of the Sizewell Link Road.
- It is assumed that the proposed infrastructure will remain in place beyond 2034.

Although a conservative approach, where possible, has been undertaken for each assumption, any inaccuracies in these assumptions will vary the overall assessment conclusions and therefore caution should be taken when quoting exact figures from this document.

3.3 Assessment Limitations

It is important to understand the limitations of this economic assessment when viewing the calculated benefits or disbenefits as the limitations may adversely impact the accuracy of the calculations. The limitations of this assessment are:

- The VISUM models developed by WSP do not display a suitable level of convergence for economic assessment which is likely to be because they were not developed with the intention of being used for an economic assessment. Consequently, there may be areas in the model which experience a benefit or disbenefit which is not related to the proposed infrastructure or changes in traffic volumes. These benefits / disbenefits have not been masked during the assessment.
- No costs for the proposed infrastructure improvements have been included in the assessment therefore, no Benefit-Cost Ratio (BCR) has been calculated.
- HGVs associated with the construction of Sizewell C are coded into the VISUM models as fixed routes and therefore cannot be included in the economic assessment. However, they do contribute to the overall impact on the network, given that they remove capacity from the network prior to assignment.
- The interpeak period is extrapolated from the 15:00 to 16:00 period which contains a noticeable volume of Sizewell C related traffic and therefore assumes that a similar volume of Sizewell C traffic will be present on the network throughout the interpeak period. This may not be the case in reality, as construction traffic volumes may reduce at certain periods of the working day e.g. between 11:00 and 13:00.
- Both the VISSIM and VISUM assessments utilise the TAG Data Book tables, however their methodologies in terms of deriving vehicle delay differ, therefore caution must be taken when comparing the results.

It should also be highlighted that the critical peak switches between 2023 and 2028 within the VISSIM model, with the majority of disbenefits in 2023 occurring in the AM peak period, however by 2028 the majority of the disbenefits are experienced in the PM Peak, which includes 15:00 – 16:00 which forms the basis of the interpeak assessment. This has resulted in an escalation of disbenefits in both the PM peak and the Interpeak periods as illustrated in [Figure 3.1](#)

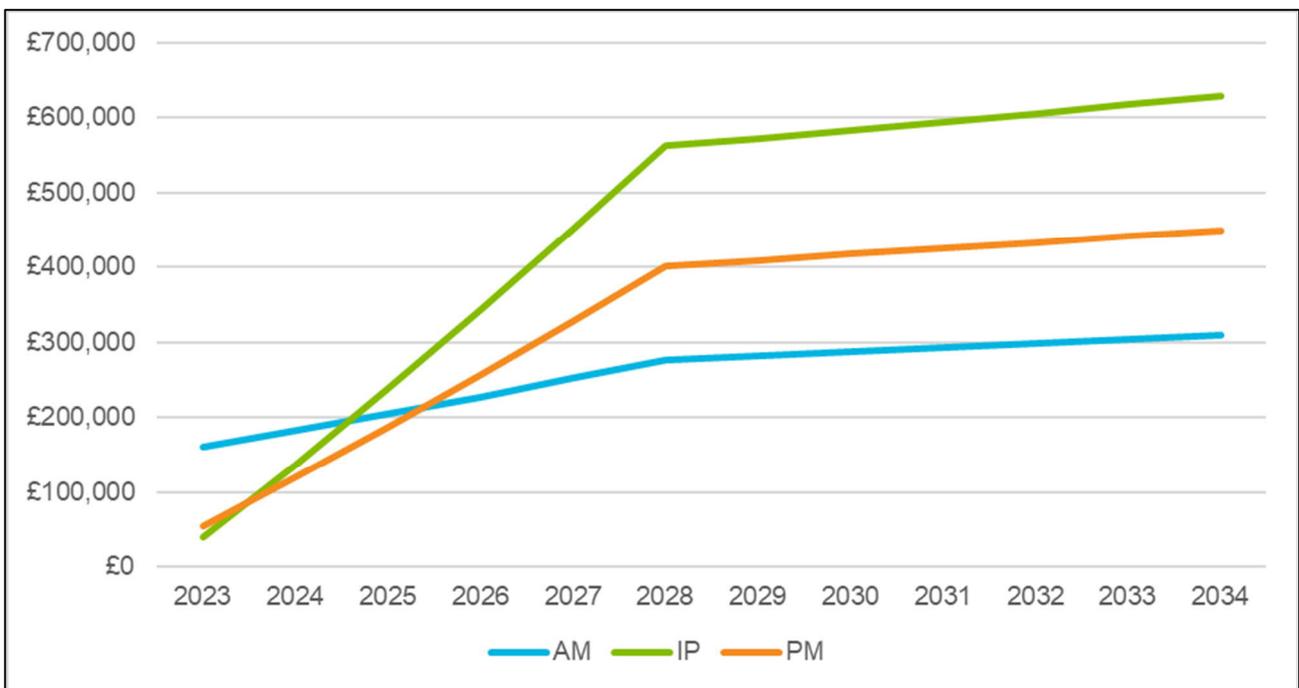


Figure 3.1: Projected Disbenefits

Further analysis to verify this switching in disbenefits between 2023 and 2028 has been undertaken by comparing the difference in average delay per vehicle with and without Sizewell C traffic for the AM and PM peaks in 2023 and 2028, see

[Table 3.1](#). As indicated, the average delay differences in the AM and PM between 2023 and 2028 switch which is replicated by the projected disbenefits. From inspection of the VISSIM models, there is a noticeable increase in queuing in the PM peak period, the contributing factors for this are difficult to identify, however between 2023 and 2028 the introduction of signalisation to a number of key junctions along the corridor may have impacted the operation more severely in the PM peak compared to the AM peak, also between 2023 and 2028 the 15:00 to 16:00 background traffic increases by around 6.5% compared to around 5% in other hours, which may marginally increase the queuing prior to the start of the PM peak.

Table 3.1: Average Delay Difference (seconds per vehicle)

Time period	2023		2028		Factors between 2023 and 2028	
Hour	AM	PM	AM	PM	AM	PM
1	1.71	0.92	4.88	9.95	2.86	10.76
2	5.27	2.44	6.21	14.74	1.18	6.04
3	7.61	2.01	11.57	12.78	1.52	6.35
Total	14.59	5.38	22.66	37.47	5.55	23.16

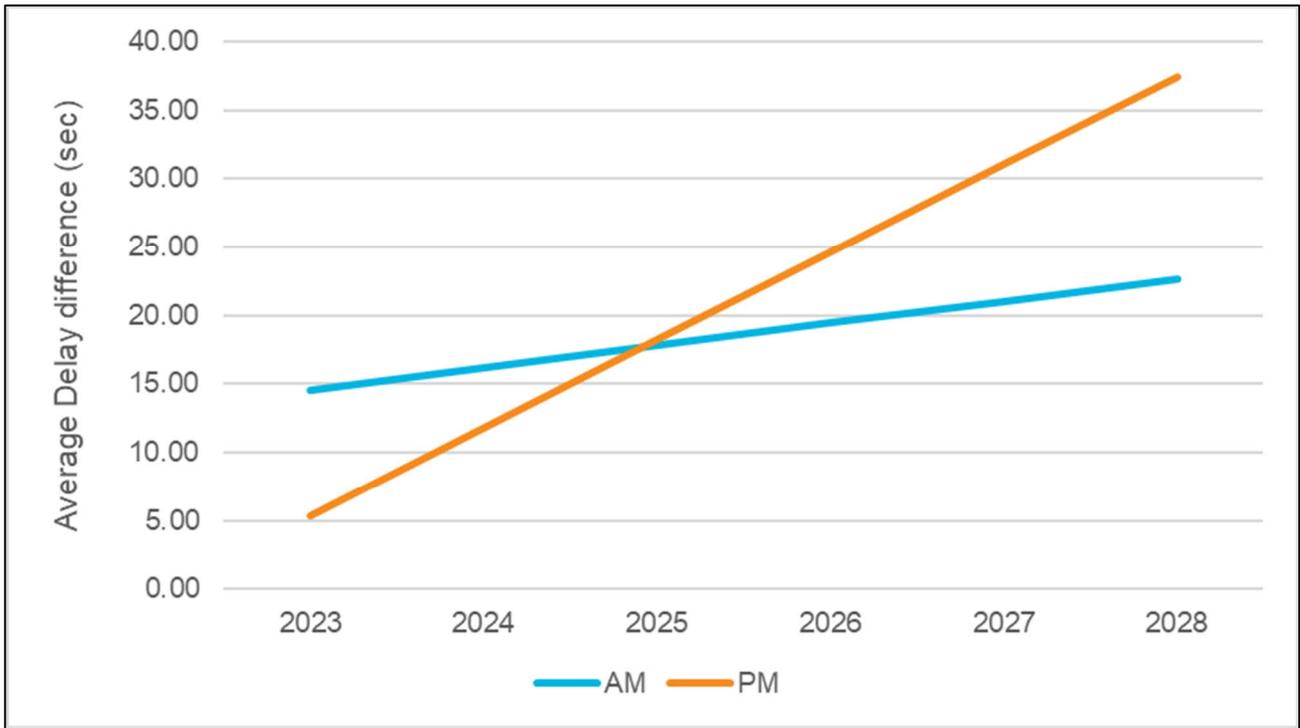


Figure 3.2: Average Delay Difference

Following on from the above analysis, the Interpeak highlights larger disbenefits between 2023 and 2033 as a result of the delays experienced between 15:00 – 16:00. Given the lower background traffic volumes and the reduced number of cars and LGVs associated with Sizewell C within the interpeak hours, the disbenefits may be over-estimated. Therefore, a range should be considered for the interpeak period, this is discussed further within the economic results.

4 Economic Assessment Results

This section of the note details the results of the economic assessment for the A12 corridor (VISSIM) and wider area (VISUM) models. The assumptions and limitations detailed previously in this note should be considered when viewing the presented values.

4.1 A12 Corridor Economic Assessment

With no proposed mitigation measures on the A12 corridor, the increase in traffic associated with the construction of Sizewell C can only result in a disbenefit to existing vehicles on the network. Furthermore, given that the proposed infrastructure improvements to the area north of the corridor are expected to be operational by 2028, the calculated disbenefits between 2023 and 2027 provide an indication of the magnitude of disbenefit that the wider network may experience. The 2028 to 2033 is expected to experience the greatest volume of construction traffic on a daily basis and therefore this is likely to be the period which results in the greatest disbenefits to the corridor.

Table 4.1 shows the breakdown of the calculated disbenefits (rounded to nearest £100,000) to the corridor from 2023 to 2027, 2028 to 2033 and 2023 to 2033.

Table 4.1: A12 Corridor VISSIM Economic Assessment Results

From Year	To Year	Net Present Value (2010 prices and values)
2023	2027	-£3,200,000
2028	2033	-£7,800,000
2023	2033	-£11,000,000

In the five years between the beginning of 2023 to the end of 2027, a total disbenefit to the corridor of £3,200,000 was calculated. In the six years between the beginning of 2028 and the end of 2033, a total disbenefit to the corridor of £7,800,000 was calculated. Overall, this resulted in a disbenefit to the corridor of **£11,000,000** between 2023 and the end of 2033 and is shown in **Figure 4.1**.

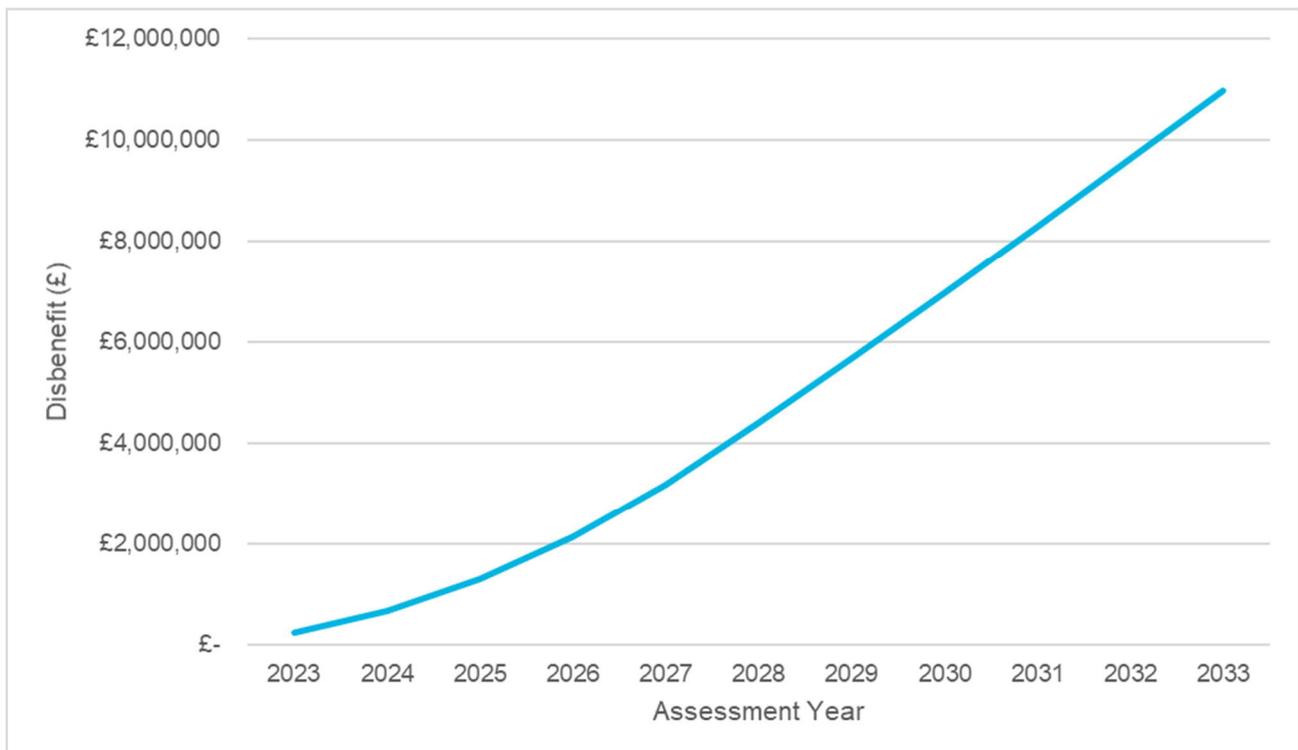


Figure 4.1: A12 Corridor Cumulative Yearly Disbenefit (2010 prices)

As discussed within [section 3.3](#), the level of disbenefit being presented during the Interpeak within the VISSIM model is noticeably higher than that of the AM and PM periods. Given the single hour analysis, between 15:00 and 16:00, where traffic volumes are increasing towards the PM peak period, it is likely that disproportionate disbenefits would be derived from this hour if applied over the interpeak period, given that delay and traffic volumes do not have a linear relationship. Therefore, it would be prudent to consider a range of disbenefits for the interpeak. [Table 4.2](#) below presents the disbenefit range based on an upper estimate which uses annualisation factors to derive the full interpeak period, as presented in [Table 4.1](#) above, and a lower estimate which only considers the disbenefit from the 15:00 to 16:00 period.

Table 4.2: A12 Corridor VISSIM Economic Assessment Results (Range) 2010 prices

From Year	To Year	Net Present Value (Upper Estimate)	Net Present Value (Lower Estimate)
2023	2027	-£3,200,000	-£2,200,000
2028	2033	-£7,800,000	-£5,000,000
2023	2033	-£11,000,000	-£7,100,000

Based on the above range, the economic disbenefit between 2023 and 2033 could lie between £7,100,000 and £11,000,000.

4.2 Wider Economic Assessment

The proposed infrastructure improvements associated with Sizewell C have the potential to provide a benefit to the network through a reduction in delay and greater average speeds. Given that the proposed improvements are expected to be operational by 2028 and that by 2034 all construction traffic will no longer be required to travel to and from the Sizewell C site, it is prudent to assess the impact of the infrastructure improvements with and without construction traffic.

[Table 4.3](#) shows the breakdown of the calculated benefits from 2028 to 2034 and 2028 to 2087.

Table 4.3: VISUM Economic Assessment Results (2010 prices)

From Year	To Year	Net Present Value
2028	2034	£3,600,000
2028	2087	£26,700,000

In the seven years between the beginning of 2028 to the end of 2034, a total benefit of **£3,600,000** was calculated. When considering the 60-year assessment period, a total of **£26,700,000** worth of benefit was calculated. [Figure A.1](#) in [Appendix A](#) shows the locations of the main benefits in the AM period for Cars and [Figure A.2](#) in [Appendix A](#) shows the locations of the main benefits in the PM period for Cars.

It should be noted that during the economic assessment for the VISUM models, that benefits and disbenefits were found to occur within Ipswich which is likely impacting the overall benefits of the proposed infrastructure. As highlighted previously, the VISUM model does not have the stability or convergence levels to provide sound economic outputs and as such may experience “model noise”, which is an apparent benefit or disbenefit which is not genuine. [Figure A.3](#) and [Figure A.4](#) in [Appendix B](#) illustrate the locations that these disbenefits were found to occur in and around the Ipswich area.

4.2.1 TUBA Error Analysis

A review of the TUBA output files for both the 7-year and 60-year assessment was carried out to identify any issues in the model that may be impacting on the appraisal. The main errors that were stated in the output files were:

- “Ratio of DM to DS travel time warning”
 - These errors were largely found to be small trip number e.g. 0.001 trips. Errors which involved a greater number of trips were investigated further where it was found that these errors were due to potential ‘noise’ in the Ipswich area.
- “Ratio of DM to DS travel distance warning”
 - These errors were found to be due to the potential ‘noise’ in the Ipswich area resulting in the significant re-routing of vehicles.

- “DM speeds greater than limit”
 - A review of the speed limits within the VISUM models was carried out to ensure that they have been coded correctly. The review concluded that these errors were due to a TUBA warning for any HGV speeds being set at 85 km/h however sections of the VISUM model are dual carriageways which allowed for speeds up to 96 km/h.

Upon review of these errors, it is clear that there is some model noise which will impact the overall economic assessment. Further examination would be required to assess the model noise and its impact on the overall economic results.

5 Summary

SCC commissioned AECOM to undertake two separate economic assessments, which were:

1. Estimate the economic impact of Sizewell C traffic on the A12 corridor covered by the microsimulation model (VISSIM); and
2. Estimate the economic benefits of the infrastructure being proposed to mitigate against the additional Sizewell C traffic using the strategic model (VISUM).

The VISSIM economic assessment has highlighted that a disbenefit of between £7,100,000 and £11,000,000 may be experienced on the A12 between 2023 and 2033 between the Seven Hills junction and north of Woodbridge. However, the wider economic assessment indicates that the proposed mitigation schemes presented by WSP have an overall benefit to the network. Between 2028 and 2034 the potential benefit of the schemes has been valued at £3,600,000, followed by a further £23,200,000 up to 2087, however it should be noted that this does not take into consideration any costs associated with the infrastructure.

Although the wider economic assessment has indicated that the proposed mitigation measures being presented by WSP have a positive impact on the network, it is clear from the assessment undertaken using the VISUM model that there will be an impact along this corridor with no mitigation measures being proposed to alleviate the increase in delay. Furthermore, it has been estimated that £3,200,000 of disbenefits will be experienced between 2023 and 2027 during which no mitigation measures will be operational along the A12 corridor or the wider network.

It should be noted that there are limitations with this assessment, especially with the wider network assessment which uses a model which was developed for operational assessment only; and does not converge to the level which is required for economic assessment. As such the economic benefits and disbenefits presented in this technical note must be considered alongside the limitations presented in [Section 3.3](#).

Based on the outcomes from this technical note, there should be some consideration into what mitigation measures could be adopted to reduce the potential delay along the A12 between The Seven Hills grade junction and north of Woodbridge. This corridor already suffers from long queues at some of the key junctions which are likely to worsen with the inclusion of Sizewell C traffic, therefore it would be beneficial that measures are put in place to reduce further deterioration of the network performance.

Appendix A – Locations of Primary Benefits

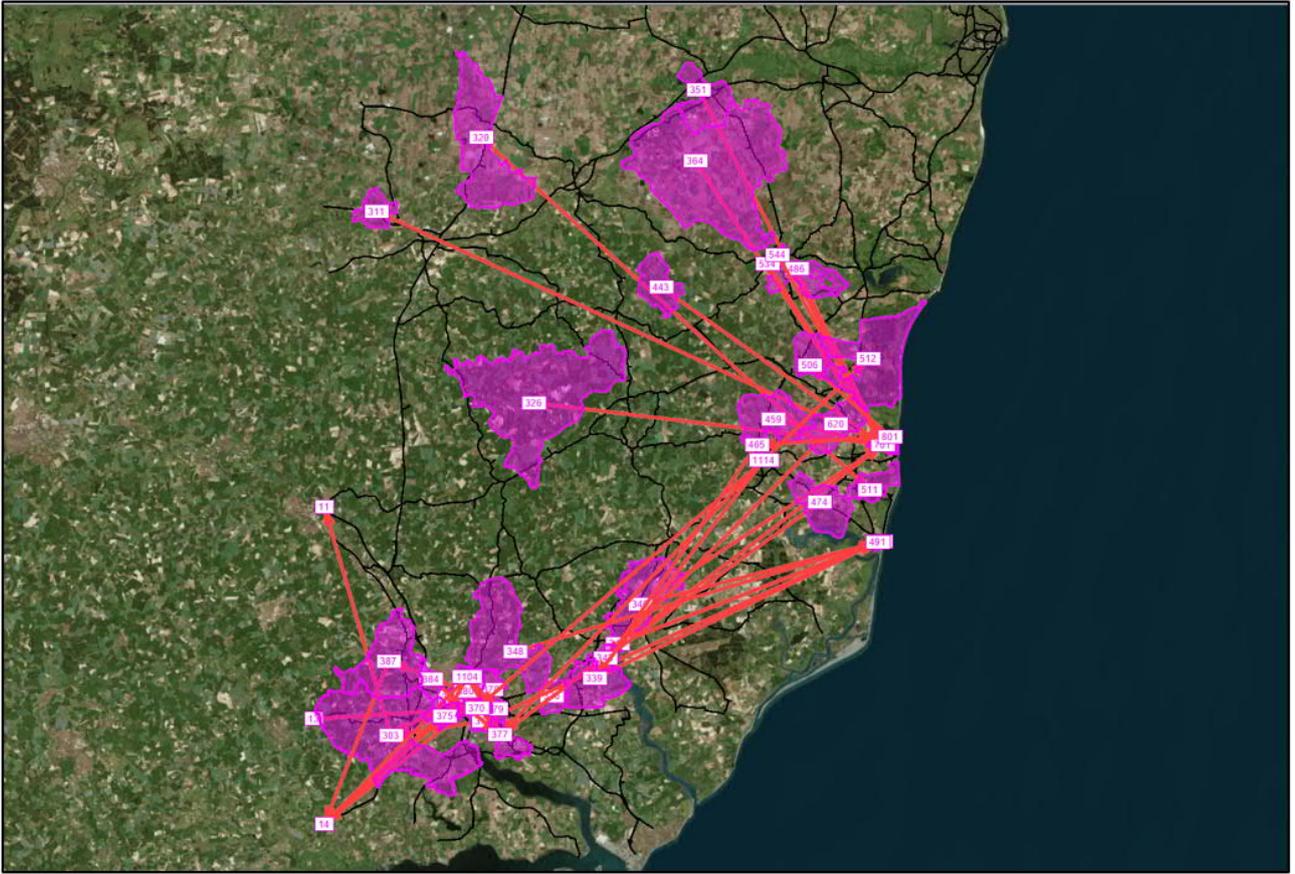


Figure A.1: 2028 AM Car Benefit Locations

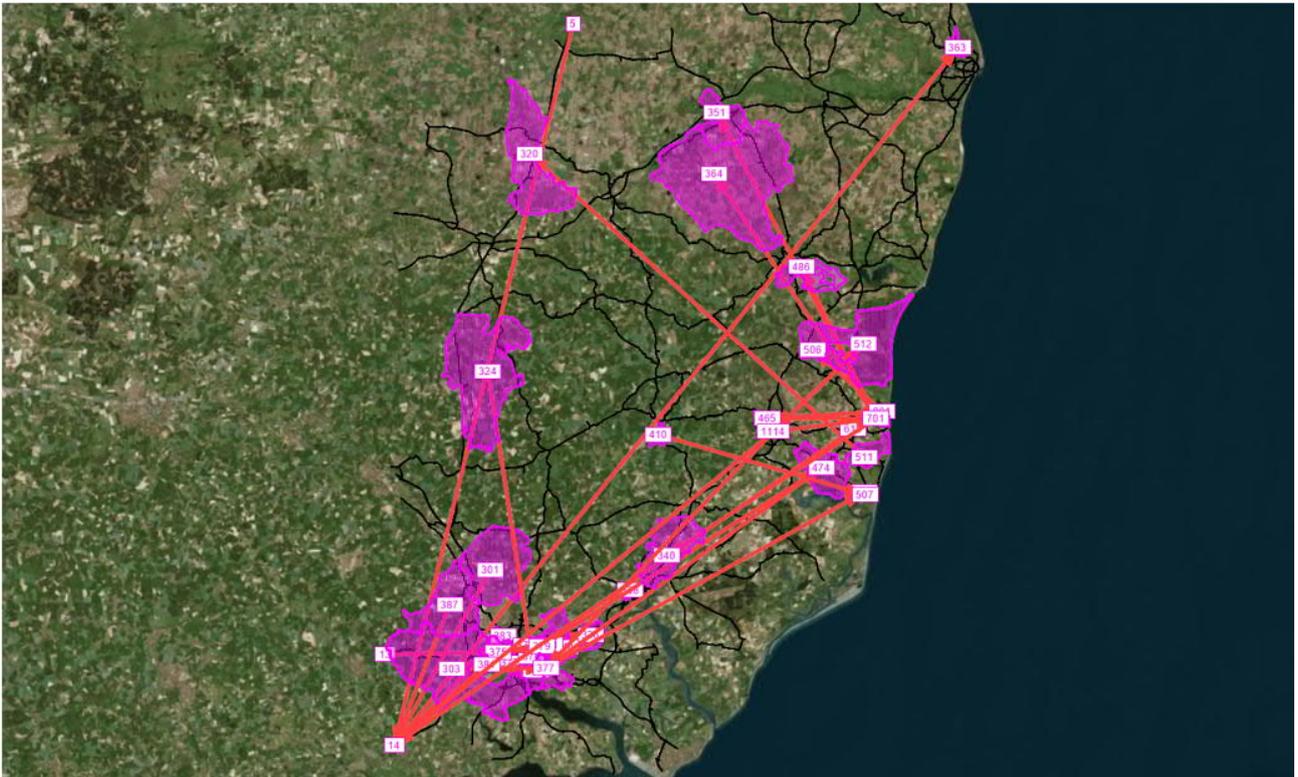


Figure A.2: 2028 PM Car Benefit Locations

Appendix B – Locations of Primary Disbenefits

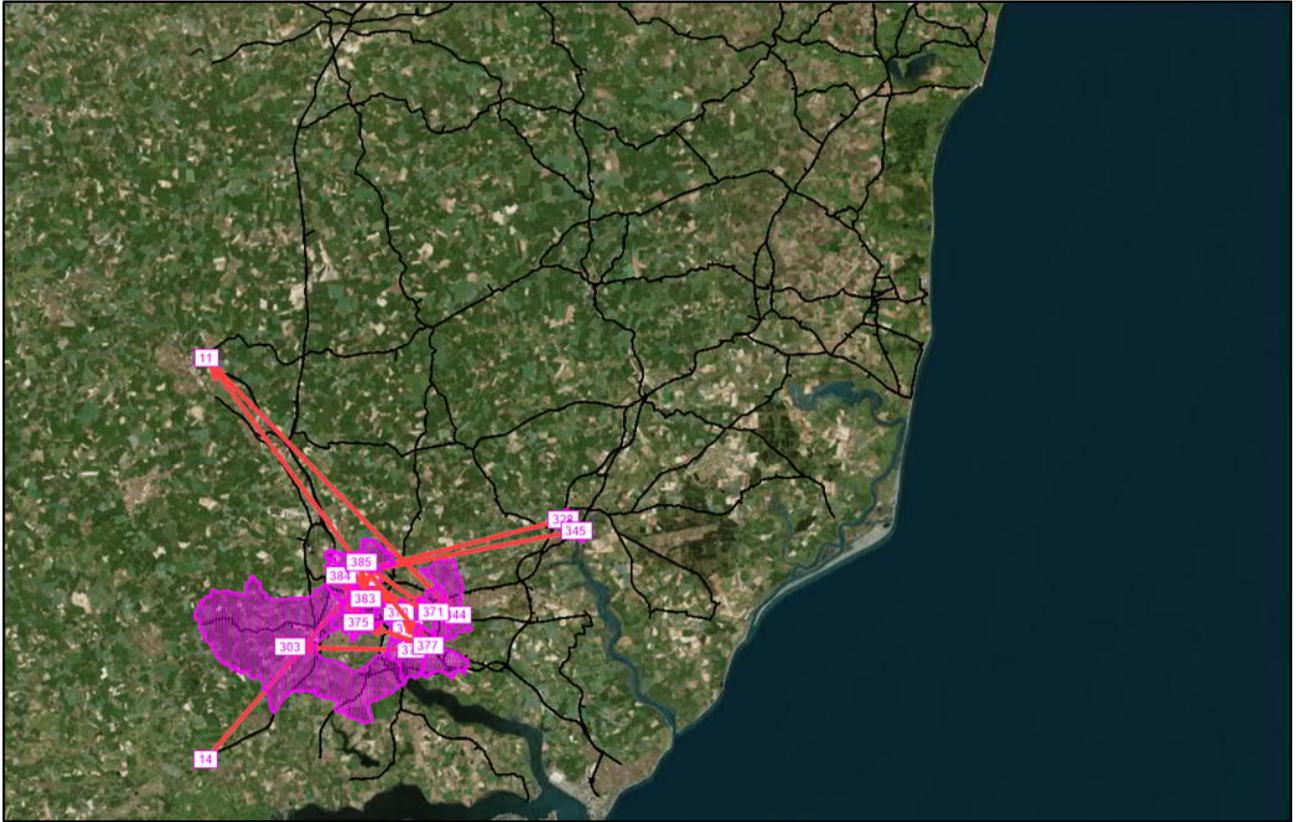


Figure A.3: 2028 AM Car Disbenefit Locations

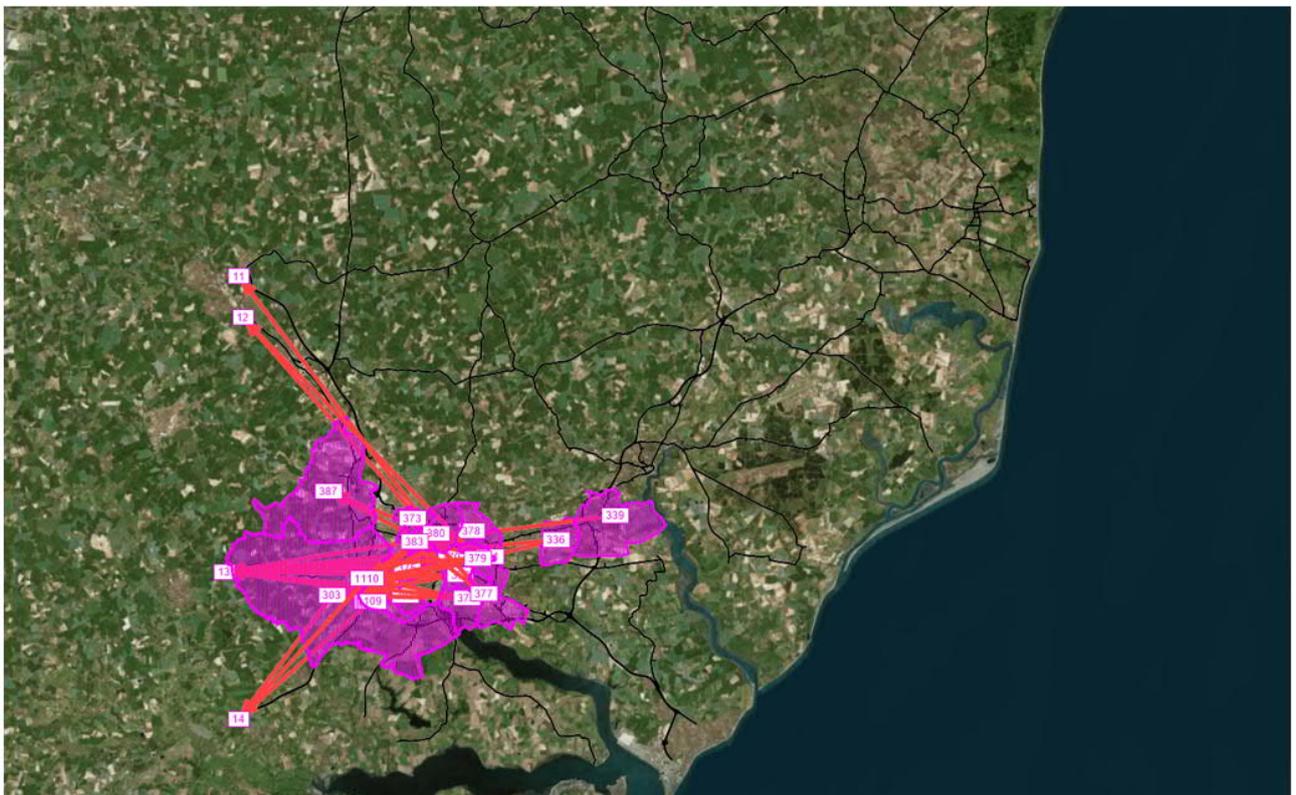


Figure A.4: 2028 PM Car Disbenefit Locations

Appendix C – ATC Analysis